ABSTRACT

Title of Thesis: AN ANALYSIS OF THE CORRELATION BETWEEN THE ATTITUDE, BELIEF, OPINION, AND DEMOGRAPHIC COMPONENTS OF VOLUNTARY FORFEITURE OF ONE'S FOURTH AMENDMENT CONSTITUTIONAL RIGHT IN ORDER TO PERMIT POLICE OFFICERS THE USE OF NEW CONCEALED WEAPONS DETECTION TECHNOLOGY

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The primary purpose of the study is to determine and analyze relationships between the major components of the participants' opinions, attitudes, and beliefs as to the effectiveness and willingness of individuals to voluntarily forfeit their Fourth Amendment Constitutional rights to permit the use of the new Concealed Weapons Detection Technology ("CWDT"). The new CWDT, as described

in this study is capable of performing hands-off, non-intrusive body searches for contraband such as plastic explosives, drugs, and concealed weapons, specifically concealed guns. The study questions the Constitutionality of permitting police officers the use of such CWDT, and the Constitutionality of one's voluntary forfeiture of a Constitutional right to permit such use.

Data collected for the study is from 100 residents of Madison, Wisconsin, and Washington, D.C., aged 18 years or older. The study analyzes Frequencies, Crosstabs, Chi Square, and Pearson's(r) and Spearman's(r_s).

The study although conducted before September 11, 2001, found that crime and terror remain great oppressors in the Nation, and that citizens are desperate for a resolution. The study reveals that the great majority of the study participants consider CWDT a positive solution.

AN ANALYSIS OF THE CORRELATION BETWEEN THE ATTITUDE, BELIEF, OPINION, AND DEMOGRAPHIC COMPONENTS OF VOLUNTARY FORFEITURE OF ONE'S FOURTH AMENDMENT CONSTITUTIONAL RIGHT IN ORDER TO PERMIT POLICE OFFICERS THE USE OF NEW CONCEALED WEAPONS DETECTION TECHNOLOGY

by

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Thesis submitted to the Faculty of the Graduate School of the University of Maryland, College Park in partial fulfillment of the requirements for the degree of Master of Arts
2002

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FOREWORD

The accomplishments of this Thesis I gratefully share with the study participants of Madison, Wisconsin and Washington, D.C. I thank the participants for their full cooperation and patience in completing the somewhat time-consuming survey instrument. I also thank the participants for the sincere interest in the study they expressed to me.

DEDICATION

I dedicate this Thesis and all of my efforts to my precious Mother Charlyne Daniels Hill who ascended into Heaven during its completion. I also dedicate it to one of my Thesis Advisor, Professor Al Zumbrun's Daughter who also ascended into Heaven during the completion of this Thesis.

Finally, I dedicate this Thesis to my family without whom this Thesis would not be. To my patient, motivating, and loving Husband, Alton Lee Vann, who has been my survivor; and to my three beautiful, supportive, and caring Daughters, Stephanie S. J. Vann Cox, LaShea Lee Vann, and SunShine Louise Vann.

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CHAPTER I: INTRODUCTION

The National Institute of Justice (hereinafter referred to as, the "NIJ"), a division of the United States Justice Department, sponsored specific research and development for new Concealed Weapons Detection Technology. Toward that endeavor, the Federal Government made available approximately $4.5 million to fund new Concealed Weapons Detection Technology.

Since March of 1995, through its National Law Enforcement and Corrections Technologies Center-Northeast, NIJ began initiating funds for field tests on three hands-off, and nonintrusive concealed weapons detection technologies[1], inter alia. These three concealed weapons detection technologies are: Passive Millimeter Wave Imaging;[2] Low-Frequency Electromagnetic Radiation;[3] and Magnetic Gradient Measurements[4].

The NIJ also funded a joint research effort to initiate four other weapons detection technologies. The NIJ and the U.S. Department of Defense through the Defense Advanced Research Projects Agency explored the following weapons detection systems: Low-Level Scattered X-Rays and Computer Image Processing;[5] Millimeter Wave and Long-Wave Infrared Receivers;[6] Radar and Ultrasound;[7] and, Low-

Frequency Magnetic Imaging[8]. These additional new technologies were intended to be suitable for fixed-site operation, such as placement in doorways, and hand held. However, although these four systems are viable, they are excluded from the study for the sake of diminution.

The new Concealed Weapons Detection Technology identified for this study is touted to have the capability to detect concealed weapons on a person ideally before a violent crime is committed in our schools, on our streets, on our airplanes, or in any other vulnerable location.

Concealed weapons plays an essential role in extreme tragedies such as the tragedy, which took place at Columbine High School, in Littleton, Colorado[9]. This tragedy was a catalyst in forcing the Nation to acknowledge the cruel and brutal consequences of carrying concealed weapons[10], specifically, concealed guns. Numerous other school shootings occurred after that tragedy.

In New York City, another horrific tragedy chilled the conscious of the Nation. It, too, centered on carrying concealed weapons. New York City police officers shot and killed an innocent, unarmed person[11]. The police officers involved in this tragedy, however, perceived that the victim was carrying a concealed weapon. It became

evident that he was not. This tragedy demonstrates that it is just as perilous to be perceived carrying an illegal, concealed weapon, as it is to actually carry and use one. Both the Columbine and the New York shooting tragedies ended in senseless deaths. Numerous similar, irresponsible killings involving concealed weapons have occurred since that tragedy.

These tragedies, as well as well-publicized media-reported crime statistics[12] have made the Nation aware more than ever before of the key role concealed weapons play in the growing number of violent crimes and senseless deaths committed in the United States. Most disturbing to the public is the easy access, and growing aggressive use of concealed weapons in public places[13].

The Nation's anger and trepidation over the senseless concealed weapons violence is expressed throughout political, legal, and social forums, resulting in a new national agenda. The agenda challenges the government to produce some surefire methods to protect the general public, especially school-aged children, and our at-risk law enforcement community from the infliction of harm from those carrying concealed weapons, especially concealed guns.

Tragedies such as those described above possibly could have been prevented if the new Concealed Weapons Detection Technology discussed in this study were in place. The study addresses the prospect of law enforcement officials having access to such equipment to detect when a suspect is carrying concealed weaponry and contraband.

The primary purpose of the study is twofold: 1.) to garner the general public's opinions and beliefs whether the use of the new CWDT is a violation of the Fourth Amendment's protection against unreasonable searches and seizures; and 2.) to determine from the general public's opinions and beliefs whether they would voluntarily forfeit that constitutional right for the purpose of police officers using the new CWDT to fight crime, violence, and terrorism.

The study was principally interested in the Respondents' response as to whether they would be willing to permit the use of these new concealed weapons detection technology even if its use were considered unconstitutional. The actual research question of interest was: 1.) Whether in the Respondents' opinion police officers' use of this new concealed weapons detection technology would infringe on the Constitutional

rights afforded citizens under the Fourth Amendment of the United States Constitution[14], and, 2.) If so, whether the Respondents would voluntarily forfeit their Fourth Amendment rights for use of the new CWDT if they thought doing so would deter crime, violence, and terrorism in our Nation.

Some of the survey responses of secondary underlying interest to the study pertain to the potential effectiveness of the new CWDT. Such as whether, in the Respondents' opinion, police officers' use of Concealed Weapons Detection Technology as described in the study would decrease crime, including terrorism; and whether, in the opinions of the Respondents, there would be potential for a proactive deterrent effect. The deterrent effect discussed not only law enforcers having the right to use the new Concealed Weapons Detection Technology, but law enforcers making certain the criminal community is made well aware that such CWDT exists and is being utilized aggressively by law enforcement officials.

The instrument used in the study is a survey questionnaire. The study sampled the residents of Madison, Wisconsin and Washington, D.C. The interviewer of the study made telephone calls while in each target city. The interviewer intentionally asked the residents

to volunteer willingly to participate in the study inasmuch as the survey instrument is somewhat lengthy. The responses to the survey are statistically analyzed, evaluated, and generalized by inference to the general public.

The findings are statistically significant at the 0.01 level, and support the primary hypothesis of this study. The finds from the study also support various findings from other empirical studies as recounted in the Literature Review section of the study. That primary hypothesis of the study is that actual fear of crime and violence, and or the perceived prevalence of crime and violence causes people to seek sometimes extraordinary self-help solutions.

ENDNOTES

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[1] These three concealed weapons detection technologies, specifically the Passive Millimeter Wave Imaging technology, are the "technology" referred to in the survey instrument, and throughout the study.

[2] Passive Millimeter Wave Imaging: This project is under development by Millitech Corporation. This new technology offers the opportunity for rapid and remote detection at a distance of up to 12 feet without a direct physical search. This technology would detect metallic and nonmetallic weapons, plastic explosives, drugs, and other contraband concealed under multiple layers of clothing.

[3] Low-Frequency Electromagnetic Radiation: The Raytheon Company is developing this project. This concealed

weapons technology involves illuminating an individual with a low-intensity electromagnetic or "Heaviside" pulse and then measuring the time decay of the re-radiated energy from the metal objects carried by the person. The intensity and the time decay of the secondary radiation can be characterized and the "signatures" identified as a gun or non-threatening metal object.

4 Magnetic Gradient Measurements: This concealed weapons detection initiative is being explored by Idaho National Engineering Laboratory utilizing a proven, existing technology used in mineral exploration, environmental characterization, military navigation, and submarine detection. This is a new application of an existing technology--magnetometer sensors. This technology is attempting to construct a more reliable scanner than can be used as a stand-alone unit, much like an airport scanner system, incorporated directly into building doorways or hallways.

5 Low-Level Scattered X-Rays and Computer Image Processing: This technology is under development by Nicolet Imaging Systems of San Diego, California. These technology uses extremely low doses of scattered x-rays, in conjunction with advanced computer image-processing techniques, to detect weapons, explosives, illegal chemicals, and other contraband concealed under a person's clothing.

6 Millimeter-Wave and Long-Wave Infrared Receivers: This technology is a passive approach, which is still being developed by the Lockheed-Martin Corporation. This technology would use a millimeter-wave receiver and a long-wave infrared receiver, either individually or together to measure the difference in temperature between a concealed weapon and an individuals body. When the two types of receivers are used in tandem and linked with a computer imaging system, it is expected that the probability of detecting a concealed weapon will increase substantially.

7 Radar and Ultrasound: This development is considered an active approach that combines radar and ultrasound, which is being developed by JAYCOR. The system operator would have to be trained to interpret ultrasound images. It is expected that the radar component will be suitable

for fixed-site operation, and that the ultrasound component will be suitable for either fixed-site or hand-held use.

[8] Low-Frequency Magnetic-Imaging System: The Systems and Processes Engineering Corporation is developing an active-approach technology using a low-frequency magnetic imaging system suitable for fixed-site operation.

[9] On April 20, 1999, two high school students went on a rampage and killed 12 fellow students, a teacher and themselves at Columbine High in what has been reported as the deadliest school shooting in United States history. Concealed weapons solely were used in the rampage.

[10] Since 1987, there has been an increase in the number of states permitting its citizens to carry concealed weapons. Most states shall issue permits within a certain number of days, if the citizen is not disqualified from applying for various reasons. These reasons typically include convictions for a felony or violent misdemeanor, legally defined mental problems, known drug use, and other well-defined objective reasons. Other states issue permits with discretion, usually requiring the applicant to demonstrate a need. Many of the states issue non-resident permits or recognize permits from other states. Vermont is the only state that is unregulated. No permit of any kind is required of Vermont residents, or of even non-residents.

States and the District prohibiting citizens from carrying concealed weapons include the District of Columbia, Illinois, Kansas, Missouri, Nebraska, New Mexico, Ohio, and Wisconsin.

[11] On February 6, 1999, in New York City, the media reported that four city police officers had shot at least 41 bullets at a suspect. Nineteen of those bullets hit the suspect in various parts of the body and killed him. The police reported that they shot the victim because he was behaving in a suspicious manner, and they thought he was carrying a concealed weapon. He was not.

[12] The Bureau of Justice Statistics, Office of Justice Programs of the U. S. Department of Justice report with a 95% confidence interval, during the period of June 1,

1992, to May 31, 1998, an estimate between 33,800 to 81,000 of 99,000 related physical assaults.

[13] Since September 11, 2001, the greatest concern is the escalated danger concealed weapons present in our airports and on our airplanes.

[14] The Fourth Amendment to the United States Constitution guarantees that the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated.

Fourth Amendment rights are discussed throughout the study.

CHAPTER II: LITERATURE REVIEW

A. Fourth Amendment Issues

Introduction

As the media etches into our conscious daily, crime in this country has become a national epidemic though in reality, crime rates have been declining over the years[1], and leveling off. Modern day exigencies of criminal activity involving concealed weapons, specifically guns, such as student-on-student killings, and police officer shootings of unarmed persons has dictated to some communities that drastic self-help reaction might be appropriate[2]. This study suggests one self-help reaction--the implementation of the new Concealed Weapons Detection Technology (hereinafter sometimes referred to as the "CWDT").

The study is interested in whether or not the sample population is of the belief that the new Concealed Weapons Detection Technology introduced in this study could curb crime, specifically crime committed with illegally concealed guns[3] and other weapons. The study also questions whether the sample population would be willing to forfeit a Constitutional right to permit the use of the new Concealed Weapons Detection Technology. The study results

support police officer use of the new Concealed Weapons Detection Technology. The study results further support passing a law through initiatives and referendums[4] if necessary to permit police officer use of the new Concealed Weapons Detection Technology.

The study identifies foreseeable limitations of the use of the new CWDT. Using the CWDT may cause innocent people to be searched unwittingly by police officers, although it would be unbeknownst to the individual. Moreover, there may be mistakes of stopping an individual for carrying a concealed weapon who may be licensed to do so. In both instances, one might argue that surely citizens would secure some comfort in the knowledge that carrying concealed weapons no longer goes undetected. Such limitation could be considered benign or harmless error.

A major obstacle confronting the issue of new CWDT use may be the public considering the new Concealed Weapons Detection Technology a violation of one's Fourth Amendment and privacy rights. The Constitutional and legal personal, privacy concerns surely to arise from citizen interest groups especially, would have to be addressed thoroughly before a determination is made to legalize the use of this innovative CWDT.

These concerns of legal, Constitutional, personal privacy issues and the Constitutionality of the new CWDT use are important components of the study. The study instrument clearly points out to the participants the nonintrusive capabilities of the new Concealed Weapons Detection Technology. One are of the study analyzes the opinions and attitudes of the participants to determine who should have the responsibility for controlling the use of such new CWDT, if it became legalized.

The four choices presented to the participants were, 1.) Individuals by vote initiated by referendum, per State, 2.) The Federal Government, 3.) Individual States, and 4.) Courts decide on a Case-By-Case Basis. The most favorable responses were individuals by vote, and the Federal Government. The Respondents in the study opined approximately 33 percent of the time that individual votes initiated by referendum, per State, should have control, and approximately 30 percent believe that the Federal Government should have control. Nineteen percent stated that the State Government should have control, 14 percent indicate that the Courts should have control, on a Case-By-Case Basis, and 4 percent had no preference.[5]

The survey instrument apprised the sample population of the capabilities and proactive potential of the new

CWDT. The deterrent, the nonconfrontational, and the discrete search aspects of a new CWDT search were explained as well. The importance of the new CWDT's potential as a catalyst in healing the growing animosity between local and national communities and law enforcement officials also is discussed in the study.

The unique attributes of the new Concealed Weapons Detection Technology could persuade well-intentioned human rights activist groups and the Court not to rush to label the new Concealed Weapons Detection Technology "just another oppressor of minority races." Perhaps the deterrent and healing potentials of new CWDT will convince Courts and well-meaning activist groups not to even attempt to strike the new Concealed Weapons Detection Technology down as unConstitutional.

However, the Courts and well-meaning activist groups could be defensible, formidable advocates against the new CWDT. Candidly, a new Concealed Weapons Detection Technology search by its design and function could strongly be argued is an intrusive, and unreasonable search and seizure of one's person in violation of the individual's rights under the Fourth Amendment of the United States Constitution[6].

The study attempts to address this potential Fourth Amendment infringement from both a legal precedence, and Constitutional standpoint. The Fourth Amendment infringement concern, however, cannot be addressed without first determining what precedence does and does not constitute an unreasonable Fourth Amendment search and seizure. The study analyzes the intent of the Founders of the Constitution of the United States, Supreme Court decisions, and State precedent case law to define the term "unreasonable search."

The first argument against the legality of a CWDT search is that the Fourth Amendment requires that a warrant be issued before conducting a search and seizure. A CWDT search, however, necessarily would not require a warrant.

The Fourth Amendment of the United States Constitution states:

> The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue but on probable cause supported by oath or affirmation and particularly describing the place to be searched and the person or things to be seized.

The United States Constitution warns the Federal government that illegally obtained evidence in violation of the search and seizure provision, cannot be used at the trial of the defendant. The Courts have held this rule applicable to

the States as well[7]. Consequently, any evidence seized during a CWDT search would be thrown out as inadmissible in a Court of Law.

Generally speaking, searching an individual without justifiable probable cause[8], or without a good faith showing under the exclusionary rule[9] constitutes an unlawful, unreasonable search. Any illegal weapons or contraband seized during this unlawful search and used against the individual in a Court of Law is violating the individual's Fourth Amendment rights to be free from such unreasonable search and seizure. Some CWDT searches might be allowable and the evidence seized not excluded from trial under the "good faith exclusionary rule." This outcome might only be true, however, if the police officer convinces the Judge that out of good faith he believed the suspect was carrying an illegally concealed weapon, and his judgment was based upon his training and experience as a police officer.

However, there would be no concern whether the new CWDT search were an unlawful search if a warrant were not required at the time of the search. Such warrantless searches might include a "hot pursuit" incident, or a police officer actually seeing the suspect commit a crime. These and other unwarranted searches are discussed later in

this section. Moreover, this type of search would not be considered an infringement of one's Fourth Amendment if Federal and or local law approves the use of the new CWDT.

The study survey results indicate that the majority of the sample population is willing to allow the Federal government and or the local government to pass laws, which would legalize the use of the new concealed weapons, detection technology. The sample population further indicates that the majority is willing voluntarily to forfeit a Constitutional right if necessary to permit the use of the new Concealed Weapons Detection Technology. These statistics are thoroughly discussed in the Results section of the study.

The study questioned, however, whether the voluntary forfeiture of one's Constitutional right is legally or Constitutionally permissible. In order for the study to intelligently and credibly address the questions and concerns of Constitutionality and legality of voluntary forfeiture, it was necessary to critically scrutinize the history and defining purpose of the Fourth Amendment to the United States Constitution, the "Exclusionary Rule Reform Act of 1995[10]," and the exclusive powers of the Federal and State level government.

The History of the Constitution

Under the Articles of Confederation, which were in force since 1781, and before the ratification of the United States Constitution, the States were provided great governmental latitude and power. They possessed all the rights and powers which appertain to sovereign and independent nations[11]. For all purposes of self-government, the States had "no want of power, or the means of using it." Life, liberty, reputation, and property, all were copiously established in the States' Governments[12]. If any internal improvement were necessary within the State's entire and uncontrolled jurisdiction, such as the implementation of the new Concealed Weapons Detection Technology, the sovereign power of the State could cause it to be undertaken and effected. The new law enforcing Concealed Weapons Detection Technology during that era could have been considered a "necessary internal improvement[13]."

Only the States had the power to honor the people's desire to take part in social issues, such as the war on crime, and only States could grant them permission to voluntarily forfeit a personal right. Through the States' "no want of power" rights, States could make a provision in the law permitting police officers the use of the new

Concealed Weapons Detection Technology. The general government could not interfere.

Under the Articles of Confederation, the general government, presently identified as the Federal government, did not have the power to grant the people the right to forfeit their personal rights. The general government had only trivial powers assigned to it, which caused it great consternation[14]. The general government specifically lacked power to regulate commerce, to tax, to set commercial policy, to support a war effort, or even power to settle quarrels between States. Ultimately, James Madison, one of the writers of the new Constitution, protested and demanded a stronger general government which would provide order and stability to the 13 sovereign and independent states[15], and would then have the power to enable the use of to new CWDT.

Consequently, the politicians of the Continental Congress found the Articles of Confederation to be insufficient, and they demanded a new-form of government. A series of meetings of the Continental Congress convened solely for the purpose of debating the lack of power the general government held under the Articles of Confederation[16]. It was during those meetings that the majority decided to oust the Articles of Confederation and

create a new government, the Federal government. This new government was to be a complete and compulsive operation, a national government of "supreme power," with federal power over all states[17].

Ultimately, out of the birth of the new Federal government came the adoption of the United States Constitution, and the ten Amendments, which constitute the Bill of Rights. The Bill of Rights was written as a direct result of experiences of the colonials, before coming to American to create a new and better government. They wanted specifically to be free from unreasonable searches and seizures. In fact, one of the colonial's first acts under the new and better government was to rescind the "writs of assistance[18]." Under this new and better government, the Fourth Amendment was to be considered a fundamental right.

Thereafter, the Constitution became the Supreme Law of the Land, which, inter alia, conferred, but limited power to the States according to the 10th Amendment to the United States Constitution[19].

The United States Congress was expressly authorized by both the sovereign and the voice of the people to propose amendments whenever two-thirds of both houses "shall think fit[20]." Congress was given the power to amend the Constitution at the demand of the people, and, or the

States. The Founders recognized that the Constitution would enable the people to maintain full power of rights, that this power flows immediately from them, the people, that this power is delegated to their officers for the public good, and, finally, that the people's rulers are the servants of the people, amenable to their will, and created for the people's use[21]. Now, the people could voluntarily forfeit their Constitutional Fourth Amendment right to enforce the use of the new CWDT.

The Founders intended the people to have control over their inalienable rights as enumerated in the Bill of Rights. Therefore, the Constitution provided power to the people voluntarily to forfeit their rights to protection under the Fourth Amendment of the Constitution, if they deemed it necessary, for the purpose only of permitting the use of the new CWDT. It would take an act of Congress, pursuant to the Bill of Rights, to actually make and pass a law enabling the people to elect to forfeit their Constitutional right to freedom from unreasonable search and seizure. The Founders of the Constitution provided a safety net for any laws they passed that may later be found not to conform to the Constitution. In that regard, the Founders wrote, "If the Congress made laws inconsistent with the Constitution, the judges would not uphold them[22]."

The Founders stated, in their discussion of the people's right under the new government Constitution, that:

> The people are known with certainty to have originated it [government] themselves. Those in power are their servants and agents, and the people, without their consent, **may new-model their government whenever they think proper**, not merely because it is oppressively exercised, but because they think another form will be more conducive to their welfare.[23] [Emphasis added.]

The Legislature is to be guided by the Constitution. Thus, it appears that the new CWDT would be permissible.

Under the hypothetical scenario presented in this study, it is stated that the voluntary forfeiture of one's Constitutional Fourth Amendment rights would be in effect for this purpose only[24]. All other protection guaranteed to the people under the Fourth Amendment of the Constitution would remain intact. However, passing a bill to permit the use of the new Concealed Weapons Detection Technology possibly would not compromise the rights of the people, and could fall within the exceptions of the Exclusionary Rule Reform Act law[25] passed by the Congress in 1995. This new law permits police officers greater latitude in conducting searches and seizures.

Hence, the question posed in the study, "What form of government would have the power of authority to authorize voluntary forfeiture of one's Constitutional right?" could be answered, Congress, and adopted by the States. Congress

is granted the power to make and enforce such a law. Also, power could be authorized by individual States, but would probably have to stand a challenge in the Supreme Court for lacking Constitutionality. The Supreme Court has the authority to override any State law that is determined unConstitutional. If Congress passed such a law legalizing this new technology, but a State already had a law in place, which made the new Concealed Weapons Detection Technology illegal, the State law would be preempted by the Constitution.

The Constitution made provisions for a check and balance between Congress, the States, and the Supreme Court. For all intent and purposes, the Founders interpreted the Constitution's Second Clause to provide for this check and balance. They wrote that the intent of the Second Clause is that the Executive, Legislative, and Judicial powers should be separate and distinct[26]. It is essential to the preservation of liberty to make such distinction and separation of powers[27].

Alternatively, the intent of the Constitution is to empower the people with the freedom to forfeit their inalienable rights, if they so choose. The Founders of the Constitution of the United States wrote that, "the . . . fundamental principles of every safe and free government

are . . . inalienable rights ought not to be given up, **if not necessary . . . .**[28]" (Emphasis added). However, the forfeiture of one's Fourth Amendment right following the hypothetical scenario under the study, could fall within the scope of the Founders' intent that inalienable rights may be given up, if necessary. Certainly it could be argued that criminal violence in this country, e.g., drive-by shootings, high-school killings, police mistakenly killing unarmed suspects, and hijacking airplanes all qualify as "necessary" reasons to voluntarily forfeit one's inalienable right.

The History And Purpose Of State and Federal Powers

As described above, the States existed before the Federal government. Each State possessed all the rights and powers which appertained to sovereign and independent nations. The States were self-governed with full power, and means and right to use that power. The States' governments provided protection for "life, liberty, reputation, and property," and had entire and uncontrolled jurisdiction, with power to undertake and effect any improvements internal to the States. There were issues of higher importance that the States' governments, separately, were not equal or adequate to address. These were specified in a letter from George Washington to the

Convention, which accompanied the Constitution. As presented to the old Congress, it read:

> The friends of our country having long seen and desired, that the power of making war, peace, and treaties, and that of levying money and regulating commerce, and the corresponding Executive and Judicial authorities, should be fully and effectual vested in the general government of the Union.[29]

The States felt it necessary to yield up these enumerated powers that it possessed as a sovereign and independent nation. The States acquiesced the necessity to create a Federal government whose purpose was solely to decide these issues. No other powers were conferred on the Federal government other than these enumerated powers. If doubt ever arose as to the powers conferred to the Federal government, and powers retained by the State Governments, the 10th Article of the Amendment to the Constitution settled the question.

Consequently, the Federal government is one of limited delegated powers, and can only act on subjects expressly placed under its control by the Constitution, and upon such other matters as may be necessarily and properly within the sphere of its action; to enable it to carry the enumerated and specified powers into execution and without which the powers granted would be inoperative[30].

The History And Purpose Of The Fourth Amendment

The Bill of Rights was written as a direct result of experiences had by the colonials before coming to American to create a new and better government. They wanted specifically to be free from unreasonable searches and seizures. As stated previously, one of the colonials' first act under the new and better government was to rescind the "writs of assistance[31]" to rid the people of unreasonable searches and seizures. Subsequently, the Fourth Amendment became a fundamental right of the people.

Albeit, making it law for the people voluntarily to forfeit one of their precious inalienable rights, i.e., Fourth Amendment rights, would have chilled the Founders of the Constitution. The Founders intended the people to be free from law enforcement officials who conducted searches of individuals without justifiable probable cause, and used the evidence seized against the individual in a Court of Law. Voluntary forfeiture is in direct violation of the colonials' Fourth Amendment intent. The Constitutional basis for the exclusion of any evidence obtained as a result of such an unlawful arrest or search and seizure was founded on the Fourth Amendment. However, after September 11, 2001, it would appear that even the Founders would approve safety precautions such as the new CWDT.

The Fifth Amendment, which forbids citizens from incriminating themselves in a crime, also could be interpreted to find voluntary forfeiture a violation of the Constitution. Possibly, the Supreme Court would consider a new Concealed Weapons Detection Technology search self-incriminating, and would strike down the new Concealed Weapons Detection Technology right to search law as unConstitutional for that reason.

The next question then is whether case law precedence supports the new CWDT, or whether it also could find it an unreasonable search and seizure.

Historical Background and Legal Implications of Searches and Seizures

As a mean of guaranteeing against the injustice of the British writs of assistance, the Fourth Amendment was created to elevate the common-law principles of search and seizure. The Founders guaranteed that writs of assistance would be beyond the reach of the legislature. Under the United States Constitution, the power to search was divided between the Executive and Judicial branches of the Federal government. The legal implications of the American criminal justice system is that police officers must apply for search warrants from Judicial officers before they can lawfully invade the homes and businesses of citizens. Judicial officers must remain within their sphere, and

respect the searching prerogatives of the Executive branch.[32] Being mindful of the Founders' intent, then it may be found that Congress has abused its power and sabotaged the Fourth Amendment when it introduced and passed the Exclusionary Rule Reform Act of 1995. The Exclusionary Rule Reform Act of 1995 is discussed in detail later in the study.

In Braum[33], the Supreme Court recognized that under the United States Constitution, even a unanimous vote in Congress could not alter the Bill of Rights or Constitutional procedures. Justice Antonin Scalia expressed this sentiment in 1991 when he wrote, "It is the function of the Bill of Rights to preserve [the judgment of the Founders] not only against the changing views of Presidents and Members of Congress, but also against the changing views of Justices[34]." The power of the Supreme Court over Congress is thoroughly discussed in Marbury v. Madison[35]. Marbury also defines the power of the will of the people. The Marbury Court opined that:

> The question, whether an act, repugnant to the Constitution, can become the law of the land, is a question deeply interesting to the United States; but, happily, not of an intricacy proportioned to its interest. It seems only necessary to recognize certain principles, supposed to have been long and well established, to decide it.

> That the people have an original right to establish, for their future government, such principles as, in their opinion, shall most conduce to their own happiness, is the basis on which the whole American fabric has been erected. The exercise of this original right is a very great exertion. Nor can it nor ought it to be frequently repeated. The principles, therefore, so established are deemed fundamental. In addition, as the authority, from which they proceed, is supreme, and can seldom act, they are designed to be permanent, 5 U.S. 137 (1803).

Ultimately it appears that the landmark case law of Marbury, inter alia could be used as persuasive argument in support of use of the new Concealed Weapons Detection Technology.

Case law explicitly defines the meaning of a search and seizure. One definition is that a visual observation that infringes upon a person's reasonable expectation of privacy constitutes a "search" in the Constitutional sense[36]. A "search" consists of looking for or seeking out that which is otherwise concealed from view[37]. A "search" to which the exclusionary rule may apply is one in which there is a quest for, a looking for, or a seeking out of that which offends against the law by law enforcement personnel or their agents[38]. The Court determined in Vargas that Vargas was more than a middleman, as he argued to the Court. The Court held that the exclusionary rule did not apply because Vargas exercised a great deal of management responsibility over the property and activities

of the criminal conspiracy. Thus, orchestrating or coordinating the activities of others is even enough to justify the departure from the Fourth Amendment protection of the exclusionary rule.

Further, in the British case Entick[39], Entick sued the Crown's agents for trespassing when they ransacked his home for four hours after the Earl of Halifax, the Secretary of States, issued an executive warrant to seize Entick, as well as his books and papers. A jury awarded Entick 300 pounds in damages. The Court took appeal to the Court of Common Pleas, where the British officials argued that their search warrant immunized them from trespass lawsuits. The presiding Judge, Lord Camden, found the warrant to have no legal validity, whatsoever. However, Lord Camden conceded that although the warrant was null and void, it could be authorized by an act of Parliament, inasmuch as Parliament could override the common law whenever it wished. The American colonists who were fighting against the writs of assistance[40] viewed the concession with trepidation. It was viewed as a dangerous loophole that could be exploited by Parliament.

Thereafter, the American colonials became acutely aware of and dissatisfied with the shortcomings of the British Constitution in this respect. They became aware

that common-law principles easily could be swept aside. Ultimately, they sat down and drew up plans for a new government. These colonials became the Framers of the American Constitution. Their intent became to secure their hard-won liberties. To reiterate, the intent was to composed the American Constitution to enumerate and divide governmental power among three separate branches of the Federal government. Consequently, it was with forethought that they limited the powers of the Legislative body.

Case law has settled the proposition that the Fourth Amendment requires agents of the Government to obtain prior judicial approval of all searches and seizures[41]. This thesis is subject only to a few narrow and well-delineated exceptions grounded upon urgent necessity[42]. Specifically Terry v. Ohio[43] which states that the scope of a search must be strictly tied to and justified by the circumstances, which rendered its initiation permissible[44]. Terry, however, requires a seizure within the meaning of the Fourth Amendment. Terry held that when an officer, by means of physical force or show of authority has in some way restrained the liberty of a citizen, a seizure occurs. However, in California v. Hodari[45], the Court explained that the word "seizure" readily bears the meaning of a laying on of hands or application of physical force to

restrain movement, even when it is ultimately unsuccessful. There can be no seizure, or arrest unless the subject yields[46]. The use of the new Concealed Weapons Detection Technology could not be considered an act of seizure within the Hodari standards. An individual would not have to be seized to be searched by the new CWDT.

However, Harris v. United States[47], and United States v. Rabinowitz[48] were founded on a subjective view regarding the acceptability of certain sorts of police conduct, and not on considerations relevant to Fourth Amendment interests[49]. The findings in Chimel v. California[50], which applied principles established by a long line of cases to determine the permissible scope of a warrantless search sought to be justified as the necessary incident of a lawful arrest overruled Harris and Rabinowitz. In an attempt to apply the principles of Harris and Rabinowitz to the circumstances involved in Chimel, the Court overruled Harris and Rabinowitz.

Nevertheless, regardless of the rulings of Braum[51] and Justice Scalia's opinion therein, on February 8, 1995, the House of Representatives passed H.R. 666[52] which would provide a "good faith" exception to the Fourth Amendment exclusionary rule for all manner of warrantless searches. This new rule would permit Federal prosecutors to use

evidence that law enforcement agents seized illegally. This law, however, is only available if the law enforcement officer stands before a judge and swears that he "objectively" thought what he was doing was legal at the time that he was doing it, and the judge is persuaded by his oath. Perhaps, justification for the new Concealed Weapons Detection Technology could be couched within the limits of the Exclusionary Rule Reform Act of 1995.

When a search, impermissible under the Fourth Amendment results in the seizure of evidence, exclusion of the fruits of that unConstitutional invasion is required not merely in hope of deterring unConstitutional searches in the future, but in order to vindicate the right of privacy guaranteed by the Fourth Amendment[53]. Exclusion of evidence in order to vindicate the right of privacy, however, does not improve the reliability of the fact-finding process at trial[54]. Accordingly, this factor does not require that the standards of Chimel, acceptability of certain sorts of police conduct and not on considerations relevant to Fourth amendment interests, be retroactively applied[55].

The Government Involvement Aspect of Forfeiting Fourth Amendment Rights

States' Involvement – Police Power and the Fourteenth Amendment

Many debates have been made regarding the significance of the Fourteenth Amendment and State power. The Fourteenth Amendment pertains to the States' Government, and protects persons from State actions. Police Power, the power to care for the general welfare of the people, was conferred on the States by the Tenth Amendment of the United State Constitution. The individual States delegated power to their local governments to establish a special department of police. The purpose of this special department of police is to adopt such laws and regulations which tend to prevent the commission of fraud and crime, and place restraints on the personal freedom and property rights of persons for the protection of the public safety, health, and morals or the promotion of the public convenience and general prosperity. However, Police Power is subject to the limitations of the Federal and State Constitutions. Moreover, the Constitutional Amendments pertaining to due process also limit State Police Power.

It could be argued that the Fourteenth Amendment was enacted to protect the public and deem the Concealed Weapons Detection Technology unConstitutional. However,

alternatively, it could be argued that police power through the Fourteenth Amendment enables police officers the use of concealed weapons detection for the protection of the public safety, health, and morals and or the promotion of the public convenience and general prosperity.

Federal Involvement - Enumerated Powers

The power of the Fourth Amendment to search, under the United States Constitution, is divided between the Executive and Judicial branches of government[56]. The Federal government has limited and enumerated powers, excluding Police Power of the general public which, of course, belongs to the individual States. Unless the new technology can be established to fall within Congress' Commerce Power, or some other Federal Power, it will be circumscribed unConstitutional. Under the Commerce Power, Article 1, Section 8 of the United States Constitution, Congress is conferred the power to "regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

Modern treatment of some particular subject matter in areas such as civil rights, criminal law, and regulation of Government activities of States has been found to be within the boundaries of the Commerce Power given to Congress[57]. Consequently, if the new technology meets the same required

criteria and standards as applied in this modern treatment of Commerce Power supremacy, then the new technology could be deemed Constitutional under civil rights laws, criminal laws, and even regulation of States' Government activities.

Procedural Due Process

Individuals are guaranteed fair procedures. Even at a minimum, procedural due process requires that parties whose rights are to be affected be entitled to be heard. Thus, they must be notified[58]. Consequently, initiating the use of the new CWDT, if this new technology is found to be unConstitutional, must be preceded by legalization of the new technology. In that regard, the people could voice their favor for the new Concealed Weapons Detection Technology, which could be heard through State initiatives and referendums.

Substantive Due Process.

An individual's property is protected from unfair governmental interference or taking. Individual rights may be considered property; thus, substantive due process under the Fifth and Fourteenth Amendments requires legislation to be fair and reasonable in content as well as application. The essence of substantive due process is protection from arbitrary and unreasonable action[59], and legalizing the new

technology could be argued a taking of individual rights, and unConstitutional, arbitrary and unreasonable action.

The History And Purpose Of The Exclusionary Rule Reform Act Of 1995

Before a warrantless search and seizure can be justified and adjudicated, the police officer conducting the search and seizure must have reasonable belief that there is good reason to conduct such search and seizure, or, in other words, probable cause[60]. However, the Exclusionary Rule[61] prohibits the use of evidence that was obtained in violation of the Fourth Amendment in criminal prosecutions.

The legal concern of using the new Concealed Weapons Detection Technology is whether a Court would find this technological method of searching a private citizen an "exception" to the Fourth Amendment. A "few limited circumstances" to the search warrant requirement are considered "exceptions" to the Fourth Amendment of the United States Constitution. One exception to the Exclusionary Rule is the "good faith" exception.

In 1984, in United States v. Leon[62], the United States Supreme Court established a limited "exception" to the generally-applicable exclusionary rule, for situations in which law enforcement agents seized evidence pursuant to a warrant that was actually invalid but which they

reasonably believed to be valid (the "good faith exception"). This exclusionary rule has been held to be applicable to the states in Mapp v. Ohio[63]. The most severe curtailment of the rule came in 1984 with the adoption of a "good faith" exception.

In Leon[64], the Court created an exception for evidence obtained as a result of officers' objective, good-faith reliance on a warrant, that was later found to be defective, but had been issued by a detached and neutral magistrate. Justice White's opinion for the Court[65] in Leon could find little benefit in applying the exclusionary rule where there has been good-faith reliance on an invalid warrant. Thus, there was nothing to offset the "substantial social costs exacted by the rule[66]." "The exclusionary rule is designed to deter police misconduct rather than to punish the errors of judges and magistrates," and in any event the Court considered it unlikely that the rule could have much deterrent effect on the actions of truly neutral magistrates[67].

Moreover, the Court thought that the rule should not be applied "to deter objectively reasonable law enforcement activity," and that "penalizing the officer for the magistrate's error . . . cannot logically contribute to the deterrence of Fourth Amendment

violations[68]." The Leon Court also suggested some circumstances in which Courts would be unable to find that officers' reliance on a warrant was objectively reasonable: if the officers have been "dishonest or reckless in preparing their affidavit," if it should have been obvious that the magistrate had "wholly abandoned" his neutral role, or if the warrant were obviously deficient on its face (e.g., lacking in particularity).

The Court applied the Leon standard in Massachusetts v. Sheppard[69], holding that an officer possessed an objectively reasonable belief that he had a valid warrant after he had pointed out to the magistrate that he had not used the standard form, and the magistrate had indicated that the necessary changes had been incorporated into the issued warrant.

In 1987, in Illinois v. Krull[70], the Courts applied its good faith exception to a case in which a law enforcement officer acted in objectively reasonable reliance on an erroneous computer record drawn from neutral and detached Court records. In Krull, the Court further developed the concept articulated in Leon of objectively reasonable "good faith" reliance by an officer on an external legal authority to conduct a search or seizure. Albeit, the "valid warrant" in Krull, was actually a

facially valid State regulatory statute of very limited applicability, regarding motor vehicles, no less, which was in fact, later ruled unConstitutional.

However, in 1995, in Arizona v. Evans[71], the Supreme Court applied its "good faith" exception to a case in which a law enforcement officer acted in objectively reasonable reliance on an erroneous computer record drawn from neutral and detached Court records. The finding in Evans logically could be applied to the use of the new Concealed Weapons Detection Technology, if objectivity were the issue.

In Leon and Krull, the Supreme Court has limited its "good faith" exception to the exclusionary rule to instances in which officers' searches and seizures have been objectively reasonable because of their reliance upon an apparently valid, external source of legal authority. In these cases, however, the logic of permitting an exception to the exclusionary rule for invalid warrants which police officers believed to be valid does not extend to situations where the officers themselves, without seeking a warrant, made an incorrect determination that a search or seizure was legal. In Leon, officers are merely relying on a neutral magistrate's determination, however, in Evans, a "good faith" exception would insulate an erroneous police decision that no warrant was required.

The only evidence bearing on their "good faith" belief that the search or seizure was legal would be the law enforcement agent's own after-the-fact testimony.

Ultimately, under the ruling in Evans, the use of the new Concealed Weapons Detection Technology could be justified as being used in "good faith," after the fact, if necessary. The police officer could explain his objectivity and good faith belief in the CWDT as a viable method to deter terrorism, crime, violence, and even death.

However, the good faith, objectivity test may no longer be necessary. The Exclusionary Rule Reform Act of 1995 further insulates Evans and allows unlawfully seized evidence to be considered in Court so long as the mistakes made by police officers in seizing it were made in good faith. This new Exclusionary Rule Reform Act expands the exclusionary rule to include a broader scenario in which police officers who gather evidence against a suspect without a search warrant, may substitute instead, his "objectively reasonable belief" that he was acting properly. With such a broad exception, why would any other law, statute, or rule have to be passed to permit police use of the new Concealed Weapons Detection Technology? Certainly, under the new Exclusionary Rule Reform Act of 1995, any clever police officer would be able to conduct a

nonintrusive search of any suspicious person, and if any illegal weapon or contraband is discovered, arrest the suspect. Surely, such a search could be conducted with the new CWDT. Under this new, broader exclusionary rule exception, what judge is going to deny that the police officer had the appropriate "objectively reasonable belief" that he had acted properly, and exclude the seizure from the trial? Law enforcement officers' illegally gained evidence will no longer be excluded from trials if confiscated reasonably.

Potentially, if not already, the landmark cases of Mapp and Leon could someday be considered bad law, as a reverberation of the Exclusionary Rule Reform Act of 1995. However, the Exclusionary Rule Reform Act of 1995 may have opened the door for the use of the new CWDT to enter.

Authorizing Voluntary Forfeiture

Another answer to the hypothetical question, "What form of government would have the power of authority to enforce voluntary forfeiture?" could be found in the Constitution, under Article V and Article III. Pursuant to Article V, the Congress shall propose amendments to the Constitution[72]. Article III gives the Supreme Court power as original jurisdiction "In all cases affecting . . . and those in which a state shall be party." In all other

cases, the Supreme Court shall have appellate jurisdiction, both as to law and as to fact, with such exceptions, and under such regulations as the Congress shall make.

The Supreme Court has established early that the Fourth Amendment was intended to protect against arbitrary arrests as well as against unreasonable searches[73]. That premise is well-established law[74]. Case law precedence does not permit the use of technology, which violates the individual's Fourth Amendment rights, although those restrictions have lessened greatly over time. Probable cause is required before a police officer may take a suspect into custody without a warrant, unless they have probable cause to believe that the person to be arrested has committed a felony or committed a misdemeanor in their presence[75].

However, there are many instances when a suspect's conduct or manner will have aroused a police officer's suspicions, but probable cause for placing such a person under arrest will be lacking. A police officer may not arrest "upon mere suspicion alone," but only upon probable cause[76]. Nevertheless, there may be enough suspicion for the officer to perform a "stop and frisk[77]." However, the probable cause must exist before the policeman's stop, and what the policeman discovers after the stop will not

suffice to establish retroactively reasonable cause[78]. Hence, this may be where the "objectivity" springs into action under the guise of the "Exclusionary Rule Reform Act of 1995 [79]."

Other valid searches and seizures without warrants include detention short of arrest stop-and-frisk[80]; searches incident to arrest[81]; vehicular searches[82], and vessel searches[83]. A circumstance under which the Court has recognized a good-faith exception, a limited good faith exception at that, to the Exclusionary Rule has been in the aforementioned Leon case.

In Leon, a search warrant that had been issued was later found to be unConstitutionally issued. Nevertheless, the evidence seized under this warrant was admissible in Court under the good faith exception. Under the new Exclusionary Rule Reform Act, the evidence would have been admitted in Court even if there had not been a warrant, and whether it had been unConstitutionally issued or not. The Exclusionary Rule Reform Act seeks to expand the "good faith" exception to situations where law enforcement officials gather evidence without a warrant, yet still have an objectively reasonable belief that they are acting properly.

Inasmuch as case law precedence does not permit the use of technology that violates an individual's Fourth Amendment rights it still may be permitted under the Exclusionary Rule Reform Act of 1995. This new Act permits evidence which is obtained as a result of a search and seizure, if the search or seizure was carried out in circumstances justifying an objectively reasonable belief that it was in conformity with the Fourth Amendment, even in the case of warrantless searches.

This Act applies to all citizens under the guise of Federal law enforcement. It will apply to State law enforcement, however, only if the States adopts the "good faith exception" to the Act, independently. In addition, there lies the answer to the question, "What form of government issuance has the power of authority to enable a voluntary forfeiture law?" The answer is the Exclusionary Rule Reform Act of 1995. All Constitutional laws of Congress bind the citizens of every State inasmuch as there is no authority within the States to "arrest the operation of a law of Congress[84]."

If the citizens believe crime is of such great urgency in this Country that they are willing to forfeit a right given to them under the Constitution of the United States,

then the people have a right to direct the Congress to alter the Constitution[85] to provide for such forfeiture. Therefrom, both the sovereign expressly authorized the United States Congress, as did the voice of the people to propose amendments whenever two-thirds of both houses "shall think fit." To reiterate, the founders recognized that the Constitution shall enable the people full power of rights, that this power flows immediately from them, the people, that this power is delegated to their officers for the public good, and, finally, that the people's rulers are the servants of the people, amenable to their will, and created for the people's use[86]. The framers of the Constitution intended that Congress shall be expressly authorized by the sovereign and "uncontrollable voice of the people" to propose amendments whenever two-thirds of both houses shall think fit. Consequently, the people would only have to manifest their "uncontrollable voice" and insist upon the making of a new law enabling the use of new Concealed Weapons Detection Technology.

Modern Day Appreciation of the Fourth Amendment

Through survey questions, the study addressed the Fourth Amendment issue as it applied to a new Concealed Weapons Detection Technology search. A two-part question posed to the Respondents followed: The survey asked: 1.)

Whether they thought the use of the new Concealed Weapons Detection Technology would be an infringement of their Constitutional right to be free from unreasonable searches and seizures as guaranteed by the Fourth Amendment, and, 2.) If they thought that it would be, whether they would be willing to give up that right to permit police officers the use of the new Concealed Weapons Detection Technology in their line of civic duty? The results of the study indicate that 49 percent of the Respondents believe it would be an infringement, while 51 percent of the Respondents believe that it would not. When questioned whether they would give up that Constitutional right to permit police use of the new technology if they thought doing so would decrease crime, 62 percent of the Respondents stated they would forfeit that right even if they believed it would be an infringement on their Constitutional right.

Modern Day Search and Seizures Issues

A search incident to arrest is not generally considered unConstitutional. It is permitted by common-law rules, and occasions little controversy in the Supreme Court[87]. However, a justifiable expectation of privacy of the defendant must not be violated in the seizure. Case law precedence advises that privacy of person against

governmental intrusion can and should be expected. In determining whether an arrest has occurred, case law has based its rulings on the subjective standards, such as in the legendary case Katz v. United States[88]. The Court in Katz advised that the person must demonstrate an expectation, albeit subjective, of privacy. The Katz reasonable expectation of privacy rationale has now displaced property-ownership concepts which previously might have supported either standing to suppress or the establishment of an interest that has been invaded. Thus, it is no longer sufficient to allege possession or ownership of seized goods to establish the interest.

In California v. Hodari[89], the Court broadened the subjective standard. The Court ruled that to be considered a Fourth Amendment seizure of a person, there must be either application of physical force or submission to the assertion of authority. The Court further wrote that an arrest occurs or is complete the moment the suspect is no longer free to walk away from the arresting officer. In acquiescence with the Hodari, ruling another Court[90] warned that a person's expectation of privacy is intact. Following the precedence in the Katz Court, Justice Stewart in United States v. Mendenhall[91], found that a person is not considered to be seized within the

meaning of the Fourth Amendment unless subjectively, that is within a reasonable person standard, the person believes that he is not free to leave. The reasonable perception standard was subsequently endorsed by a majority of Justices[92]. The Supreme Court has since dictated that only if an individual's liberty has been restrained may it be considered that a seizure has occurred.

Ultimately, the concern of the Court seems to lie literally with the interference of one's freedom of movement. To wit, one Court concluded that police officers in a squad car driving alongside a suspect who turned and ran down the sidewalk when he saw the squad car approach could not be considered a seizure of the individual. The Court rationalized that because there were no siren, flashing lights, display of a weapon, or blocking of the suspect's path, the police conduct would not have communicated to the reasonable person that an attempt was being made to capture or otherwise intrude upon one's freedom of movement. That was the scenario in Michigan v. Chesternut[93], where the Court did not consider it a seizure of the individual.

Warrantless Searches and Seizures

In the instance of police officers using Concealed Weapons Detection Technology to search a suspect for concealed weapons, seizure of a citizen perhaps may not be an issue[94]. Factually, a person should not even be aware that he had been searched with the Concealed Weapons Detection Technology. Therefore, any expectation they may conceive of privacy would remain intact, as the Court admonished in Mendanhall[95]. The only time a suspect would be seized is if the suspect is found to be carrying contraband, or a concealed weapon, specifically a concealed gun, for which the individual could not prove to the police officer it had been legally obtained, even in states where carrying a concealed weapon is permitted[96]. In other words, this search could be considered a legitimate warrantless search.

Concealed Weapons Detection Technology could be a very nonintrusive means of protecting the public, and police officers from violent use of concealed weapons. After all, a police officer need only have a mere suspicion[97] of criminal activity afoot to justify a warrantless search. Moreover, a police officer needs only to prove probable cause to justify a warrantless arrest which certainly does not require so much information that it proves a suspect

guilty beyond a reasonable doubt, United States v. Cortez[98].

The Supreme Court held in Cortez that police officers must have "articulable reasons," or "founded suspicions," derived from the totality of the circumstances as the basis before permitting a stop. The police officer must have a particularized and objective basis for suspecting the particular person stopped of criminal activity, or in the anonymous tip context, the same basic approach requiring some corroboration, regardless. In this instance, however, the Concealed Weapons Detection Technology would provide the proof. A police officer would not need to confront an individual unless the Concealed Weapons Detection Technology detected a concealed weapon or other illegal contraband concealed on the person, fulfilling the probable cause prerequisite.

There are those who could consider the Concealed Weapons Detection Technology scanner a warrantless search, and possibly, before the 1970s and early 1980s, they would have been right. During the 1970s, the Supreme Court was divided between adhering to the warrant-based rule[99], and the view that warrantless searches are, per se, unreasonable, with the carefully prescribed "exceptions[100]." However, during that time period, and guided by the

variable expectation of privacy approach to coverage of the Fourth Amendment, the United States Supreme Court broadened its view of permissible exceptions to the required warrant to search, and of the scope of those exceptions. Albeit, the warrant-based standard did preclude a number of warrantless searches[101], however, by 1992, the "reasonableness" approach prevailed[102].

Consequently, by the early 1990s, exceptions to the warrant requirement did prevail, tending to confine application of the requirement, and, thereafter, to cases that is exclusively criminal in nature. Albeit, within that confine of exceptions which have been broadened, a category which could become the springboard for the acceptance and legalization of Concealed Weapons Detection Technology, is the category of administrative searches which the Court justifies by "special needs beyond the normal need for law enforcement." The Supreme Court--under this classification of "administrative" exception searches--upheld warrantless searches by administrative authorities limiting the administrative needs to public schools, government offices, prisons, the probation system[103], and cases of drug testing of public and transportation employees[104]. The same standards, which legalized these

exceptions, could be appropriately applied to legalizing the use of Concealed Weapons Detection Technology.

The valid search without a warrant has been growing in number and breadth. Although probable cause Constitutionally and judicially is never to be established or satisfied retroactive to a search or seizure, but must be satisfied by conditions existing prior to the police officer's stop, under Terry v. Ohio, the precedent was set whereby it is permissible for a police officer to stop an individual if the police officer's suspicion "has been aroused by that individual's conduct or manner[105]." Under such circumstances, a hands-off search of that individual would be warranted and legal. Subsequently, Terry permits police officers to frisk a suspect, to conduct literally a hands-on pat down of a suspect[106].

Surely, it could be argued that Terry limitations would also permit a "hands-off" pat down using Concealed Weapons Detection Technology. The Court in Terry rationalized that the object of the "frisk is to discover dangerous weapons, and it must, therefore, be confined in scope to an intrusion reasonably designed to discover guns, knives, clubs, or other hidden instruments for the assault of the police officer[107]." The Concealed Weapons Detection

Technology search could prove to be the more safe, efficient, and less intrusive way to frisk a suspect.

A literal Terry pat-down requires the police officer to bring the individual to a stop, confront the individual with the police officer's suspicions, possibly creating a public spectacle which often brings in the witnessing public, physically patting down the suspect, and coming up empty-handed. Whereby the Concealed Weapons Detection Technology would search the individual in seconds and the individual would be none the wiser. A suspect would be searched nonintrusively, hands-off, and any, possibly unwarranted, public embarrassment aspect for the individual would be eliminated. There would be no need to confront the suspect, unless warranted, eliminating risk of harm to the police officer and the witnessing public, were the suspect armed and dangerous. Just as compelling is the probability that the Concealed Weapons Detection Technology would eliminate the possibility of creating that public spectacle. Police stops often lead to unnecessary and disturbing involvement of the witnessing public, especially in hot-spot crime areas. Lack of confrontation might develop into healing old wounds and animosity between police officers and the communities they serve.

Moreover, if a police officer uses Concealed Weapons Detection Technology, and the suspect turns out to be armed, the police officer will have the advantage of surprise. Ultimately, the police officer will have the opportunity of setting up surveillance of the suspect, or if there are more than one, the benefit of calling for backup before confronting and stopping the individual. The police officer will have the additional benefit of securing the area for the welfare of the general public, as well as for the police officer, and potentially making an arrest without incident or violence.

Unreasonable Searches and Seizures

Unreasonable searches and seizures may not even be an issue in instituting the use of Concealed Weapons Detection Technology. Nonintrusive, nonrevealing searching by Concealed Weapons Detection Technology may not be considered by the Courts an unreasonable search and seizure. Albeit, there are those who could argue that searching an individual with hands-off, Concealed Weapons Detection Technology would invade an individual's expectancy of privacy on public streets. However, unexpectedly going into an emergency room at hospital where one's belongings are confiscated and exposed provides one with far less personal privacy. In both instances, the

individual did not give his permission. In both instances if a concealed weapon were found, the proper authority would be alerted. There is case law to support such bodily intrusion while in an emergency room[108].

In such a situation, nothing the individual may be hiding on their person is considered private, and may be seen by others, whether by choice or chance. Concealed Weapons Detection Technology should be considered less intrusive than a visit to an emergency room. A CWDT search reveals only what is meant to be detected--concealed weaponry, or contraband--not private body parts.

Another issue almost surely to be argued will be the carte blanche use of the Concealed Weapons Detection Technology by police officers. Just as surely, the issue of abuse of the new CWDT technology by rogue cops will be argued. In answer to both concerns, what is the most damage either scenario could create considering the nature and given the limitations of the Concealed Weapons Detection Technology[109]? It would be a misrepresentation to consider Concealed Weapons Detection Technology an onerous policing initiative. To permit the use of Concealed Weapons Detection Technology would be an initiative, true, however, not an initiative to aid the police in harassing minorities.

To permit the use of Concealed Weapons Detection Technology would be an initiative of the police to protect the public-at-large from being assaulted with concealed weapons, to prevent children from entering school yards heavy with artillery, to prevent the shopkeeper from being robbed and shot to death, to prevent terrorists from boarding airplanes, and to prevent the police from mistaking an unarmed citizen for an armed citizen and shooting and often killing that unarmed citizen. All of these tragedies all too often have been evidenced in this Nation. However, they also evidence some of the reasons for innovative policing initiatives such as Concealed Weapons Detection Technology. This technology would be used in a proactive manner to not only monitor and curb criminal activity to keep our streets safe, but also to monitor and curb police abuse activity. It could put an end to growing complaints of police profiling and overzealousness.

There is very little chance of a police officer being accused of abusing this new Concealed Weapons Detection Technology inasmuch as the technology has no abusive features. The police officer's duties would remain the same--to confront individuals thought to be involved in criminal activity. The fact that an individual searched

would not be aware that they are being searched should reduce the suspicion and accusations that this new Concealed Weapons Detection Technology is another tool of racial oppression.

This new technology would neither interfere with an individual's freedom to congregate in public places, nor deter freedom to travel. Citizens should be neither aware nor concerned with the use of Concealed Weapons Detection Technology. The use of a concealed weapons detector search would go undetected by any law-abiding individual. Albeit, law-abiding citizens would not or should not be acting in a suspicious, criminal manner. Thus, law-abiding citizens would not be suspected of being involved in criminal activity, and thus, would not cause a police officer to feel compelled to search the individual for concealed weapons or contraband. Regardless, even were an innocent citizen mistakenly searched, it would remain a benign situation.

The Healing Aspect of Concealed Weapons Detector Technology

Perhaps this new technology would stop criminal profiling. Perhaps, even, this new technology would evidence how wrong those police officers are who are prone to the belief that certain minorities are habitual carriers of dangerous, concealed weapons and contraband. For those

citizens' rights activists who are already brainstorming to conclude that minorities will be targeted by police officers, that should not be a serious concern. If minorities or any group happens to be targeted by police officers, how many harms can be done to justify outrage by even the staunchest of human rights activists? Concealed Weapons Detection Technology would be a nonintrusive; benign albeit invasion of an individual's perhaps expected personal privacy. Nevertheless, citizens would be none the wiser, and should be none the wiser, yet remain unharmed. An individual, be it minority or otherwise, would maintain their dignity even if they were suspected of criminal activity by a police officer, and had been discretely searched by Concealed Weapons Detection Technology.

There are those who will argue that this type of technology will violate the general public as does "Big Brother's" snooping.

This new Concealed Weapons Detection Technology could be a means back to the morality and safety of the 1950s when children were safe to play on the streets and in the parks without worry of gun violence or drug trafficking, and when the biggest problems for school personnel were student tardiness, talkativeness, and gum chewing. It is difficult for many high schools to be the safe, orderly and

secure place they once were, and still must be if children are to learn. Fear of crime studies have found that minority children, especially those living in crime-ridden areas feel that their life could end at any given moment. However, not only minority children are affected by the state of the nation's crimes of violence. The Federal Bureau of Investigation and the National School Boards Associated reported that by the early 1990s, three million thefts and violent crimes were occurring each year on or near school campuses[110].

Perhaps if these children did not feel so defenseless every day of their lives, perhaps they would not have the need to carry weapons. If they were not carrying weapons, perhaps fewer crimes would "happen."

Hence, researchers are reporting that as a consequence of campus crimes, and the occurrence of atrocious student-on-student violence such as the shootings on school campuses in Arkansas, Colorado, Georgia, Kentucky, Mississippi, and Oregon, expeditious, decisive, and proven action is demanded by the public-at-large to make our schools safe once again. Perhaps just letting it be known that such Concealed Weapons Detection Technology exists and is readily available to law enforcement officials would be enough to deter the blatant carrying of concealed weapons

and contraband, and the added potential of deterring violent concealed weapons crimes.

The deterrent aspect of this new Concealed Weapons Detection Technology is an attractive feature for authorizing and initiating its use. Individuals carrying concealed contraband, explosives, or weapons will decidedly and have plenty of legitimate reason to worry about this new Concealed Weapons Detection Technology. However, these individuals the Nation-at-large want caught, and rightfully punished, accordingly, before they are able to use their concealed weapons to commit violent crimes. Ultimately, these individuals would be caught randomly while walking public streets by police officers carrying Concealed Weapons Detection Technology. Surely, criminals will learn to think twice before leaving their homes carrying concealed weapons or contraband.

The Constitutionality of New Concealed Weapons Detection Technology

Before a warrantless search such as a Concealed Weapons Detection Technology search and potential seizure can be justified and adjudicated, the police officer conducting the search and seizure must have reasonable belief that there is good reason to conduct such search and seizure. In other words, the probable cause[111] discussed previously, which would be the litmus test to warrant

Concealed Weapons Detection Technology searching of an individual. Criminal activity by an individual must be on the police officer's mind before searching an individual.

Adversaries of the new Concealed Weapons Detection Technology may question the legal and Constitutional implications of police officers mistakenly searching an individual and the individual is found not to be carrying on their person any illegal weapons or contraband. This issue would be of significance, only if the police officer did not have probable cause to stop or question that individual. However, unless a Terry stop applies. Notwithstanding any legal precedence, the individual would not be, and need not be the wiser of this search, and the police officer would continue conducting police business, as usual. Consequently, a potentially confrontational and dangerous hands-on search situation was just averted. Ultimately, such situations could be avoided daily by police officers equipped with Concealed Weapons Detection Technology. Such scenarios would keep the police officer and the general public safe.

This new Concealed Weapons Detection Technology could even be useful in protecting prison guards from unsuspected attack, or from prisoners attacking other inmates. In addition, the new CWDT could quickly search passengers as

they board airplanes. The possibilities of Concealed Weapons Detection Technology as a crime fighter and crime deterrent are limited only by criminologists' imagination.

For just the above reasons stated, the new Concealed Weapons Detection Technology should not be considered "uncontrolled searches and seizures," or tools which will "crush the spirit of the individual[112]." Thus, how invading and unConstitutional is Concealed Weapons Detection Technology? Individuals are scanned daily as they go through detector stalls in Courthouses and airports, and other public places. These scans are reportedly ineffectual. In comparison, hand-held Concealed Weapons Detection Technology would be no more intrusive or invading of one's body, dignity, human and civil rights, or Fourth Amendment rights to be free from unreasonable searches and seizures than these stalls, and they have the potential to be effectual. Surely, some could argue that the use of Concealed Weapons Detection Technology would be an unreasonable search and seizure, but how appropriate would their argument be legally or Constitutionally speaking? Justice Marshall argued that "grave threats to liberty often come in times of urgency, when Constitutional rights seem too extravagant to endure[113]." Is not the Nation now in a state of criminal urgency?

To answer that question, we need only to answer the next. Are we all afraid to leave our homes at night, to walk the public streets, to go to the movie theatre, or to a shopping mall? All too often, and throughout different demographics, the study survey results reflect the affirmative to these and other questions indicative of oppression by fear of crime. Possibly out of fear, the majority of the Respondents in the study indicate they would want the new Concealed Weapons Detection Technology located, inter alia, in all movie theatres and shopping malls. Nevertheless, does this "grave" fear threaten us today to the point that we are now willing to forfeit those Constitutional rights spoken of by Justice Marshall, specifically our Fourth Amendment right to be free from unreasonable searches and seizures? The results of this study strongly indicate that people are willing to voluntarily forfeit that Fourth Amendment right to combat crime.

What Interests are Protected by the Fourth Amendment?

For the Fourth Amendment to be applicable to particular set of facts, there must be a "search" and "seizure" effectuated by police officers, occurring typically in a criminal case, and the subsequent seized matter used judicially against the individual searched.

The factors usually considered in making this determination are whether the individual's interests were Constitutionally infringed, what were the individual's interest, and whether that interest was officially abused. In addition, what if the seized contraband was not used against the individual in a Court of Law.

Olmstead v. United States[114] might be appropriate case law to apply to the Concealed Weapons Detection Technology issue, if the case had stood. In Olmstead, the Court held that wiretapping was not covered by the Fourth Amendment because there had been no actual physical invasion of the defendant's premises. Although there had been an invasion, a technical trespass, electronic surveillance was not deemed subject to Fourth Amendment restrictions[115]. The Court later, however, rejected this approach and recognized that the principal object of the Fourth Amendment is the protection of the privacy rather than property, and increasingly discarded fictional and procedural barriers that rested on property concepts[116]. The Court held that because the Fourth Amendment is intended to protect people, and not places, the requirement of actual physical trespass is dispensed with and electronic surveillance was made subject to the Fourth Amendment's requirements[117].

The test continues to be an expectation of privacy upon which one may justifiably rely. Albeit, what one knowingly exposes to the public, in his own home, or his office is not a subject of Fourth Amendment protection. However, what an individual seeks to preserve, as private, even in an area accessible to the public, may be Constitutionally protected[118]. Albeit, the consensus probably would be, if asked, that illegally concealed weapons and contraband should not be Constitutionally protected rights. One could use this premise to challenge legally or Constitutionally the use of the new Concealed Weapons Detection Technology. A balancing standard appears to have emerged, however, which requires an assessment of the nature of a particular practice and the likely extent of its impact on the individual's sense of security. Thus, to be balanced against the utility of the conduct as a technique of law enforcement, i.e., the new Concealed Weapons Detection Technology.

In United States v. White[119], the Court expressed the view that as the intrusions grow more extensive and significantly jeopardize the sense of security of the individual, greater restraint of police officers through the warrant requirement may be deemed necessary. Ultimately, the Court's solicitude for law enforcement

objectives may tilt the balance in the other direction, and the use of CWDT may be acceptable under this solicitation. The test of privacy now utilized by the Court is to determine whether the interest invaded is important or persuasive enough so that a warrant is required to justify it[120]. Courts have found that there is diminished expectation of privacy in an automobile and in a mobile home. However, a person's expectation of privacy in personal luggage and other closed containers is substantially greater than in an automobile[121].

Exceptions to the warrant requirement are no longer evaluated solely by the justifications for the exception. Exigent[122] circumstances and the scope of the search is no longer tied to and limited by the justification for the exception. The Court has permitted a considerable expansion of the power of police and other authorities to conduct searches, beyond the precedence set before Katz[123].

Valid Consent Searches Under the Fourth Amendment

The Supreme Court has stressed the importance of warrants and referred to searches without warrants as "exceptional." However, there have been numerous "exceptional" searches and arrests without warrants. The CWDT could be accepted under these exceptions. Consent searches waive the Fourth Amendment rights. One may

consent to search of his person or premises by police officers that have not complied with the Fourth Amendment[124]. Other consent searches might include border searches, following longstanding right of the sovereign to protect it by stopping and examining persons and property crossing into the United States[125]. Such a search would justify police officers using the new CWDT at airports.

"Open field" searches were held not to be protected by the Fourth Amendment. Police officer searches in such areas as pastures; wooded areas, open water, and vacant lots need not comply with the requirements of warrants and probable cause[126]. Surely, the new CWDT would be permissible under the "open field" standard. "Plain view" is somewhat similar in rationale to "open field" Fourth Amendment protection. The "plain view" rule espouses that objects falling in the "plain view" of an officer who has a right to be in the position to have that view are subject to seizure without a warrant, and that if the officer needs a warrant or probable cause to search and seize, his lawful observation will provide grounds therefor. This doctrine is limited; however, by the probable cause requirement that an officer must have probable cause to be where he was at the time the object fell into "plain view[127]." Here also

the new CWDT capabilities could be permitted without violating the "plain view" standard.

In New Jersey v. T.L.O.[128], the Court set forth the principles governing searches by public school authorities, requiring neither a warrant nor probable cause. Inasmuch as school officials act as representatives of the State, the Fourth Amendment applies to searches conducted by public school officials. However, given the nature of the crimes being committed in schools of late, case law reflects that the Court now holds that school settings require some easing of the restrictions to which searches by public authorities are ordinarily subject. The Court now holds that neither the warrant requirement nor the probable cause standard is appropriate. The Court has limited this ruling, and requires that a search must be reasonable at its inception. However, a simple reasonableness standard governs all searches of students' persons and effects by school authorities[129].

There must, nevertheless, be reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school[130]. Consequently, inasmuch as Courts already hold that school settings require some easing of the restrictions of searches by public authorities, and now

hold that neither the warrant requirement nor the probable cause standard is appropriate, police officers assigned to the schools could be equipped with the new CWDT.

Similar principles apply to public employers' work-related searches of its employees' offices, desks, or file cabinets, except that in this context the Court distinguished searches conducted for law enforcement purposes. The Court held that neither a warrant nor a probable cause requirement should apply to employer searches "for non-investigator, work-related purposes as well as for investigations of work-related misconduct[131]. With more and more enraged employees shooting and killing their fellow-workers, hand-held devices such as the new Concealed Weapons Detection Technology would not seem an unreasonable safety measure taken by building security guards.

Prisons, regulation of probation, and drug testing all qualified as not requiring a reasonableness standard, a warrant, a probable cause, or even individualized suspicion. The Court held that the Fourth Amendment proscription against unreasonable searches does not apply within the confines of the prison cell, administrative searches of a probationer's home, or for mandatory drug testing of certain classes of railroad and public

employees. All that was required in these instances to justify searches of prison cells and probationers' homes, and for drug testing[132], was the special needs identified as "beyond the normal need[133]" for law enforcement.

Even though the test continues to be an expectation of privacy upon which one may justifiably rely, what one knowingly exposes to the public, even in his own home, or office, is not a subject of Fourth Amendment protection. Consequently, when considering the balancing test of one's expectation of privacy when exposed to the public, and the utility of the use of police invasions, the Fourth Amendment test of privacy now utilized by the Court is to determine whether the interest invaded is important or persuasive enough so that a warrant is required to justify it[134].

Removing guns from the hands of minors and anyone else whose intent is to cause harm could be reason to tip the scale of Fourth Amendment justice. The potential benefits of using Concealed Weapons Detection Technology could include the preservation of public safety and the restoration of the public's sense of security. These benefits might be considered by the public at large to outweigh individuals' expectation of privacy on public streets. The utility of using Concealed Weapons Detection

Technology as a technique of law enforcement may be deemed necessary. According to the study results, the use of the new CWDT was considered an important element in combating crime and violence, and even terrorism.

The new CWDT would probably be labeled by law a warrantless search, and could be considered a violation of individuals' Constitutional rights. However, when the choice is either violating a Constitutional right to be free from a new nonintrusive, hands off CWDT search, and protecting the lives of the people from potential and protracted crime, a new CWDT Constitutional violation could be seen as a non-issue.

Many survey analyses have observed that public attitudes concerning the nature of the crime and the causes of crime are directly linked to public attitudes concerning criminal justice policies. Inasmuch as public opinion surveys help move issues onto the active policy agenda to demand governmental action, and to set boundaries within which policy alternatives are examined, and ultimately, because lawmakers and public officials ascribe to public opinion and attitude polls on crime matters, then if the public voices an approval of and demand for the new Concealed Weapons Detection Technology, its acceptance

should be advanced by law makers politically, socially, and legally.

For example, because of the public's opinion polls regarding fear of crime, perceptions of the criminal problems, and evaluations of the criminal justice system, especially the police, should be evidenced as action in the role of government funding in fighting crime, gun control and regulation, and drug policy. Action was evidenced in the intent of the Exclusionary Rule Reform Act of 1995, which was to control crime. This affirmative action was part of the "Taking Back Our Streets Act" contained in the Republican Contract with America. Perhaps the Exclusionary Rule Reform Act of 1995 after all will justify legalizing the use of the new CWDT.

The catastrophic event of September 11, 2001 has put great pressures on the legislature to make changes in the handling of criminal justice in this country. Although the survey for this study was taken before September 11, 2001, even at that time the survey responses reflect that the public has a genuine fear of crime either for themselves or for their family.

Criminologists and other social scientists have been reporting fear as a mighty predictor of human behavior. For this reason, fear of crime is an important element of

this study. Specifically, this study was interested in the extent of the depth fear and the role it played in the Respondents' willingness to forfeit their Fourth Amendment right to be free from unreasonable searches and seizures to support the use of the new CWDT. This willingness to forfeit their Fourth Amendment right by endorsing police officer use of the new Concealed Weapons Detection Technology was expressed in the survey as a way to help combat crime in the Respondents' neighborhood, City, State, and the Nation, to prevent terrorism, and to protect police officers from harm, inter alia.

The study survey analyses indicate that 48 percent of the Madison and D.C. Respondents fear being a victim of crime. Approximately 60 percent of all Madison and D.C. Respondents who have been victims of at least one crime would forfeit their Constitutional right for Concealed Weapons Detection Technology. Moreover, thirty-one percent of all Madison and D.C. Respondents have at least one family member who has been a victim of crime, and approximately 55 percent of these Respondents would forfeit their Constitutional right to permit police officer use of the new CWDT.

B. The Impact Of Fear Of Crime On Attitudes

Albeit, the Nation's sense of security has been awakened too abruptly by the senseless school children shootings, employee killings, and the horrific experience of September 11, 2001. There is little doubt that this Nation feels a sense of urgency from this fear. Understandably, this urgency of fear may well incite the Nation to grab a hold of any solution, including forfeiting a Constitutional right if it promises to make it safer for children to attend school, safer for the public in public places such as in airports, and safer for police officers to do their duty and protect the general public.

The devastation of Columbine High School is but one catalyst that has created an urgent insecure state in which we now find the Nation. Another catalyst is the racial profiling and police brutality reported in the mass media. Most notably, the shooting by New York police officers of an unarmed Black male Guinean immigrant, Amidou Diallo. The media reported this shooting as brutal,[135] even though in this instance, the police officers thought Mr. Diallo was carrying a concealed weapon. Finally, the terror of September 11, 2001, truly catapulted the Nation into terror and for the first time, insecurity within its own Country.

Surely, these tragedies give rise to Justice Marshall's "grave threats to liberty often come in times of urgency, when Constitutional rights seem too extravagant to endure."[136] Is not the Nation now in a state of criminal urgency? Is not there a great threat to the liberty of the Nation? It would seem accurate to believe that Justice Marshall was speaking of the troubles the Nation now faces. Consequently, these grave threats to the liberty of the Nation created such great urgency that our Constitutional rights to Fourth Amendment protection seems "too extravagant to endure."

It is may be just these urgent issues that will make the public receptive to instituting police officer use of the new Concealed Weapons Detection Technology. That appears to be the case in the instant study. The majority of the Respondents believe that Concealed Weapons Detection Technology should be used to address the rising national epidemic of students' attacking fellow students, police brutality on unarmed citizens, terrorism, and, inter alia, crimes committed in public places and on public streets. The empirical evidence from the study reflects that a primary reason for this majority opinion is fear, fear of crime for themselves and or fear for a family member.

Criminologists and sociologists have found that the desire to be free from this type of grim fear is a strong indicator of protective and proactive behavior[137], such as voluntarily forfeiting one's Constitutional right to permit the use of the new CWDT. This study supports that theoretical proposition. It found that those who fear crime are more likely than not to forfeit a Constitutional right, specifically their Fourth Amendment rights.

Fear of Crime Theory

Fear was an important component of this study, however, not just fear, per se, but fear of crime. The study takes the position of the study that the more one fears victimization, either for themselves or for a family member, the more likely one will seek desperate protective measures[138]. The protective measure of primary interest in this study is, of course, the new Concealed Weapons Detection Technology. One research question of interest in this study is what would cause an individual to voluntarily forfeit a Constitutional right in an effort to curtail crime? The value of examining fear is to determine whether it is a reliable predictor of such voluntary forfeiture. Past and present fear of crime research literature intimate that the possibility is not inconceivable.

Research studies have found the fear of crime in the United States to be quite significant and widespread. Studies on fears of crime emphasize that various proximate causes of fear and the crime fear in question is relevant to one's state of mind. Elements of importance in determining the power of fear to compel a person to voluntarily forfeit a Constitutional right were that fear must be of a particular type, of a certain amount of that particular type of fear, and inter alia, one's neighborhood. Empirical models of fear of crime included as predictors, level of incivility in the area, perceived level of crime in the area, and neighborhood cohesion[139]. The various studies[140] reported that the above variables were shown to have an impact on fear of crime as well as one's age, sex, race, and any combination of socio-psychological factors. This study included all of these variables.

Victimization -- Risk and Perception

Sociologists, psychologists, and criminologists have reported fear of crime as an empirical predictor of human behavior. Social research scholars believe once a person experiences being a violent crime victim, that person begins to fear many types of criminal victimization[141]. Studies have surmised that greater trauma may create a

greater spillover effect, that violent victimization is often more traumatic than less confrontational property victimizations, and that violent victimizations may be more likely to lead to heightened perceptions of neighborhood disorder, which in turn increases fear of any crime, including crimes other than the violent crime one has already experienced[142].

In most research studies on the fear crime relationship, it is believed that sociodemographic characteristics and individual victimization comprise the variables believed to indicate vulnerability to crime fear. Scholars generalize that fear is a multidimensional concept; that there are various dimensions of the concept of fear, and components of fear that need to be theoretically and empirically distinguished. Specifically, two components of fear being a cognitive or risk perception component, and an emotion or "being afraid" component[143]. People being people, respond in different ways to crime and fear of crime. Some reports find that some individuals may avoid particular places at particular times; some may purchase protective equipment such as burglar alarm systems, and deadbolt locks; some may form neighborhood crime watch groups or coalitions against crime; some may modify their daily routines and lifestyles; and some may

change their living arrangements, and mode or method of transportation[144]. For other persons, crime and fear of crime may have no discernible impact on their "affective states, or behavior[145]."

Many of the studies on the fear crime relationship agree that individuals who have been previously victimized are believed to be vulnerable for further victimization. One study mentioned that a strong predictor of fear of crime other than sociodemographic variables was crime-related experiences[146]. Studies identified crime-related experiences for instance, as the individual's previous victimization history, knowing others who have been crime victims, or knowing the crime rate in the residents' neighborhood. Several studies find these crime-related experiences strong predictors of fear of crime[147].

Related Perceptions to Fear of Crime

The U.S. Department of Justice, Bureau of Justice Statistics in 1995 reported that, similar to our Nation's general pattern of violent victimization rates, household perceptions of crime as a problem arose during the late 1980's and early 1990's, and then leveled off, and continues to level off. However, differences in perception of crime and actual victimization were found. Even though crime later dropped sharply from 1994 to 1995, perceptions

that crime was a neighborhood problem remained relatively stable. The statistics indicate that Black households were much more likely than Caucasian households to indicate crime was a neighborhood problem were.

According to the U.S. Department of Justice, Bureau of Justice Statistics, in 1995, 2.5 times as many Black households found crime was a problem, however, the difference was not nearly as large for actual victimization. The report indicated that 27% of Black households experienced one or more crimes, compared to 23% of Caucasian households experienced one or more crimes. In 1997, a statewide survey focused on fear of crime and related perceptions. The study was conducted by Florida State University School of Criminology and Criminal Justice, and the results of the survey were presented in the publication, Fear of Crime and Related Perceptions in Florida - 1997, Final Report, June 1998. A random sample of 4,500 Florida adults, 18 years of age or older from the 1990 census figures responded to the survey. There had been a 16% criminal victimization rate within the Respondents' households during the previous year.

The characteristics of the survey were 53% female, 11% Black, 16% Hispanic, 92% high school graduate, 36% college graduate, and 17% age 65 or older. Fear of crime was

assessed by means of a survey of one basic question of "on a scale from one to ten, with one being not at all fearful and ten being very fearful, how much would you say you fear having your car stolen, having someone break into your home while you are away, having someone break into your home while you are there, being robbed or mugged on the street, being raped or sexually assaulted, and being murdered. Having high fear was averaging an 8+ across the six crimes with 48+ of possible 60.

This study reported in 1997 a mean level of fear in Florida as 28.45. A breakdown of the percentage of Respondents expressing high fear was 16.8%. As other research studies indicate, women (23.5%) expressed a substantially higher fear of crime than men (9.3%) did. This research found that Hispanics (42.5% of female Respondents, and 16.4% of male Respondents) are more likely to express higher fear of crime than Blacks (29.7% female and 14.7% male), or Caucasians (15.9% female and 6.1% male). Moreover, in contradiction to other studies, the Florida study reported that a high fear of crime was more common among younger Respondents aged 18 to 24 (20.4%), and less common for older Respondents 65 years of age and older (12.9). In contradiction, other research studies report

that the elderly have been more fearful of crime than younger individuals.

In the instant study, 56% of the age group 30 to 45 report fear of crime; 54% of the age group 18 to 29 years of age report fear of crime; 50% of the age group 44 to 59 report fear of crime; and 33% of the age group 60 to 84 years of age report fear of crime. The oldest age group reports the least fear of crime. Moreover, within the male group, 58% of the males report fear of crime, whereas within the women group, 38% of the women report fear of crime. Of all Respondents who report fear of crime, 60% are men. These results are statistically significant at the (X^2 4.006, $2_{t,}$.045).

In addition, 50% of the Black race report fear of crime, whereas 47% of the Caucasian race report fear of crime. The variable race reflects that Caucasians (men 63% and women 37%) fear crime in comparison to the Black race (men 61% and women 39%).

In the instant study, using fear as a predictor of willing forfeiture, of the Madison and D.C. Respondents who would forfeit their Constitutional right, approximately 29 percent are the younger Respondents 18 to 29 years of age. Seventy-one percent of the Madison and D.C. older Respondents 30 years of age and older would forfeit their

Constitutional right to promote the use of the new Concealed Weapons Detection Technology. The statistics reflect that the older Madison and D.C. Respondents are more likely to forfeit their Constitutional right than the younger Respondent. These findings were consistent with previous studies, but inconsistent with the Florida study.

In the instant study, of all Respondents who would forfeit their Constitutional right, women (55%) are more likely to forfeit, and Caucasians (61%) are more likely to forfeit their Constitutional rights. Even within each group, Caucasians at 66% are more likely than not to forfeit their Constitutional rights and women are more likely than not at 68% to forfeit their Constitutional right.

One consensus, to be discussed later in the study, among recent and earlier research studies is the fact that high fear of crime decreases with income and increases with prior victimization. In the instant study, of all Respondents who report fear of crime, 79% are of high income. Within each group, 54% of the high income Respondents self-report fear of crime, and 47% of the low income Respondents self-report fear of crime.

Another consensus among other studies is that Respondents who watch local news on television at least

seven times a week are almost twice as likely to express high fear of crime (19.7%) compared to those who do not watch local news at all (9.7%)[148]. The instant study did not test this variable.

Age and Gender as Predictors of Fear of Crime

Many criminologists warn of a demographic "time bomb" set to explode in the next five to ten years. Researchers report that crime will leap in the near future due to a projected increase in the number of male youth who will be entering their crime-prone years. In five to ten years, supposedly the numbers will surge of males between the ages of 15 and 24. Social Scientists consider this age range the most "violence-prone" segment of the population in our Nation[149]. Consequently, many criminologists contribute any increased crime rate as merely a reflection of the growing numbers of young adult males in a given population. The instant study found that 62% of the Madison Respondents fear personal victimization from the age group of 15 to 25, and 54% fear property crime from the same age group. Seventy percent (70%) of the D.C. Respondents fear personal victimization from the age group of 15 to 25, and 70% fear property victimization from the same age group.

A research study was conducted to test the fear of the general public to this "violence-prone" segment of the population. An empirical study[150] designed a pre- and post-test to poll a community in Santa Ana, California. The study pre-tested the community's level of fear of crime in relation to the existence of gangs in the community. A relationship between the community's fear of crime and the existence of gangs in the community was noted. After gang violence had been curtailed in the community, but the community was purposefully not informed, a post-test was given[151]. The post-test reflected no change in the community's fear of crime although gang violence had been curtailed. The study's results indicated that, regardless of the fact that there had been a dramatic drop in youth crimes, or that the crime rates overall had dropped, unless neighborhood communities are aware of the fact that crime and gang violence had deceased, the neighborhood communities' fear of crime would "in no way be altered[152]."

In essence, although the gang violence had been curtailed, but because the community was not aware of that decrease in gang violence, the fear of crime still existed as strong as ever.

However, another study conducted revealed that undermining juveniles' gang affiliation can contribute to a

lessening of citizens' fear of violence[153]. However, this study did not make note whether the citizens were aware of the decrease in gang affiliation. Nevertheless, the study strongly discounted the inevitability of a crime increase due to a projected increase in the number of youth in the crime-prone years in the near future[154].

Criminologists have significantly noted that an emphasis on reducing access to guns and undermining juveniles' gang affiliation can contribute to a lessening of citizens' fear of violence. One study[155] suggested actions taken to alleviate the grim fear of crime included increasing police presence in New York City subways and police attention to petty crimes; a greater involvement of citizens in public safety programs; increased incarceration; early intervention to prevent the evolution of criminal careers; and a reduced proportion of youth in the population who are in the crime-prone years has reduced people's fear of being on New York streets. These results support the theory that the general public's fear of crime does not decrease unless they are physically made aware of the decrease. In some instances, being a part of the solution, and in other instances actually seeing a more pronounced police presence on the streets and subways, and more police attention being paid to petty crimes of young

offenders has reduced people's fear of being on New York streets[156]. Consequently, an answer to reducing people's fear of crime nationally could entail merely making the general public aware of the availability and crime-deterrent potential of Concealed Weapons Detection Technology. Such action could be the catalyst to a national outcry for police use of Concealed Weapons Detection Technology.

The Victimization or Vulnerability Perspective of Fear

Generally, we are all victims and vulnerable to fear of crime, if not for ourselves, then for our loved ones. Mothers of Black youths fear crime with just cause. In 1997, the Bureau of Justice Statistics, U. S. Department of Justice, and the FBI's Uniform Crime Report revealed that the young, Black, and males were the most vulnerable to violent crime. The age range of 12 to years old was the most likely, and the age of 65 years or older the least likely to be a crime victim. Specifically, 1 in 11 persons of the younger age group were victims of violent crime; compared to 1 in 227 victims of crime were of the older age group. The rate of murder showed that 49% of murder victims were Black, 48% were Caucasian, and 3% were Asians, Pacific Islanders, and Native Americans. Moreover, 77% of

the murder victims were male, 63% were under age 35, and 11% were under age 18.

Overall, the Bureau of Justice Statistics of 1997 reported that Blacks were more likely than Caucasians to be victims of robbery and was more likely than Caucasians to be victims of aggravated assault. The victimization rates for rape and sexual assault were not significantly different among Blacks, Caucasians, or persons of other races. Teenagers and young adults were more likely to become victims of violent crime than older persons, as stated previously, however, about a third of all victims of violent crime were ages 12 to 19. Almost half of all victims of violence were under age 25.

Thus, the instant study hypothesized that victimization by race would be a predictor of forfeit of the Fourth Amendment right. The statistics showed that 53 percent of the Black Respondents in the study who have been or a family member have been victimized would forfeit their Constitutional right. Fifty-five percent of all Caucasians who have been or a family member have been a victim of crime would forfeit their Constitutional right. The victimization by race rates was not significantly different among the races.

The crimes most feared by D.C. Respondents, all committed with concealed weapons, are Murder (31%), Burglary (19.1%), Rape (15.4%), Robbery (11.5%), Assault (11.5%), Carjacking (7.7%), and Driveby Shooting (3.8%). The crimes most feared by Madison Respondents, all committed with concealed weapons, are Murder (22.2%), Burglary (22.2%), Assault (16.7%), Rape 11.1%), Robbery (11.1%), Carjacking (11.1%), and Driveby Shooting (5.6%).

The instant study further hypothesized, based on the research of fear of crime studies, that victimization would be a predictor of forfeiture of a Fourth Amendment right. The instant study predicted that Respondents who had been victimized or who had a family member victimized would forfeit their Constitutional right more often than Respondents who had never been victimized. To reiterate, social research scholars have reported, once a person experiences being a violent crime victim, that person begins to fear many types of criminal victimization[157]. The consensus is that high fear of crime increases with prior victimization[158].

This study does not support those findings. Victimization does not seem to increases fear in the Respondents in this study. At least not in the sense that victimization would cause one to more readily forfeit their

Constitutional right for Concealed Weapons Detection Technology. The Respondents who have not been a victim of any crime are just as likely or slightly more likely (64%) to forfeit their Fourth Amendment right than those Respondents who were victimized (60%) by at least one crime.

However, within the category of victimization, those who have been victimized or had family members victimized are more likely to forfeit their Constitutional right. The instant study indicates that approximately 60 percent of all Madison and D.C. Respondents who have been victims of at least one crime would forfeit their Constitutional right for Concealed Weapons Detection Technology. Forty percent would not forfeit their Constitutional right for police officer use of the new CWDT. For all Madison and D.C. Respondents who have not been a victim of at least one crime, approximately 64 percent would forfeit their Constitutional right for Concealed Weapons Detection Technology.

Moreover, with family member victimization, thirty-one percent of all Madison and D.C. Respondents have at least one family member who has been a victim of crime. Approximately 55 percent of those Madison and D.C. Respondents whose family members have been victims of crime

would forfeit their Constitutional right. Forty-five percent of the Madison and D.C. Respondents who have a family member a victim of crime would not forfeit their Constitutional right to promote the use of the new Concealed Weapons Detection Technology. An individual having been or having a family member who has been a victim of crime would be more likely to voluntarily to forfeit a Constitutional right.

As stated previously, the Bureau of Justice Statistics of 1997 indicated that persons from households with lower incomes were more vulnerable to violent crime than those from higher income households. Persons with household incomes of less than $15,000 per year had significantly higher violent crime rates for the category of total violent crime and robbery when compared with those who had household incomes of $15,000 or more per year. As might be expected, 1997 statistics revealed that minorities, urban dwellers, and those who rent their homes experienced the highest rates of property crime. The impact of income varied, depending on the type of property crime. Lower income households were more likely to experience burglaries than were higher income households. In contrast, higher income households were the likeliest to be victimized by theft.

The instant study results reflect that higher income Respondents seem to suffer more misdemeanor crime (65%) as opposed to felony crimes (35%). The same can be said for the lower income Respondents, however, even a higher percentage of the lower income Respondents have been victims of misdemeanor crimes (80%) than have the higher income Respondents. The study reflected overall that the high income Respondents represented 76%, and the low income Respondents represented 24% in the study.

The instant study hypothesized income as a predictor of forfeiture of the Fourth Amendment right. Specifically, the instant study predicted low-income Respondents would forfeit their Constitutional rights more often than high to middle class income Respondents. The study found that approximately 63 percent of the Madison and D.C. Respondents of the high to middle income bracket having income of $30,000 or higher would forfeit their Constitutional right to promote the use of the new Concealed Weapons Detection Technology. Sixty-Seven percent (67%) of all Madison and D.C. low-income Respondents having income less than $30,000 would forfeit their Constitutional right to promote the use of the new Concealed Weapons Detection Technology. These findings in the study are supported by previous studies[159].

Populations Reported to Suffer Victimization

Certain groups of the population are specifically vulnerable to victimization, and alternatively, to greater fear of crime. Consequently, populations that fear crime have been identified as the most vulnerable and victimized. Social scientists have identified many communities ranking high in crime fear victimization/vulnerability.

The Elderly Population

The elderly population has been identified as ranking high in the crime fear category; it is the population reported to fear crime the most. In fact, the elderly have been reported to be more fearful than younger individuals[160]. This study does not support those findings, per se, however, when the Respondents by age are divided into only two age groups, the findings are that the elder fear crime more than younger Respondents.

A crime-specific study[161] on fear of assault between the elderly was conducted using subjects from the 1974 National Opinion Research Center General Social Survey. An analysis of data tested the relationship of age and other demographic variables to fear of crime, and found several predictors of crime fear. The study reported that strong predictors of fear of crime in combination were age, sex, and area of residence[162].

The study further reported that a significantly greater percentage of Respondents aged 60 or older expressed fear about walking alone at night in their neighborhoods than did middle-aged, 40-59 year-old women, or younger, 18-39 year-old-women Respondents[163]. The instant study reports the age range 60 to 84 the least fearful of being a victim of crime.

The study suggested that solutions to diminishing the fears of the elderly were decreasing the incidence of street crime, providing the elderly with additional security through demand-responsive transportation, and increasing street lighting, pedestrian alarm boxes, neighborhood buddy systems, and escort services[164].

Women as a Population

Women are another population that ranks high in crime fear. Women's fear of crime has become a focal point of social policy and application by Federal, State, and Local Governments, law enforcement offices, higher learning institutions, and feminist groups. In numerous studies, women were reported to be more fearful than men are[165]. One study[166], found women almost 3.5 times as likely as men to report feeling "very unsafe" if alone on their neighborhood street at night[167]. However, one study reported of Respondents in general when asked by the General Social

Survey whether they were afraid to walk alone at night within a mile of their homes, 47% said they were afraid[168].

This study also reported that of all Respondents in the study women (55%) were more likely than men (45%) were to express fear of crime. Moreover, in the category within Women, 68% reported fear of crime, and within Men, 56% reported fear of crime.

Another study[169] identified specific crimes that worry women and men. The study reported that women worry most about rape, burglary, and vehicle crime, while men are most concerned about burglary and vehicle crime, however, any differences based on gender, or age were not significant for all crimes, Stanko 1995.

One study describes women's fear of crime as "located within gender-structured societies and as indicative of women's anxiety about their vulnerability to men's violence[170]". This study reported that women's fear of crime is actually fueled by traditional crime prevention campaigns, and the popular belief that violence is random and committed by strangers. Moreover, a second study reported that crime prevention programs place the responsibility for avoiding victimization directly on the shoulder of individual women, and, that the same prevention programs ignore the potential of violence toward women from

male acquaintances and relatives, both inside and outside of the woman's home[171].

However, feminist-inspired crime control campaigns attempt to ease the burden of women's experiences and fear of violence by placing the responsibility for male violence on men, and on society as a whole[172]. Albeit, academicians suggest that women, and older people, are more likely to be overly fearful[173], to have a distorted perception of their likelihood of victimization, and to take the most precautions to reduce their risks[174].

In support of these finding, a study survey[175] found the percentage of Respondents expressing "high fear" to be highest for women. Women expressed 23.5 percent of high fear, which was substantially greater than men who expressed only a 9.3 percent fear of crime were.

Contrary to these studies, nevertheless, a recent study reported a paradoxically empirical finding of fearful men, and fearless women[176]. This study found a small but statistically significant difference between fear rates expressed by men and women.

A further study[177] analyzed how women in the United States perceive the threat of crime in their everyday lives and how that perception controls their behavior[178]. This study focused on diverse groups of women. The study

demonstrated how women's fear of crime perpetuates gender inequalities and contributes to the social control of women, in particular, poor Black and Latino women. The study intimated that this control is maintained by keeping these groups of women in subservient and self-limiting social positions[179]. This study further reported that the more insecurity in anyone's life, generally, the more fearful they are of crime, violence, and victimization. However, insecurities in one's life psychologically create fears, justified or unjustified.

Another study[180], suggested an approach toward confronting women's fear of violence. This approach recommended good street lighting, good and safe transportation, well-investigated and adequate child care, decent education to help rationalize fear, security safe houses, and safe interpersonal and business relationships.[181] This study reflects that the use of the new CWDT by police officers on public streets because of the alleged capabilities would further secure a sense of safety for individuals, especially women.

Nevertheless, all in all, the studies researched for this study reveal consistently contradictory facts--men are the most often attacked, however, women are supposedly the most fearful[182]. The elder not the youth are the most

fearful of victimization, depending on which study you read. Fear has not decreased as the crime surveys report. In fact, in a General Social surveys it was reported that individuals were afraid to walk alone in places near their home at night, and in 1994, asked the same question by the same survey, even a higher percent, 47%, reported being afraid to walk alone.

The Racial and Ethnic Minorities as a Population

Racial and ethnic minorities are another population identified as ranking high in the crime fear category. There is empirical evidence to support findings that racial and ethnic minorities (as well as poor, and urban residents) are more fearful of crime than are members of other groups[183]. Studies report that these sociodemographic characteristics represent greater social vulnerability to crime fear[184].

One study[185] found a higher crime fear percentage rate for Hispanics than for Blacks, or for Caucasians. The study reported that Hispanics had 58.9 percent crime fear, whereas Blacks had 44.4 percent crime fear, and Caucasians had 32 percent crime fear. In contradiction to previous studies reporting on age, high fear of crime, ethnically speaking was more common among younger Respondents ranging

in the age of 18 to 34 and less common among the older Respondents 65 or older[186].

The instant study revealed ethnically speaking that the younger Black Respondents aged 18 to 30 were more/less fearful of crime than among the older Respondents over 65 years of age and older. However, of all Respondents Caucasians (56%) were more like to express fear of crime than Black Respondents (44%) report fear. Within the groups of race, however, 50% of the Black Respondents report fear of crime, while 47% Caucasians report fear.

Other Populations

One study[187] found that Respondents who watch local news on television at least seven times a week were almost twice as likely to express high fear as those who do not watch local news at all were. The results were 18.7 percent for those who watch television news at least 7 times a week, and 9.7 percent for those who did not. These study results coincide with the studies that find perception of crime from the mass media is just as intimidating as actually knowing crime firsthand. The study did not test this variable.

Social Scientists Differing Opinions on Fear of Crime

It appears that Criminologists, sociologists, and even psychologists have differing opinions about crime, and

victimization or fear of crime[188]. Some believe that society today is no more violent than previous generations, while others believe that it is the high-profile cases that have made the public overly sensitive to crime. Consequently, numerous studies have been conducted to explore many possible relationships between victimization experiences and fear levels.

To facilitate these studies, models have been constructed to measure fear of crime as an indicator of the impact of crime on society. From these models, many opinions have been formed as to who fears crimes, why these particular people or communities fear crime, what crimes are feared, and why these crimes are feared. Results of studies have found that socio-psychological factors of violence play a role in answering these questions. To that end, one scholar suggested that because violent victimization is often traumatic, that trauma may aggrandize a greater "spillover effect" of crime fear[189]. Thus, another explanation for one's commitment to fear of crime.

Crime-Fear Relationship

The fear of crime literature does not share a consensus on the degree to which crime and fear of crime are linked. However, one study does hypothesize that some

types of crime or victimization are more closely linked to fear than are others, and specificity should be used in testing the effects of crime on fear[190]. Conceptually and operationally, literature views fear as a multidimensional concept. That is to say, empirical work has shown that there are cognitive and emotional components of fear, as well as etiological differences[191].

Recent Developments in the Fear of Crime Literature

Scholars have been led to generalize that fear is a multidimensional concept; that there are various dimensions of the concept of fear, and components of fear that need to be theoretically and empirically distinguished, specifically a cognitive or risk perception component, and an emotion or being afraid component. The value of examining crime-specific fears has been established in fear of crime literature. Comparisons of the multidimensional nature of fear of crime have included multilevel models of the fear of violence versus the fear of burglary, with a specific focus on the crime-fear relationship for each type of fear.

In support of the multidimensional nature of fear of crime, one study[192], found experiences from individual and neighborhood crime had differential effects on fear of violence compared to fear of burglary[193]. This study

further suggested that cognitive and emotional components need to be theoretically and empirically distinguished, that the relationship between crime and fear should be examined in relation to the effects of violent versus property crime on fear and effects of crime on fear of violence versus fear of burglary[194]. In other words, this study espouses that crime-specific opportunity played a role in producing fear.

Behavioral Response to Crime and Fear of Crime

Once again, people being people, they respond in different ways to crime and fear of crime. Some may avoid particular places at particular times; some may purchase protective equipment such as burglar alarm systems, and deadbolt locks; some may form neighborhood crime watch groups or coalitions against crime; some may modify their daily routines and lifestyles; and some may change their living arrangements, and mode or method of transportation[195]. While for other persons, however, crime and fear of crime may have no discernible impact on their "affective states," or "behavior[196]." Other literature describes the same behavioral reactions in different countries.

What Worries U.S. Urban Life Communities

The two most authoritative sources on crime in the United States[197], which provide estimates of the extent of crime, revealed that the greater prevalence of serious crime is found in urban areas[198]. Urban residents in the United States realize that crime is a fact. Their typical reactions to fear of crime include avoidance behavior, protective actions, changes in routine activity patterns and lifestyle, and participation in collective crime prevention action[199]. However, although urban residents are at higher risk of crime, it is not necessarily the case that this leads directly to urban residents having greater fear[200]. It is reported that many urban residents become desensitized to the existence of crime, so that crime does not result in a total withdrawal from, and rejection of urban life[201].

The statistics in the present study report otherwise. The inner-city residents who fear crime victimization are 67.9 percent, the Respondents who live in the suburbs who fear crime are 25 percent, and rural residents who fear victimization are 7.1 percent.

The public's concern about crime has caused national attention, especially since September 11, 2001. Numerous articles have been written which indicate that, as in other

countries, the public takes a more complex view of crime than the political arena estimated[202]. It appears that simple solutions such as just adding brighter streetlights would not suffice. One study[203] reported that protective measures such as improved street lighting did not reduce crime, that the overall crime pattern did not change significantly with the addition of brighter street lights[204]. Another study[205], intimated that the representation of fear of crime "is a product of the way it has been researched, rather than the way it is[206]." One might interpret this statement to mean that the survey results depended upon how one might phrase the questions and analyze the results. Such may be said of the present study.

The "hype" of the new CWDT surely plays a persuasive role in the majority acceptance by the Respondents in the study. The "hype" of the new CWDT in the study could be inferred to persuade likewise the general public at large. Nevertheless, given the majority's acceptance for the new CWDT and their voluntary forfeiture of their Constitutional right, specifically the ultimate right covered by the Fourth Amendment to the Constitution of the United States, "hype" or no "hype," for the immediate use of this new CWDT by police officers, the study presents a very persuasive

argument and factual evidence that the public at large is greatly concerned about crime and is willing to win the fight against crime and terrorism at practically any civic cost.

This study strongly demonstrates the public's concern, even before September 11, 2001, about crime and the vulnerability of the public to crime. This study further strongly demonstrates the readiness of the public at large for revolutionary solutions. The study clearly evidences that the majority of the Respondents in the study would voluntarily forfeit a Constitutional right just to permit police officer use of the new CWDT. Despite the "hype" of the new CWDT, the Respondents' opinions and beliefs in the study may be revalidated as legitimate and factual.

C. Changes in Society as a Result of Concealed Weapons Current Crime Statistics

Overall, violent victimization includes rape, sexual assault, robbery, aggravated assault, and simple assault. The National Crime Victimization Survey changes of 1997-1998 with Trends of 1993-1998 report that violent crime rates have declined 7% and property crime rates fell 12%. The Survey reported that these 1998 rates are the lowest recorded since the survey's inception in 1973. The overall decline in violent crime resulted from a slight yet significant decline in aggravated assault rates. However,

no significant changes occurred in the rates of rape or sexual assault, robbery, or simple assault. The number of murders dropped about 8%. As stated previously, these crimes are among the most feared by the Respondents of this study.

Between 1993 and 1998, every major type of crime is reported by the National Crime Victimization Survey to have decreased. The major crimes included rape or sexual assault, robbery, aggravated assault, simple assault, burglary, theft, and motor vehicle theft. It has been reported that for virtually every demographic category considered in the National Crime Victimization Survey, violent victimization decreased between 1993 and 1998, that male and female violent victimization rates fell 32%, and Black violent victimization rates fell 42%. In addition, property crime rates across all demographic groups also declined. Specifically, property crime rates declined 33% for Caucasian, Black, Urban, and Suburban households.

The National Crime Victimization Survey reported that males were victimized at significantly higher rates than females, and Blacks were victimized at somewhat higher rates than Caucasians. Non-Hispanics and Hispanics were victimized at about the same rate. In about a fourth of violent victimizations, offenders used a weapon; 4 out of

10 robbery victims faced a perpetrator with a weapon; and 1 in 10 rape or sexual assault victims were coerced with a weapon[207].

Psychological Reactions to Criminal Victimization

A study conducted by Miethe in 1995 described the nature of crime, and the extent and correlates of fear of victimization. Typical reactions to crime were identified in the study: avoidance behavior; protective actions; changes in routine activity patterns and lifestyle; and participation in collective crime prevention action. The study concluded that greater exposure to risk of crime does not lead directly to greater fear[208]. Nevertheless, to the contrary, fear of crime is an important additional predictor of people's crime prevention attitudes[209].

Crime, Statistics, and Concealed Weapons

This study questions whether or not the devastation of violent crimes committed with concealed weapons, namely, firearms on the general public is an important factor in influencing voluntary forfeiture of a Constitutional right.

The National Crime Victimization Survey (hereinafter sometimes referred to as the "NCVS") in 1998 reported that of the 2.9 million violent crimes, 670,000 victims of serious violent crimes, namely, rape and sexual assault, robbery, and aggravated assault, stated that they faced an

offender with a handgun. Victimizations involving a concealed weapon represented 23% of the 2.9 million violent crimes of rape and sexual assault, robbery, and aggravated assault. The FBI estimated that 68% of the 18,209 murders in 1997 were committed with firearms. Of the victims of nonfatal violent crime who faced an assailant armed with a firearm, 3% suffered gunshot wounds in 1997. Another estimated 57,500 nonfatal gunshot wounds from assaults were treated in hospital emergency rooms from June 1992, through May 1993. Offenders arrested carrying a weapon were predominantly male, age 18 or over, and Caucasian. This racial statistic is extremely contradictory to who the mass media depicts as the primary concealed-gun offender. Black, male, 18 and over individuals are predominately stigmatized by the mass media as the "real" concealed-gun offenders.

Contradictory to the fact that Caucasian, male, and 18 or over were the demographics most likely to be carrying a concealed gun or weapon, weapons arrest rates per 100,000 population are highest for teens and for Blacks. Arrests of juveniles comprise an increasing proportion of weapons arrests.

According to the Bureau of Justice Statistics, November 1995, arrests of juveniles comprise an increasing

proportion of weapons arrests. Weapons offenders are making up an increasing proportion of admission to State and Federal prisons. From 1985 to 1992, the rate of increase in admissions of weapons offenders was 4 times greater than the rate of increase of drug offenders, although many more offenders are admitted to Federal prison for drug offenses than for weapons offenses,

Statistics on gun possession and how offenders obtained them were reported in a 1991 Survey of State Prison Inmates[210]. Of the inmates who possessed a handgun prior to incarceration, 9% had acquired it through theft, and 28% had acquired it through an illegal market such as a drug dealer or "fence," 10% had stolen it (at least one gun), and 11% had sold or traded stolen guns.

Availability of Concealed Weapons

The U.S. Department of Justice[211] reports that stolen guns are readily available to criminals. The FBI's stolen guns' file contains over 2 million reports; 60% are reports of stolen handguns. In 1994, the Bureau of Alcohol, Tobacco and Firearms (hereinafter sometimes referred to as "ATF") reported that over three quarters of the 85,132 guns traced by the ATF were handguns, mostly pistols, and almost a third were less than 3 years old. Surveys of inmates show that the concealed weapon of choice was a handgun, and

the inmates prefer large caliber guns. The juvenile inmates are more likely to possess guns than are adults. In 1995 the Bureau of Justice Statistics further report that the kind of gun most frequently used in murders is large caliber revolvers, and the number of large caliber semiautomatic guns used in murders is increasing.

Handguns, Concealed Weapon of Choice in Violent Crime

A handgun is generally described by the NCVS as a weapon designed to fire a small projectile from one or more barrels, when held in one hand and having a short stock designed to be gripped by one hand. A handgun could be a revolver, a pistol, a semiautomatic pistol, or a derringer. The NCVS reports generally indicate that handguns are most often the types of concealed firearm used in committing crimes.

The Federal Bureau of Investigation's (hereinafter sometimes referred to as the "FBI") Supplemental Homicide Reports show that in 1993, 57% of all murders were committed with handguns, 3% with rifles, 5% with shotguns, and 5% with firearms where the type was unknown. Furthermore, the 1991 Survey of State Prison Inmates found that violent inmates who used a weapon were more likely to use a handgun than any other weapon. Of all violent inmates, 24% reported that they used a handgun. Of all

inmates in total, 13% reported carrying a concealed weapon, a handgun, when they committed the offense for which they were serving time.

The NCVS reports that 25% of the victims of rape and sexual assault, robbery, and aggravated assault in 1993 faced an offender armed with a handgun. Of all the firearm-related crime reported to the survey, 86% involved a handgun. One research study conducted by Wright and Rossi in 1980 found that most criminals prefer guns that are easily concealable, large caliber, and well made. The report also stated that the handguns used by the felons interviewed were similar to the handguns available to the general public, only the larger caliber versions.

The gun availability in the United States is astronomical. According to the ATF, it is estimated that from 1899 to 1993 about 223 million guns became available in the United States, including over 79 million rifles, 77 million handguns and 66 million shotguns. Since 1973, even more handguns have been produced in the United States--over 40 million. The number of new handguns added in 1993 to those available, more than half of the guns were handguns.

The United States are responsible for producing over 80% of the guns available in the Nation. The guns made available in the United States from 1973 to 1993 include

6.6 million .357 Magnum revolvers, 6.5 million .38 Special revolvers, 5.4 million .22 caliber pistols, 5.3 million .22 caliber revolvers, 4.5 million .25 caliber pistols, and 3.1 million 9 millimeter pistols. All of these weapons are potentially dangerous concealed weapons to be used in the commission of crimes of violence.

Any of these guns could be easily detected by the new CWDT before crimes of violence were committed.

Over a quarter of all of the victims of intentional gunshot wounds were Black males, age 15 to 24. Perhaps this fact is the reason for the misconception that Black males carry concealed weapons more often than Caucasian males. However, most victims of reported unintentional firearm injury and suicide attempts with firearms were Caucasian. The Centers for Disease Control and Prevention (hereinafter sometimes referred to as "CDC")[212] reported that the percent of victims of nonfatal gunshot wounds from crime were: Black male, 52%; Caucasian male, 15%; Hispanic male, 13%; Black female, 6%; Caucasian female, 4%; Other male, 3%; Hispanic female, 1%; Other female, 1%; and Unknown, 5%. The CDC reports that its data of firearm homicide data indicates that demographic patterns among victims from crime are similar, compared to two other

sources, the Vital Statistics and the FBI's Supplementary Homicide Reports.

For example, Black males are the most frequent victims of firearm homicide, and nonfatal firearm injury from crime; young people are more frequently victims in all three sources; and older victims are more frequent in the homicide statistics since, the CDC presumes, they are less able than younger victims to recover from gunshot wounds.

Of the victims of firearm homicide included in the Supplementary Homicide Reports from June 1992 through May 1993, handguns killed 83% of the victims. Of these firearm homicide victims, 29% were killed because of an argument, 21% were killed during the commission of another crime, including 11% during a robbery and 7% during a drug law violation, and 6% died as a result of a juvenile gang killing. The CDC provided information as to where the assaults that resulted in nonfatal gunshot wounds occurred. The CDC study found that the location of the assault was unknown for more than half the injuries. However a street or highway was the location for 18%, a home, apartment, or condominium in 16%, and other property, including schools or recreation areas in 13%. The report indicated that 83% of the cases did not occur when the victim was on the job. The term "drive-by" was used to describe what happened to

12% of the victims of nonfatal gunshot injury from assaults. In about 60% of the victims of gunshot wounds for 1987 through 1992, the NCVS reported that strangers victimized them. Another quarter reported that they were victimized by an acquaintance.

The Survey of Inmates in State Correctional Facilities found that of the almost 328,000 State prison inmates serving time for a violent crime in 1991, 30% were armed with a firearm when they committed the crime. Of those armed, 56% said that they fired the gun and most of those who fired the gun, said their victims shot were either wounded or killed.

Prevalence of Handgun Use in Violent Crime

The National Crime Victimization Survey reports that almost 43.6 million criminal victimizations occurred in 1993. This figure includes 4.4 million violent crimes of rape and sexual assault, robbery, and aggravated assault, and of the victims of these violent crimes, 1.3 million, 29%, stated that they faced an offender with a firearm. Moreover, in 1993, the FBI's Crime in the United States estimated that almost 2 million violent crimes of murder, robbery, rape, and aggravated assault were reported to the police by citizens, and of these crimes, 582,000 reported

murders, robberies, and aggravated assaults committed with firearms.

It was reported that murder was the crime that most frequently involved firearms--70% of the 24,526 murders in 1993 were committed with firearms. There is definitely a need to rid the streets of firearms.

Police Officers Injured in Assaults with Concealed Guns

The FBI, Uniform Crime Report[213], reported that in 1993, over 1,400 police officers were injured in firearm assaults and 67 police officers were killed by a firearm while responding to a crime. The firearm injury rate for police officers declined in the early 1980's and began climbing again after 1987. However, rates in the 1990's have not exceeded the peak reached in 1980-81. The Respondents' responses to the study survey indicate respect and concern for police officers. The instant study survey results show that a major reason (93%) for Respondents to forfeit a Constitutional right is to protect law enforcement officers from harm caused by concealed weapons.

Federal law regulates the importation, manufacture, and distribution of firearms; bans certain firearms such as machine guns and semiautomatic assault weapons; and prohibits the sale of some firearms to restricted classes of people, including convicted felons and juveniles. From

1974 to 1993, the number of arrests for weapons offenses increased 54%, while the total number of arrests for all crimes increased 55%. The proportion of all arrests that were for weapons offenses remained constant during the period. The number of violent offenses (murders, robberies, and aggravated assaults) committed with a firearm increased 78%. The FBI's Crime in the United States for 1993 estimated that State and local law enforcement agencies made 260,300 arrests in which a weapons offense was the most serious charge. Granting the authority to law officers to use the new CWDT to confiscate illegal weapons and contraband from offenders could be a capable method of ensuring potentially a drastic lowering of the National crime rate.

Citizen's Power to Pass a New Concealed Weapons Detection Technology Law

The survey questionnaire appended to this study inquired of the Respondents, "In your opinion, if using this new Concealed Weapons Detection Technology does not violate the privacy rights of individuals, who do you believe should have control over when, where, and how it [Concealed Weapons Detection Technology] should be used: the Federal government decides it use; individual states decide its use; individuals decide by vote, per state, or Courts decide on a Case-By-Case Basis, if the issue is

adjudicated." One of the most frequent responses (33%) was that individuals decide by vote, per state, by referendum or initiatives--a self-help response. The Federal Government should have control was the second most frequent choice by 30% of the Respondents.

Initiatives or Referendum

Recent articles have been written on the issues of laws being passed directly by a vote of the citizens of the state, or local jurisdiction through an initiative or referendum. Both initiatives and referendums are devices by which voters' initiate specific laws through petition, as methods of involving voters directly in the legislative processes of governments. Popular referendums are often used to amend state Constitutions or pass state laws, but there is no provision in the Constitution of the United States for national referendums.

More specifically, an initiative is a government procedure for introducing proposed legislation by means of public petition, and for enacting the proposal into law by popular vote. In the practice of direct initiative, a proposed law, say, for instance, a law permitting police officers the use of Concealed Weapons Detection Technology, would have to be supported by the minimum number of valid signatures on a petition, and then submitted directly to

the electorate as a referendum. It becomes law if a majority of the people vote in favor of the proposal. Indirect initiatives are petitions first considered by the legislature. If it is rejected by the legislature, the initiative is submitted to the electorate.

The referendum is the practice of submitting an issue to the popular vote. The proposal or issue can itself be called a referendum. In State government, the petition referendum originates with the voters and provides that a proposed law is put to a popular vote. The optional referendum originates with a legislative body wishing to require that a specific majority of the voters accept a measure before it can become official. Statutory and Constitutional referendums are also required in some governments as a part of the procedures through which certain measures such as taxes and Constitutional amendments become valid. As an example, permitting the use of Concealed Weapons Detection Technology by police officers may be considered an infringement upon a citizen's Constitutional right to be free from unreasonable search and seizure. Consequently, a new law may be possible through a State initiative or a State Constitutional referendum.

Consequently, if this new Concealed Weapons Detection Technology is considered an unreasonable search and seizure, a Fourth Amendment violation of the Constitution of the United States, a two-thirds vote would be required by the voters before the referendum would be passed by the State desiring to utilize the new Concealed Weapons Detection Technology. Such referendums commonly require more than a simple majority for approval; most states require a two-thirds majority for approving Constitutional amendments. The popular referendums are often used to amend state Constitutions or Pass State laws, but there is no provision in the Constitution of the United States for National referendums. Albeit, for the new Concealed Weapons Detection Technology to become law by it referendum, would advisedly have to become individual State Law, through the initiative of a State referendum.

However, it should not be an issue whether police officers will be permitted to use the new Concealed Weapons Detection Technology considering the Supreme Court's Houghton[214] decision in April of 1999. The Supreme Court voted to curtail the privacy rights of automobile passengers by a 6 to 3 ruling that a police officer may search a passenger's belongings, simply because the police officer suspects that the driver has done something wrong.

One might question how this police conduct of search-at-will is any different from a CWDT search. Both searches are unexpected and may be considered in violation of a person's expectation of personal privacy right.

In this instance, the police officer had pulled over the driver for speeding and having a faulty break light. The police officer pulled the driver over, proceeded to search the passenger's purse and found drugs. The Supreme Court upheld the conviction of drug felony possession after the State Supreme Court threw out the conviction. The United States Supreme Court held that the citizen passenger had no rights to forfeit, and the police officer was permitted to search in an area the citizen certainly considered within the realm of her privacy, her purse.

Perhaps the United States Supreme Court would rule likewise were a suspicious individual stopped in an automobile and the police officer conducted a new CWDT search of the individual and anyone else in the car. Surely, the imputed interest of police safety to self and others would satisfy as a more legitimate search under law.

Arguable Rights and Wrongs of Citizens Forfeiting Their Constitutional Rights

Many citizens' groups would probably oppose such police action in Houghton, and the ruling by the Supreme Court. Nevertheless, it is now law. Police officers more

or less have been granted almost carte blanche through the Exclusionary Rule Reform Act of 1995, and the ruling by the United States Supreme Court in Houghton. Consequently, individual citizens voting by initiatives of referendums to initiate the use of the new CWDT should not cause an outcry of infringement by the American Civil Liberties Union (hereinafter sometimes referred to as "ACLU") or other such private-citizens' interest groups. A more appropriate cry by these citizens' interest groups might be that new laws permitting the forfeiture of Constitutional rights would be an interference with individual choice. Although that argument might not hold much water either. The interest groups sometimes seem to lose sight of the more social and political participatory experiments now being tried to address the rising crime problems or continuing rise in student-on-student crime, and worker-on-worker crime. These are far wider social issues than the atypical racial crime issue, which usually centers on race-on-race crime, or more pointedly, Black-on-Black crime.

One article responding to the social interests is, "When Rights Are Wrong"[215]. This article espouses a premise, which may address the appropriateness or inappropriateness of citizens voting into law by referendum, the right to forfeit voluntarily a

Constitutional right. That is, the right for police officers to use the new Concealed Weapons Detection Technology which may be found to be unConstitutional. However, the question of standing would surely arise. The Courts could question whether these activist groups had standing regarding citizen-initiated-through-initiatives-or-referendums-new State laws.

The article "When Rights Are Wrong[216]" espouses that citizens' democratic participation is a healthy thing. The article encouraged citizens to exercise their right to present an initiative of referendums to express how they wish to be policed. The article expresses that it would be permitting the citizenry the opportunity to unleash energy, optimism, and spirit in a sense to determine their own destiny. Such unleashing could be powerful. That same thought could apply to a CWDT initiative. The citizens of each State would be reaching their own decisions, and using their own judgment in deciding what burdens they are willing to bear to rid themselves of their fears of crime, and crime, itself, in our schools, in our airports, on our airplanes, and throughout the Nation. The citizens could determine the fate of the new CWDT.

In the above-referenced article, "When Rights Are Wrong," the authors reported an incident of unwanted

intrusion by citizens' interests groups, namely the ACLU, and a Federal District Court judge. A Chicago Housing Association passed an ordinance that was supported by the majority residence of a crime-infested community. Despite the fact that this ordinance appeared to be successful in decreasing crime, the ACLU attacked it causing it to be invalidated by a Federal Court. The Court held that the ordinance was violating the rights of the very individuals who supported it--a Chicago community.

Albeit, in the Chicago situation, the Chicago Housing Authority adopted a building search policy as an "emergency response to the deadly outbursts of gun fire associated with incessant gang warfare[217]." Presumably, the police recorded more than 300 gunfire incidents in the housing project.

Out of fear for their families, the majority of the residents supported a policy, which permitted police officers to investigate, by way of mass building searches; reported gun shots which emanated from the housing project. This incident between residence of the crime-ridden area who wanted to be free from fear, and the ACLU and the Federal Court created profound tension between what the article described as an "individual's liberty[218]." The article stated that the judicial decision struck down an

ordinance that the individuals were attempting to create for self-protection. The article reported that although this ordinance was not considered an incident of police coercion, the Court saw the housing ordinance as depriving the residents of the housing project of their Constitutional protection from unreasonable searches and seizures. It would appear that the Court did not take into consideration the all-important fact that the housing residents knowingly and voluntarily permitted and requested this invasion of their privacy in an effort to rid their community of gun violence. These are desperate measures for desperate times.

Albeit, if the Concealed Weapons Detection Technology law were to be dependent upon another precedent citizenry initiated law, specifically, the Chicago Curfew Ordinance of 1992, it may never become law. The Chicago curfew law was designed to restrict known gang members from congregating on street corners and other public ways. Although it appears that carefully considered guidelines accompanied the ordinance, and it was widely accepted by the Community, the ordinance was struck down for arbitrary and, or discriminatory enforcement. Again, it appears that a law was struck down, despite the fact that the ordinance was reportedly successful in decreasing crime. The ACLU

won its challenge of the ordinance alleging that the ordinance was using a vague loitering ordinance to intimidate and harass racial minorities. Once more, the Court agreed with the ACLU, however, and according to Meares[219], the United States Supreme Court is reviewing the case.

Permitting the use of Concealed Weapons Detection Technology and passing State laws through initiatives and referendums might prevent the interference of well-meaning activist groups and Courts. Perhaps the sincere concern of activist groups and the Courts of over-reaching laws, intimidation and harassment of racial minorities and other government infringement upon the freedom of the rights of minority groups to mix and mingle on street corners will be alleviated after studying the use and capabilities of the new CWDT.

This new CWDT would not cause any individual or group intimidating freedom of movement interference, or harassment by police officers using the new Concealed Weapons Detection Technology. This technology is nonconfrontational; police officers would not have to confront any particular group or individual suspected of being involved in any illegal possession be it weapons or contraband. Police officers would simply search, applying

a justifiable, reasonable standard of criminal activity afoot. The potential of such a search is that it will be without risk of harm to self, the suspect, or to the general public.

Curfews were also a topic of interest to this study. In that regard, the questions asked of the Respondents in this study were whether the Respondent believes in curfews, and if so, what entity the Respondent believes should be responsible for setting curfews: the Federal Government, State Government, City Government, or Parents? One of the most frequent answers was that the City Government should be responsible for setting the curfew. Here, again if necessary, the public could initiate a referendum to pass curfew laws for minors. Reportedly, more than half of the major Cities in the United States has enacted curfew legislation. These Cities include the two Cities of interest in this study: Madison, Wisconsin, and Washington, D. C. From the results of the study, the Respondents of the two Cities support their City's initiated curfews.

Nevertheless, curfews too have fallen victim to citizen-group activists and Court interference. These groups are proclaiming that curfews violate children's rights. However, these efforts thus far have been received with much less success. Albeit, with the cities already

supporting curfews for minors, any minor found on the streets past curfew is in violation of the curfew law. Therefore, that minor could be searched by the new CWDT without a warrant with just cause.

Studies on curfews have reported findings that juveniles do not hang out late at night on the streets because they enjoy it so much, but rather because of peer pressures to do so[220]. The social influence theory posits that individuals are more likely to commit crimes when they perceive that either others are engaged in the crime, or they expect that a crime is to be committed. To curtail this effect on juveniles, curfew and loitering ordinances have been initiated. Reportedly, curfews and loitering ordinances reinforce social organization by increasing the supervisory authority of adults in the inner city. A critical empirical link between lack of supervision of teen peer groups and juvenile delinquency and victimization has been established in studies by Sampson and Groves[221].

That is why some may find it contradictory that studies like the Chicago Curfew Ordinance of 1992 was struck down for arbitrary and, or discriminatory enforcement, even though it appears that carefully considered guidelines accompanied the ordinance; it was widely accepted by the Community; and it was reportedly

successful in decreasing crime. Regardless of these positives, the ordinance was struck down by the Court for arbitrary and, or discriminatory enforcement[222].

Police Harassment, Intimidation, and Racial Profiling

It would be a difficult accusation to make that police officers' use of Concealed Weapons Detection Technology would harass, intimidate, or racially profile any group of people. If police officers were permitted to use the new Concealed Weapons Detection Technology, it would more likely than not eliminate the risk of harassment, intimidation, and racial profiling normally associated with aggressive order-maintenance policing. The CWDT would pose no threat of direct confrontation of a suspected individual, unless a police officer is proof positive that an individual is carrying a concealed weapon or some illegal contraband. Using Concealed Weapons Detection Technology would provide the police officer with proof of a weapon or contraband concealed on a suspect. The new Concealed Weapons Detection Technology as touted in the study possesses a low probability of false alarms, of making a mistake.

There are many pros for citizens wanting to vote in favor of the use of the new CWDT by police officers. Eliminating any actual or potential racial profiling, or

accusations of racial profiling is one positive proactive reason. This new Concealed Weapons Detection Technology would put an end to the need for bias stops by those police officers that have a tendency to target minorities.

Another positive is the convenience and accuracy of the new CWDT. A police officer could sit in his squad car and scan search those individuals thought to be involved in criminal activity, or involved in suspicious action as judged by the police officer's years of experience, or with probable cause. The point being made here is that as a nonintrusive, nonconfrontational proactive means of protecting the public and police officers, as they attempt to do their duty of keeping the peace within the communities, the residents of those communities, be they law-abiding citizens or suspected criminals would not be stopped, questioned and frisked without probable cause. Police officers would not need to personally harass or intimidate any citizen searched with the new CWDT. There would not be a need to make the citizen aware of the search if the search turns out negative.

Such Concealed Weapons Detection Technology searches would not be considered intrusive, not if judged according to the standard of Rochin v. California[223]. In Rochin, the Court set the standard that to be intrusive; it must shock

the conscience. The police officers in Rochin were found by the Court to have illegally broken into the privacy of the suspect when they struggled to open his mouth and remove what was there. The police officers removed drugs, for evidence, by forcibly extracting his stomach contents. Rochin held that this act offended even hardened sensibilities.

Another standard for intrusive which the new CWDT could pass was developed in a later case, Breithaupt v. Abram[224], which was reaffirmed in a still later case[225]. The Court in Breithaupt sustained the admissibility of the results of a blood test administered while the defendant was unconscious in a hospital following a traffic accident. Here lies the unexpected hospital admittance discussed earlier in the study.

The Court stated that the search was not intrusive considering the routine nature of the test and the minimal intrusion into bodily private parts[226]. Arguably, inasmuch as a Concealed Weapons Detection Technology search is reported to be truly nonintrusive, with minimal radiation level which does not invade the body, nor disclose the body's private parts, Courts would find that the search would not shock the conscience of even the most timid sensibility, according to case law precedence

Moreover, it is now settled by the Court that such evidentiary items as fingerprints, blood, urine samples, fingernail and skin scrapings, voice and handwriting exemplars, conversations, and other demonstrative evidence may be obtained through the warrant process or without a warrant where special need of the government are shown[227]. Albeit, the new CWDT would not be considered medically assisted bodily intrusions where such circumstances have been held impermissible by the Court. Consequently, it would appear by all standards that the new Concealed Weapons Detection Technology search would not be considered an intrusive search.

However, in the cases following the ruling in Weeks[228], the Supreme Court maintained its fundamental assumption throughout its decisions since Weeks. That decision being, of course, that without the exclusionary rule, the protection of the Fourth Amendment is of no value to the citizenry of this country. Subsequently, another issue was raised since Weeks as to why illegal search and seizure evidence should be excluded from trial. The Court clearly identified the basis for the exclusionary rule as the self-incrimination clause of the Fifth Amendment, the amendment that protects against compelling self-incrimination.

Thus, in this study, it may be argued that those concealed weapons and other contraband that could be identified in a new Concealed Weapons Detection Technology search may be in violation of the Fifth Amendment. Although, the Court may not find a self-incrimination argument persuasive, especially inasmuch as the offender was carrying illegal contraband or weaponry openly in public places, and regardless of whether he expected privacy of person in doing so. Nevertheless, in the end, that determination probably would have to be decided by the Courts.

However, there have been precedent exclusionary rule cases that may apply to the new CWDT issues, not based on Constitutional grounds[229]. In these cases, the Court enforced a requirement that arrestees be promptly presented to a magistrate by holding that incriminating admissions obtained during the period beyond a reasonable time for presentation would be inadmissible. The rule was not extended to the States, however[230]. Nevertheless, because the Courts resort to the self-incrimination clause in reviewing confessions, such application was irrelevant in most cases in any event[231]. However, in another case[232], the Court stated that the exclusionary rule is calculated to prevent, not to repair. Its purpose is to deter, to compel

respect for the Constitutional guaranty in the only effectively available way--by removing the incentive to disregard it.

Additionally, in Mapp, which states that when a search impermissible under the Fourth Amendment results in the seizure of evidence, exclusion of the fruits of that unConstitutional invasion is required not merely in hope of deterring unConstitutional searches in the future, but in order to vindicate the right of privacy guaranteed by the Fourth Amendment, the Court held that the exclusionary rule was the only effective deterrent to lawless police action.

Like the Fifth Amendment's protection against compulsory, self-incrimination, the warrant requirement of the Fourth Amendment stakes out boundaries beyond which the government may not tread in forcing evidence or information from its citizens. When coercion that surely is impermissible under the Fifth Amendment has actually produced an involuntary statement, the Court has invariably held that the fruits of that unConstitutional coercion also may not be used to prosecute the individual involved for any crime[233]. Exclusion of statements impermissibly coerced is not merely a device to deter government agents from improper conduct in the future. Exclusion of coerced testimony is the essence of the privilege against self-

incrimination. Here, too, the term "coercion" would have to be defined as to whether or not the new CWDT search would produce coerced testimony to be excluded by the Court as the essence of the privilege against self-discrimination. This issue as well would have to be decided by the Courts.

However, the most severe curtailment of the exclusionary rule came in 1984 with the adoption of the "good faith" exception. As stated previously in Leon, the Court created an exception for evidence obtained as a result of officers' objective, good-faith reliance on a warrant, later found to be defective, issued by a detached and neutral magistrate. Since Leon, and several other cases[234] thereafter, the Court finds it of little social value in applying the exclusionary rule to deter objectively reasonable law enforcement activity by penalizing a police officer for a magistrate's error.

The Supreme Court maintains its fundamental assumption throughout its decisions since Weeks, however, that without the exclusionary rule, the protection of the Fourth Amendment is of no value to the citizenry of this country. The new CWDT search should not offend the Court's idealism. The survey in this study isolated the voluntary forfeiture of one's Fourth Amendment right to one issue only--to

permit police officers the use of the new CWDT to curb crime and violence. The survey specified that it would be used for "this purpose only." All other Fourth Amendment protections would not be violated, and would otherwise remain intact. Therefore, under ideal conditions, the concept of the new Concealed Weapons Detection Technology type-search, i.e., hands-off, nonintrusive, nonconfrontational, operated within seconds, and from a distance of at least 12 feet should not bring forth convincing Constitutional objections. This type of search might well not even be considered an infringement or an intrusion. Moreover, after the terrorist attack of September 11, 2001, the Country would probably well-receive this new technology at the cost of the loss of some freedom.

D. The House Resolution 666 Exclusionary Rule Reform Act

Congress as well as the Court's has demonstrated solicitude for law enforcement objectives. The House of Representatives passed House Resolution 666 (hereinafter sometimes referred to as the "H.R. 666"), which is seen by some as an erosion of the Constitution by statutory enactment. The H.R. 666 appears to be reforming the exclusionary rule to exclude evidence, even if it were "poisonous fruit" obtained without proper legal authority.

Moreover, H.R. 666 will allow any law enforcement officer who collects evidence permission, as long as he believes that he is doing so while acting within the authority of the Fourth Amendment, to introduce the evidence in a Court of Law. Consequently, any law enforcement officer's illegally obtained evidence, as long as he has reason to believe that it was collected within the confines of the Fourth Amendment limitations, will be permitted to introduce such evidence in a Court of Law to be used against the accused.

Critics of the exclusionary rule, rightly or wrongly, trumpet what others consider a misconception: the exclusionary rule regularly releases dangerous criminals onto our streets. In contradiction, however, in only 1.3 percent of the Federal criminal prosecutions was evidence excluded as a result of an illegal search? In addition, numerous studies report that cumulative loss resulting from illegal searches is small--around 0.6 to 2.35 percent of all adult felony arrests[235]. The great fear of advocates of the exclusionary rule is the possibility that the people of this Nation will lose their right to retain one's personal privacy from the otherwise enormous intrusion and confiscation abilities of our government.

Albeit, this study sustains the thought that personal privacy is the basic core of American democracy. Thus, the answer to the question, would the public consider the new Concealed Weapons Detection Technology too much of an intrusion on the people's privacy rights, according to the survey results of this study, the answer is a resounding, "No."

Although this survey was taken before the September 11, 2001, terrorist attacks, one might suppose that if this survey were taken today, the study would probably reflect an even greater percentage of citizens willing to voluntarily forfeit their Fourth Amendment right. These rights would be forfeited only to permit police officer use of the new CWDT to secure public freedom from crime, violence, especially terrorism, and to secure once again the freedom and security to move around our Nation, and to travel the world without fear.

As the study reflects, when fear is the predictor, the statistics of Madison and D. C. Respondents who would forfeit their Constitutional right do not differ. Of all of the Madison Respondents, who fear crime, approximately 71 percent would forfeit their Constitutional right. Of all of the D.C. Respondents, who fear crime, approximately 69 percent would forfeit their Constitutional right. These

voluntary forfeitures were offered to permit police officer use of the new Concealed Weapons Detection Technology. The study results reflect that the Respondents strongly believe (82%) that the new Concealed Weapons Detection Technology should be delivered immediately to police officers to aid them in fighting crime, violence and terrorism in the Nation. These results were statistically significant for both the 1_t-, and 2_t-test (X^2(DF=1) 14.742, P<.000.

ENDNOTE

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[1] See J. Travis and W. Bratton, Travis CNN Interview, "CNN Sunday Morning," 1997. A January 12, 1997, interview was conducted by CNN Sunday Morning in which Jeremy Travis, the Director of the National Institute of Justice, and William Bratton, former New York City Police Commissioner imply that crime is decreasing in the Nation.

[2] The Chicago Curfew Ordinance of 1992, and the Chicago Housing Authority's attempt to adopt a building search policy are but two such instances of community endeavors to right their own wrongs within their communities. These efforts were shot down by groups like the American Civil Liberties Union and judicial system. The self-help issue will be discussed in further detail later in this study.

[3] Since 1997, 31 states initiated right to carry concealed gun ("RTC") laws.

[4] The issue of initiatives and referendums is fully discussed later in this study.

[5] Madison Respondents opined 30 percent of the time that individual votes initiated by referendum, per State, should have control. Twenty-eight percent believed that the Federal Government should have control. Twenty-six percent stated that the State Government should have control. Sixteen percent indicated that the Courts should have control, on a Case-By-Case Basis.

The D.C. Respondents opined 36 percent of the time that individual votes initiated by referendum, per State, should have control. Thirty-two percent stated that the Federal Government should have control. Twelve percent indicated that the State Government should have control. Twelve percent believed that the Courts should have control, on a Case-By-Case Basis. Eight percent of the D.C. Respondents stated they had no preference of who should have control.

[6] The Fourth Amendment of the United States Constitution guarantees that, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated."

[7] This rule has been held to be applicable to the states under Mapp v. Ohio, 367U.S. 643, 81 S.Ct. 1684, 6 L.Ed.2d 1081.

[8] The Fourth Amendment to the U.S. Constitution places limits on the power of the police to make arrests, search people, and their property, and seize objects, documents, and contraband, such as illegal drugs or weapons. These limits are couched within the probable cause requirements. Case law identifies "probable cause" as an apparent state of facts found to exist upon reasonable inquiry, which would induce a reasonably intelligent, and prudent man to believe, in a criminal case, that the accused man had committed the crime charged, or, in a civil case, that a cause of action existed. Cook v. Singer Sewing Machine Co. 138 Cal.App. 418, 32 P.2d 430, 431. Reasonable grounds for belief that the person should be arrested or searched. The police office need not necessarily possess knowledge of the facts sufficient to establish guilt, but it must be more than mere suspicion. State v. Phillips, 67 Hawaii 535, 696 P.2d 346, 350.

[9] The Exclusionary Rule requires evidence, which is obtained by an unreasonable search and seizure to be excluded from admissibility at the defendant's trial, following the Fourth Amendment.

[10] The Exclusionary Rule Reform Act of 1995. Congressional "Record (House), February 7 - 8, 1995.

[11] National Archives and Records Administration, A More Perfect Union: The Creation of the U.S. Constitution, March 26, 1999.

[12] Id.

[13] Id.

[14] Id.

[15] Id.

[16] The Continental Congress is the first national legislative assembly in the United States. In 1774, Massachusetts recommended to all of the States that one convene. In some instances, the legislative assemblies of the States chose the delegates, and in other, the people chose them, directly. At that time, the powers of Congress were undefined, however, it took measures, and passed resolutions which concerned the general welfare of the people.

[17] National Archives and Records Administration, A More Perfect Union: The Creation of the U.S. Constitution, March 26, 1999.

[18] Writ of Assistance is essentially a mandatory injunction, the effect of which is to bring about a change in the possession of realty; it disposes the occupant and gives possession to one adjudged entitled thereto by the court. Dusbabek v. Local Building & Loan Ass'n., 178 Okl. 592, 63 P.2d 756, 759. In England, a writ of assistance permitted unreasonable searches and seizures of its citizens.

[19] The 10th Article in the Amendments to the Constitution proclaims that " . . . the powers not the United States or the Constitution, nor prohibited by it delegated to the States, are reserved by the States, respectively, or to the people." The United States Constitution.

[20] National Archives and Records Administration, A Perfect Union: The Creation of the U.S. Constitution, March 26, 1999.

[21] Elliot's Debates. A Century of Lawmaking, 1774-1873. Debates in Convention. The Debates in the Several States Convention on the Adoption of the Federal Constitution On

Powers of the States and Federal Governments. The States' powers were limited thereto. The power to make war, peace, and treaties, levy money and regulate commerce, and the correspondent executive and Judicial authorities were fully and effectively vested in the general government of the Union.

[22] Id.

[23] Id.

[24] For this purpose only pertains to the use of the new Concealed Weapons Detection Technology by law enforcement officers. In an effort to combat the escalating fear of crime and victimization of persons.

[25] Exclusionary Reform Act of 1995, Congressional "Record (House), February 7 - 8, 1995.

[26] National Archives and Records Administration, A More Perfect Union: The Creation of the U.S. Constitution, March 26, 1999.

[27] Id.

[28] Id.

[29] Id.

[30] Id.

[31] Dusbabek v. Local Building & Loan Ass'n., 178 Okl. 592, 63 P.2d 756, 759.

[32] Joseph D. Grano, Rethinking the Fourth Amendment Warrant Requirement, American Criminal Law Review 19 (1982) 620.

[33] Braum v. United States, 168 U.S. 532 (1987).

[34] Country of Riverside v. McLaughlin, 500 U.S. 44(1991).

[35] Marbury v. Madison 1 Cranch 137, 5 U.S. 137 (1803), 2 L.Ed 60 (1803).

[36] People v. Harfmann, Colo. App. 555 P.2d 187, 189.

[37] People v. Carlson, Colo., 677 P.2d 310, 316.

[38] United States v. Vargas, 16 F.3d 155. 160 (7th Cir. 1994).

[39] 19 Howell's State Trials 1029, 1035, 95 Eng. Reg. 807, 817-18 (1765).

[40] Dusbabek v. Local Building & Loan Ass'n., 178 Okl. 592, 63 P.2d 756, 759.

[41] See, e.g., Davis v. Mississippi, 394 U.S. 721, 728 (1969); Katz v. United States, 389 U.S. 347, 356-357 (1967); James v. Louisiana, 382 U.S. 36 (1965); Preston v. United States, 376 U.S. 364, 368 (1964); McDonald v. United States, 335 U.S. 451, 455-456 (1948); Agnello v. United States, 269 U.S. 20, 33 (1925).

[42] See, Terry v. Ohio, 392 U.S. 1, 16-27 (1968); see Katz v. United States, supra, at 357 n. 19 and cases cited; cf. Chambers v. Maroney, 399 U.S. 42 (1970).

[43] Terry v. Ohio, 392 U.S. 1 (1968).

[44] Id., supra, at 19, quoting Warden v. Hayden, 387 U.S. 294, 310 (1967) (concurring opinion).

[45] California v. Hodari, 499 U.S. 621 (1991).

[46] Id. at 621, 627

[47] Harris v. United States, 331 U.S. 145 (1947).

[48] United States v. Rabinowitz, 339 U.S. 56 (1950).

[49] Chimel, supra, at 764-765.

[50] Chimel v. California, 395 U.S. 752 (1969).

[51] In Braum, the Supreme Court recognized that under the United States Constitution, even a unanimous vote in Congress could not alter the Bill of Rights or Constitutional procedures.

[52] Exclusionary Reform Act of 1995, Congressional "Record (House), February 7 - 8, 1995.

[53] See, Boyd v. United States, supra; Weeks v. United States, 232 U.S. 383, 390-394, 398 (1914); Mapp v. Ohio, 367 U.S. 643, 656, 660 (1961).

[54] See, Desist v. United States, 394 U.S. 244, 249-250 (1969), and cases cited therein.

[55] Desist v. United States, supra; Stovall v. Denno, 388 U.S., at 297-299.

[56] "History undeniably supports the proposition that the Framers opposed leaving the power to search and seize solely in executive hands." Joseph D. Grano, Rethinking the Fourth Amendment Warrant Requirement, American Criminal Law Review 19 (1982) 620.

[57] The provision of the U.S. Constitution, Article I, Section 8, Clause 3 gives Congress exclusive powers over interstate commerce.

[58] Fuentes v. Shevin, 407 US 67, 79, 92 S.Ct. 1983, 1994, 32 L.Ed.2d 556.

[59] Jeffries v. Turkey Run Consolidated School Dist., C.A.Ind. 492 F.2d 1, 3.

[60] Probable cause is said to be a judicial construct. To find probable cause justifying the issuance of a warrant, the affiant must show that he had reasonable grounds at the time of his affidavit that a law was being violated on the premises to be searched, and the facts set out in the affidavit are so evident that a reasonably discreet and prudent man would be led to believe that there was a commission of the offense charged. Dumbar v. United States, 268 U.S. 435, 439, 441 (1925).

[61] The Exclusionary Rule was clarified by the Supreme Court in its 1914 case, Weeks v. United States, 232 U.S. 383 (1914), as the means of actually enforcing the limitations imposed upon the government's conduct by the Fourth Amendment.

[62] United States v. Leon, 468 U.S. 897 (1984).

[63] Mapp v. Ohio, 367 U.S. 643, 81 S.Ct. 1684, 6 L.Ed.2d 1081.

[64] United States v. Leon, 468 U.S. 897 (1984). The same objectively reasonable "good-faith" rule now applies in determining whether officers obtaining warrants are entitled to qualified immunity from suit. Malley v. Briggs, 475 U.S. 335 (1986).

[65] Justices Blackmun, Powell, Rehnquist, and O'Connor joined by Chief Justice Burger, and the opinion. Justice Blackmun also added a separate concurring opinion. Dissents were filed by Justice Brennan, joined by Justice Marshall, and by Justice Stevens.

[66] 468 U.S. at 907.

[67] 468 U.S. at 916-17.

[68] 468 U.S. at 919, 921.

[69] 468 U.S. 981 (1984).

[70] Illinois v. Krull, 480 U.S. 340 (1987).

[71] Arizona v. Evans, 115 S.Ct. 1185.

[72] Article V of the U.S. Constitution states, in part, "Whenever two-thirds of both houses shall deem it necessary, shall propose amendments to the United States Constitution, or on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid for all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight-hundred and eight."

[73] Ex parte Burford, 7 U.S. (3 Cr.) 448 (1806).

[74] Giordenello v. United States, 357 U.S. 480 (1958); United States v. Watson, 423 U.S. 411 (1976); Payton v. New York, 445 U.S. 573 (1980); Steagald v. United States, 451 U.S. 204 (1981).

[75] United States v. Watson, 423 U.S. 411 (1976).

[76] However, in 1957, the precedent set by the Court in Mallory v. United States, 354 U.S. 449 454 (1957) was that "the police may not arrest upon mere suspicion but only on probable cause."

[77] Stop and Frisk, United States v. Watson, 423 U.S. 411 (1976), Henry v. United States, 361 U.S. 98 (1959), Johnson v. United States, 333 U.S. 10, (1948), Sibron v. New York, 392 U.S. 40 (1968), Mallory v. United States, 354 U.S. 449 (1957), United States v. Cortez, 449 U.S. 411 (1981), Alabama v. White, 496 U.S. 325 (1990), Davis v. Mississippi, 394 U.S. 721 (1969), Dunaway v. New York, 442 U.S. 200 (1979), United States v. Mendenhall, 446 U.S. 544 (1980), Florida v. Royer, 460 U.S. 491 (1983), INS v. Delgado, 466 U.S. 210 (1984), Michigan v. Chesternut, 486 U.S. 567 (1988), United States v. Sharpe, 470 U.S. 675 (1985).

[78] See, for example in Almeida-Sanchez v. United States, 413 U.S.266 (1973). Justices Stewart, Douglas, Brennan, Marshall, and generally Powell, adhered to the warrant-based rule, while Justices While, Blackmun, and Rehnquist, and Chief Justice Burger placed greater emphasis upon the question of reasonableness without necessary regard to the warrant requirement. Arrest warrants and search warrants requirements are the same, Aguilar v. Texas, 378 U.S. 108 (1964); in Ker requirements are the same, Aguilar v. Texas, 378 U.S. 108 (1964); in Ker v. California, 374 U.S. 23 (1963) (the validity of warrants are judged the same, whether issued to state or federal officers); (the sufficiency of evidence presented can be questioned at trial, and the accuracy of the allegations establishing probable cause), Spinelli v. United States, 393 U.S. 410 (1969), United States v. Harris, 403 U.S. 573 (1971), Franks v. Delaware, 438 U.S. 154 (1978).

[79] The intent of the Exclusionary Rule Reform Act of 1995 was to control crime. Part of the "Taking Back Our Streets Act" contained in the Republican Contract with America. Perhaps the Exclusionary Rule Reform Act of 1995 will justify legalizing the use of the new CWDT.

[80] Stop and Frisk, United States v. Watson, 423 U.S. 411 (1976), Henry v. United States, 361 U.S. 98 (1959), Johnson v. United States, 333 U.S. 10, (1948), Sibron v. New York, 392 U.S. 40 (1968), Mallory v. United States, 354 U.S. 449 (1957), United States v. Cortez, 449 U.S. 411 (1981),

Alabama v. White, 496 U.S. 325 (1990), Davis v. Mississippi, 394 U.S. 721 (1969), Dunaway v. New York, 442 U.S. 200 (1979), United States v. Mendenhall, 446 U.S. 544 (1980), Florida v. Royer, 460 U.S. 491 (1983), INS v. Delgado, 466 U.S. 210 (1984), Michigan v. Chesternut, 486 U.S. 567 (1988), United States v. Sharpe, 470 U.S. 675 (1985).

[81] Search incident to arrest, Weeks v. United States, 232 U.S. 383, 392 (1914), Carroll v. United States, 267 U.S. 132 (1925); Agnello v. United States, 269 U.S. 20 (1925), Chimel v. California, 395 U.S. 752, 762, 763 (1969), Terry v. Ohio, 392 U.S. 1, 19 (1968), United States v. Robinson, 414 U.S. 218, 235 (1973), Gustafson v. Florida, 414 U.S. 260 (1973), United States v. Edwards, 415 U.S. 800 (1974), Harris v. United States, 331 U.S. 145 (1947), Trupiano v. United States, 334 U.S. 699 (1948) United States v. Rabinowitz, 339 U.S. U.S. 56 (1950), Mincey v. Arizona, 437 U.S. 385 (1978), United States v. Chadwick, 433 U.S. 1 (1977), New York v. Belton, 453 U.S. 454 (1981), Maryland v. Buie, 494 U.S. 325, 334 (1990).

[82] Vehicular searches, Carroll v. United States, Scher v. United States, 305 U.S. 251 (1938), Chambers v. Maroney, 399 U.S. 42 (1970), Coolidge v. New Hampshire, 403 U.S. 441, 458-64 (1971), Preston v. United States, 376 U.S. 364 (1964), United States v. Chadwick, 433 U.S. 1, 12 (1977), United States v. Ortiz, 422 U.S. 891, 896 (1975), United States v. Martinez-Fuerte, 428 U.S. 543, 561 (1976), United States v. Ross, 456 U.S. 798, 807n.9 (1982), Raka v. Illinois, 439 U.S. 128 (1978), California v. Acevedo, 500 U.S. 565 (1991).

[83] Vehicular searches, Carroll v. United States, Scher v. United States, 305 U.S. 251 (1938), Chambers v. Maroney, 399 U.S. 42 (1970), Coolidge v. New Hampshire, 403 U.S. 441, 458-64 (1971), Preston v. United States, 376 U.S. 364 (1964), United States v. Chadwick, 433 U.S. 1, 12 (1977), United States v. Ortiz, 422 U.S. 891, 896 (1975), United States v. Martinez-Fuerte, 428 U.S. 543, 561 (1976), United States v. Ross, 456 U.S. 798, 807n.9 (1982), Raka v. Illinois, 439 U.S. 128 (1978), California v. Acevedo, 500 U.S. 565 (1991).

[84] Elliot's Debates. A Century of Lawmaking, 1774-1874. The Debates in the Several State Conventions on the Adoption of the Federal Constitution, on State Rights, Senate, January 1830.

[85] Id. During this heated debate, it was declared that "the Constitution of the United States is not 'unalterable' . . . and that the people of the United States have at no time, in no way, directly or indirectly, authorized any state legislatures to construe or interpret the [Constitution], much less to interfere, by their [State] own power, to arrest its course of operation.

[86] Elliot's Debates. A Century of Lawmaking, 1774-1873.. Debates in Convention. The Debates in the Several State Convention on the Adoption of the Federal Constitution, Senate January 1830.

[87] See, Weeks v. United States, 232 U.S. 383, 392 (1914); Agnello Carroll v. United States, 267 U.S. 132, 158 (1925); v. United States, 269 U.S. 20, 30 (1925). Chimel v. California, 395 U.S. 752 (1969), United States v. Robinson, 414 U.S. 218 1973); Gustafson v. Florida, 414 U.S. 260 (1973); and United States v. Edwards, 415 U.S. 800 (1974).

[88] Katz v. United States, 389 U.S. 347, 353 (1967). Justice Harlan formulated a two-pronged test for determining whether the privacy interest is paramount: "first that a person have exhibited an actual (subjective) expectation of privacy, and second, that the expectation be one that society is prepared to recognize as 'reasonable.'"

[89] California v. Hodari, 499 U.S. 621, 626 (1991). The Court in Hodari found that Fourth Amendment "seizure" of the person is the same as a common law arrest whereby there must be either application of physical force or submission to the assertion of authority.

[90] Fuentes v. Shevin, 407 US 67, 79, 92 S.Ct. 1983, 1994, 32 L.Ed.2d 556.

[91] United States v. Mendenhall, 446 U.S. 544, 554 (1980) whereby the opinion of Justice Stewart stated that: "A person has been 'seized' within the meaning of the Fourth Amendment only if, in view of all the circumstances surrounding the incident, a reasonable person would have believed that he was not free to leave."

[92] In Florida v. Royer, 460 U.S. 491 (1983) Court followed the reasonable perception standard.

[93] Michigan v. Chesternut, 486 U.S. 567, 575 (1988).

[94] However, there are restrictions as to reasons given by police officers as to conceived probable cause for using the new Concealed Weapons Detection Technology. For example, in Brown v. Texas, 443 U.S. 47 (1979) an individual's presence in high crime areas would give a police officer no articulable basis to suspect him of crime; in Delaware v. Prouse, 440 U.S. 648 1979), a reasonable license or registration violation is necessary to authorize automobile stop; random stops are impermissible; in United States v. Brignoni-Ponce, 442 U.S. 873 (1975), officers could not justify random automobile stop solely on the basis of Mexican appearance of occupants; in Reid v. Georgia, 448 U.S. 438 (1980), no reasonable suspicion for airport stop based on appearance that suspect and another passenger were trying to conceal the fact that they were travelling together. However, contrary to the Brignoni-Ponce case, in United States v. Martinez-Fuerte, 428 U.S. 543 (1976), the Court found that halting vehicles at fixed checkpoints to question occupants as to citizenship and immigration status permissible, even if officers should not act on the basis of appearance of occupants.

[95] United States v. Mendenhall, 446 U.S. 544, 554 (1980).

[96] In recent years, many states have legalized the carrying of concealed guns. Nearly two-thirds of the states now have laws respecting the right of individual citizens to exercise their fundamental right of self-defense by carrying concealed firearms as protection against criminals. According to the NRA-ILA Research & Information Fact Sheet, February 3, 1999, 31 States have Right To Carry laws.

[97] However, in 1957, the precedent set by the Court in Mallory v. United States, 354 U.S. 449 454 (1957) was that "the police may not arrest upon mere suspicion but only on probable cause."

[98] In United States v. Cortez, 449 U.S. 411, 417-418 (1981), a unanimous Court laid out the basis for permitting a stop by police officers. See, also, Alabama v. White, 496 U.S. 325 (1990), regarding the anonymous tip context, the Court required some corroboration regardless of whether the standard is probable cause or reasonable suspicion, where less information, or less reliable information can satisfy the lower standard.

[99] See, Almeida-Sanchez v. United States, 413 U.S. 266 (1973) whereby a warrantless stop and search of an automobile by the roving patrol near the boarder was not upheld; in Marshall v. Barlow's, Inc., 436 U.S. 307 (1978) a warrantless administrative inspection of business premises was not upheld; and in Mincey v. Arizona, 437 U.S. 385 (1978) a warrantless search of a home that was a "homicide scene" was precluded.

[100] In Chambers v. Maroney, 399 U.S. 42 (1970), and Texas v. White, 423 U.S. 67 (1975), a warrantless search of an automobile taken to a police station was permitted; in New York v. Belton , 453 U.S. 454 (1981), a search incident to arrest was upheld; in United States v. Ross, 456 U.S. 798 (1982), an automobile search at the scene was upheld.

[101] Almeida-Sanchez v. United States, 413 U.S. 266 (1973) whereby a warrantless stop and search of an automobile by the roving patrol near the boarder was not upheld; in Marshall v. Barlow's, Inc., 436 U.S. 307 (1978) a warrantless administrative inspection of business premises was not upheld; and in Mincey v. Arizona, 437 U.S. 385 (1978) a warrantless search of a home that was a "homicide scene" was precluded.

[102] Only a few justices maintained the warrants-with-narrow-exceptions approach, however, those views were always found in the dissenting opinion. See, for example, Illinois v. Rodrigues, 497 U.S. 177, 189 where Justice Stevens joins Justice Marshall's dissent; see, also New Jersey v. T.L.O., 469 U.S. 325, 370 (1985) where Justice Stevens dissents; and see, California v. Acevedo, 500 U.S. 565, 585 (1991) where Justice Stevens again dissents.

[103] In Griffin v. Wisconsin, 483 U.S. 868, 873 (1987), an administrative need was satisfied and justified a warrantless search of probationers' home on less than probable cause.

[104] The Supreme Court seems to be permitting more exceptions to the search warrant requirement in both searches and arrests. It appears that warrants are becoming outmoded. The American Law Institute is of the opinion that as a practical matter, searches without warrant and incidental to arrest have been up to this time, and may remain, of greater practical importance than searches pursuant to warrants, and that searches under warrants have played a comparatively minor part in law

enforcement, except in instances of narcotics and gambling laws. American Law Institute, A Model Code of Pre-Arraignment Procedure, Tent. Draft No. 3 (Philadelphia: 1970), xix.

[105] In the precedent case Terry v. Ohio, 392 U.S. 1 (1968), the Supreme Court almost unanimously (Justice Douglas dissented) approved an on-the-street investigation by a police officer which involved a "pat-down" of the suspect of the investigation for weapons.

[106] In Terry v. Ohio, Id., the case arose when a police officer observed three individuals engaging in conduct which appeared to him on the basis of training and experience to be involved in criminal activity, i.e., "casing" a store to determine whether it is viable for future robbing, approached the three individuals, identified himself as a police officer, and when he did not receive a prompt response, seized one of the men, patted down the exterior of his clothing, and discovered a gun. In this case, the Supreme Court questioned whether the police officer's actions were reasonable. The Court tested reasonableness to determine whether the police officer can point to specific and articulable facts which taken together with rational inferences from those facts, would lead a neutral magistrate on review to conclude that a man of reasonable caution would be warranted in believing that possible criminal behavior was at hand and that both an investigative stop and a frisk was required.

[107] Id. at 23-27, 29. Moreover, in Sibron v. New York, 392 U.S. 40 (1968), a police officer observed an individual with several known narcotics addicts, the police officer approached him and placed his hand in the individual's pocket, wherein narcotics were discovered. However, because the police officer lacked a reasonable basis for the frisk, and his search exceeded the permissible scope for weapons frisk permitted by Terry, the Court held that the search was impermissible. Subsequently, in Adams v. Williams, 407 U.S. 143 (1972), acting on a tip that a suspect was sitting in his car with narcotics and firearm, police officer approached and asked the suspect to step out of the case, and initiated a frisk and discovered weapon when he merely rolled window down was found justifiable by the Court. Also, in Pennsylvania v. Mimms, 434 U.S. 106 (1977), after validly stopping a car, a police officer required an individual to get out of the car, observed a

bulge under the driver's jacket, frisked him and seized a weapon. The police officer did not suspect the driver of any crime or have an "articulable basis" for safety fears, the Court held safety considerations justified the police officer requiring the driver to leave the car.

[108] Breithaupt v. Abram, 352 U.S. 432 (1957).

[109] The Concealed Weapons Detection Technology is reported to be truly nonintrusive, with minimal radiation level, which does not invade the body, and reveals nothing of the anatomy. It is reported to take approximately three seconds to administer, at a distance of up to 12 feet, and can detect all concealed weapons and contraband.

[110] Federal Bureau of Investigation, Crime in the United States, 1993, Washington, D.C.; Federal Bureau of Investigation, 1994; National School Boards Association, Violence in the Schools; How America's School Boards Are Safeguarding Our Children, Washington, D.C.; National Schools Boards Association, 1993.

[111] The Fourth Amendment to the U.S. Constitution places limits on the power of the police to make arrests, search people, and their property, and seize objects, documents, and contraband, such as illegal drugs or weapons. These limits are couched within the probable cause requirements. Case law identifies "probable cause" as an apparent state of facts found to exist upon reasonable inquiry, which would induce a reasonably intelligent, and prudent man to believe, in a criminal case, that the accused man had committed the crime charged, or, in a civil case, that a cause of action existed. Cook v. Singer Sewing Machine Co. 138 Cal.App. 418, 32 P.2d 430, 431. Reasonable grounds for belief that the person should be arrested or searched. The police office need not necessarily possess knowledge of the facts sufficient to establish guilt, but it must be more than mere suspicion. State v. Phillips, 67 Hawaii 535, 696 P.2d 346, 350.

Probable cause is said to be a judicial construct. To find probable cause justifying the issuance of a warrant, the affiant must show that he had reasonable grounds at the time of his affidavit that a law was being violated on the premises to be searched, and the facts set out in the affidavit are so evident that a reasonably discreet and prudent man would b led to believe that there was a

commission of the offense charged. Dumbar v. United States, 268 U.S. 435, 439, 441 (1925).

[112] See Bringer v. United States, 338 U.S. 160, 180-181 (1949) (Jackson, J., dissenting).

[113] See Skinner v. Railway Labor Executives' Association, 489 U.S. 602, 635 (1989) (Marshall, J., dissenting).

[114] Olmstead v. United States, 277 U.S. 438 (1928). See, also Goldman v. United States, 316 U.S. 129 (1942). In Goldman, a detectaphone was placed against a wall adjoining a room, and was not considered a search or seizure.

[115] Silverman v. United States, 365 U.S. 505 (1961) where a spike mike was pushed through a party wall until it hit a heating duct.

[116] Warden v. Hayden, 387 U.S. 294, 304 (1967).

[117] Id. Katz v. United States, 389 U.S. 347, 353 (1967).

[118] Id.

[119] United States v. White, 401 U.S. 745, 786-787 (1971).

[120] Reportedly, the major test is the home and entries to search or to arrest therein. The Fourth Amendment has drawn a firm line at the entrance to the house. Absent exigent circumstances, a warrant is required. Payton v. New York, 445, U.S. 573 (1980); Steagald v. United States, 451 U.S. 204 (1981); and Mincey v. Arizona, 437 U.S. 385 (1978).

[121] United States v. Chadwick, 433 U.S. 1 (1977). In Arkansas v. Saunders, 442 U.S. 753 (1979), the Court held although, that if the luggage or container is found in an automobile as to which there exists probable cause to search, the legitimate expectancy diminishes, accordingly. Id. United States v. Ross.

[122] Exigencies referred to are permitting police officers to make what, but for these exigent circumstances, would be considered by the courts of law an illegal search and seizure and anything confiscated as a result of that [exigent] illegal search would not be excluded from trial. The exclusionary rule of excluding evidence as a remedy for

Fourth Amendment violations found its beginning in Boyd v. United States, 116 U.S. 616 (1886), Mapp v. Ohio, 367 U.S. 643 (1961); Wong Sun v. United States, 371 U.S. 471 (1963) (verbal evidence, such as confessions, and other admissions, like all derivative evidence obtained as a result of unlawful seizures could be excluded). Such evidence obtained from an unlawful seizure is known as "fruit from the poisonous tree," Nardone v. United States, 308 U.S. 338, 341 (1939); Coolidge v. New Hampshire, 403 U.S. 443 (1971); Weeks v. United States, 232 U.S. 383 (1914); Wolf v. Colorado, 338 U.S. 25 (1949)(unreasonable search and seizure made applicable to the states through the Fourteenth Amendment's due process clause).

[123] Katz v. United States. 389 U.S. 347 (1967).

[124] See, Amos v. United States, 255 U.S. 313 (1921); Zap v. United States, 328 U.S. 624 (1946); Schneckloth v. Bustamonte, 412 U.S. 218 (1973).

[125] United States v. Ramsey, 431 U.S. 606 (1977) (sustaining search of incoming mail); Illinois v. Andreas, 463 U.S. 765 (1983) (opening by customs inspector of locked container shipped from abroad); Carroll v. United States, 267 U.S. 132 (1925); United States v. Thirty-Seven Photographs, 402 U.S. 363 (1971); Almeida-Sanchez. v. United States, 413 U.S. 266 (1973); United States v. Montoya de Hernandez, 473 U.S. 531 (1985) (approving warrantless detention incommunicado for more than 24 hours of traveler suspected of alimentary canal drug smuggling, suspect was given a choice between an abdominal x-ray or monitored bowel movements. The suspect was found carrying 88 cocaine-filled ballons.)

[126] Hester v. United States, 265 U.S. 57 (1924); Air Pollution Variance Bd. v. Western Alfalfa Corp., 416 U.S. 86 (1974); Katz v. United States, 389 U.S. 347 (1967); Oliver v. United States, 466 U.S. 170 (1984) (approving warrantless intrusion past no trespassing signs and around locked gate, to view field not visible from outside property); California v. Greenwood, 486 U.S. 35 (1988) (approving warrantless search of garbage left curbside readily accessible to animals, children, scavengers, snoops, and other members of the public); United States v. Dunn, 480 U.S. 294 (1987), (space immediately outside a barn, accessible only after crossing a series of ranch-style fences and situated one-half mile from the public road, constitutes unprotected open field).

[127] Washington v. Chrisman, 455 U.S.1 (1982); (police officer lawfully in dorm room may seize marijuana seeds and pipe in open view); United States v. Santana, 427 O.S. 38 (1976) ("plain view" justification for officers to enter home to arrest after observing defendant standing in open doorway); Harris v. United States, 390 U.S. 234 (1968) (officer who opened door of impounded automobile and saw evidence in plain view, properly seized it); Ker v. California, 374 U.S. 23 (1963) (officers entered premises without warrant to make arrest because of exigent circumstances seized evidence in plain sight: Maryland v. Buie, 494 U.S. 325 (1990) (items seized in "plain view" during protective sweep of home incident to arrest).

[128] New Jersey v. T.L.O., 469 U.S. 325, 370 (1985).

[129] Id.

[130] New Jersey v. T.L.O., 469 U.S. 325, 336, 340, 342-343 (1985).

[131] O'Connor v. Ortega, 480 U.S. 709, 725 (1987).

[132] Hudson v. Palmer, 468 U.S. 517, 526 (1984); Griffin v. Wisconsin, Id., 483 U.S. 868, 873-874 (1987) (search based on information from police detective that there was or might be contraband in a probationer's apartment); Skinner v. Railway Labor Executives' Ass'n., 489 U.S. 602, 656, 628; National Treasury Employees Union v. Von Raab, 489 U.S. 670-671 (1989).

[133] Id.

[134] Reportedly, the major test is the home and whether to enter to search or to arrest. The Fourth Amendment has drawn a firm line at the entrance to the house. Absent exigent circumstances, a warrant is required. Payton v. New York, 445, U.S. 573 (1980); Steagald v. United States, 451 U.S. 204 (1981); and Mincey v. Arizona, 437 U.S. 385 (1978).

[135] Understandably, this incident caused a serious national outcry of indignation, especially among the minority communities. The concern was that a national epidemic of police brutality is developing. The National Urban League and a diverse group of African American, Asian American, Latino, and Jewish leaders called for action from then President Clinton against the growing national

epidemic of police brutality. Then President Clinton responded by calling the issue of police abuse and misconduct "critical," and then Attorney General Janet Reno acknowledged that the police-brutality issue is "grave."

[136] Skinner v. Railway Labor Executives' Association, 489 U.S. 602, 635 (1989) (Marshall, J., dissenting).

[137] Meares, Tracey L. and Dan M. Kahan. When Rights are Wrong, Chicago's Paradox of Unwanted Rights, The Boston Review, May 1999: pp._.

[138] Id.

[139] Some empirical models of fear of crime included as a predictor, perceived level of crime in the neighborhood. The studies report that locale had an impact on fear of crime. (Grabosky 1995; Rountree 1998). The more crime perceived in the neighborhood, the more fear.

[140] Grabosky 1995; Rountree 1998.

[141] Rountree, 1998; Garofalo, 1979.

[142] Garofalo & Laub, 1978; Garofalo, 1979; Hindelang, Gottfredson, & Garofalo, 1978; Hope & Hough, 1988; LaGrange & Ferraro, 1989; Lebowitz, 1975; Lewis & Maxfield, 1980; Lewis & Salem, 1986.

[143] DuBow, McCabe, and Kaplan 1979.

[144] Id.

[145] Id.

[146] Rountree 1998.

[147] As the present study revealed earlier, its statistical evidence, although qualified, supports this premise. See Section above entitled "Victimization or Vulnerability Perspective of Fear."

[148] Rountree 1998; Braungart, Braungart, and Hayer 1980; Miethe 1995; Clarke and Lewis 1982; Stafford and Galle 1984.

[149] Rahn, Wendy M. and John Transue, 1995. "The Political Significance of Fear of Crime." A Report to the NES Board, University of Minnesota. This study found that for socially isolated individuals, fear of crime is heavily based on indirect and mass-mediated information.

[150] R.E. Vogel, S. Torres, Evaluation of Operation Roundup: An Experiment in the Control of Gangs to Reduce Crime, Fear of Crime, and Improve Police Community Relations, Policing, Vol. 21, Issue 1, 1998, pp. 38-53. A four-phase study was designed to permanently curtail the activities of the "Sixth Street Gang" and essentially return the community to its citizens. The goals were to arrest as many gang members as possible; to use high visibility and undercover operations to target and arrest gang members not caught in phase one; to focus on the community by renovating, uniting and educating the community and its members, and provide alternative programs for youth at risk; to ensure that the other phases were accomplished.

A one-group, pretest-post-test, quasi-experimental design was used, comparing pretest and post-test attitudes concerning fear of crime, attitudes toward the police, feelings about the neighborhood, and the perception about crime in the community. The results showed that the Respondents felt safe being out alone at night after the arrest sweep; and their attitudes improved toward their neighborhood. There were no significant changes in the other areas tested. However, the Respondents remained worried about being burglarized. The researchers did conclude that without empirical knowledge of the arrest sweep and proof that the "Sixth Street Gang" would not soon return, and how much crime had actually been reduced in their neighborhood, Respondents' perception of crime in their community would have remained the same.

[151] Vogel and Torres 1998.

[152] Id.

[153] See J. Travis and W. Bratton, Travis CNN Interview, "CNN Sunday Morning," 1997. A January 12, 1997, interview was conducted by CNN Sunday Morning in which Jeremy Travis, the Director of the National Institute of Justice, and William Bratton, former New York City Police Commissioner.

[154] See J. Travis and W. Bratton, Travis CNN Interview, "CNN Sunday Morning," 1997. A January 12, 1997, interview was conducted by CNN Sunday Morning in which Jeremy Travis, the Director of the National Institute of Justice, and William Bratton, former New York City Police Commissioner imply that crime is decreasing in the Nation.

[155] Id.

[156] Id.

[157] Rountree, 1998; Garofalo, 1979.

[158] Rountree 1998; Braungart, Braungart, and Hayer 1980; Miethe 1995; Clarke and Lewis 1982; Stafford and Galle 1984.

[159] A consensus among recent and earlier research studies is the fact that high fear of crime decreases with income. (Rountree 1998; Braungart, Braungart, and Hayer 1980; Miethe 1995; Clarke and Lewis 1982; Stafford and Galle 1984.)

[160] Rountree 1998; Braungart, Braungart, and Hayer 1980; Miethe 1995; Clarke and Lewis 1982; Stafford and Galle 1984.

[161] E. Brown, Fear of Assault Among the Elderly, Paper Presented at the 1975 Annual Meeting of the Gerontological Society, Louisville, Kentucky, October 29, 1975. Eighty-five percent of the older, urban, female Respondents expressed fear, compared to 7 percent of younger, rural, male Respondents.

[162] Rountree 1998.

[163] Brown 1975.

[164] Brown 1975.

[165] Brown 1975; Rountree 1998; Braungart, et al. 1980; Stafford and Galle 1984.

[166] Skogan and Maxfield 1981.

[167] Boyle and Haire 1996; Brown 1975; Miethe and Miethe 1994; Miethe 1995; Rountree 1998.

[168] Rahn, Wendy M. and John Transue, 1995. This study reported that in 1974, 41% of the Respondents of a General Social survey said they were afraid to walk alone in places near their home at night, and in 1994, asked the same question by the same survey, even a higher percent, 47%, reported being afraid.

[169] This study was conducted by the Great Britain Home Office, Research and Planning Unit, 1995. The 1994 British Crime Survey was used on which to base this fear of crime study.

[170] E.A. Stanko, Women, Crime and Fear, Annals of the American Academy of Political and Social Science, Vol. 539, May 1995, pp. 46-58. This author explores women's fear of crime and examines how it becomes the focus of social policy and action from political, social, and academic standpoints.

[171] Id.

[172] Id.

[173] Brown 1975,

[174] T.D. Miethe, Fear and Withdrawal From Urban Life, Annals of the American Academy of Political and Social Science, Vol. 539, May 1995, pp. 14-27. This article reviews the current literature on individuals' psychological reactions to criminal victimization. It describes the nature of crime, the extent, and the correlates of fear of victimization.

[175] Florida Department of Juvenile Justice, Bureau of Data and Research, Fear of Crime & Related Perceptions in Florida - 1997, Research Digest, Issue 23, July 1998. This was a statewide survey that focused on fear of crime and related perceptions. A random sample included 4,500 Florida adults 18 or over. This study was conducted by the Florida State University School of Criminology and Criminal Justice.

[176] Gilchrist, Bannister, Ditton, and Farral 1998.

[177] E. Madriz, Nothing Bad Happens to Good Girls: Fear of Crime in Women's Lives, University of California Press, Berkeley, California, 1997. The author reported that one of the major purposes of the book was to encourage readers

to be more critically aware of their beliefs and behaviors in confronting fear of crime, to be aware of social contexts and institutions that permanently reproduce relations of dominance and subordination.

[178] Madriz 1997.

[179] Madriz 1997.

[180] Stanko 1995.

[181] E.A. Stanko, Women, Crime and Fear, Annals of the American Academy of Political and Social Science, Vol. 539, May 1995, pp. 46-58.

[182] E.A. Stanko, Women, Crime and Fear, Annals of the American Academy of Political and Social Science, Vol. 539, May 1995. T.D. Miethe, Fear and Withdrawal From Urban Life, Annals of the American Academy of Political and Social Science, Vol. 539, May 1995. Florida Department of Juvenile Justice, Bureau of Data and Research, Fear of Crime & Related Perceptions in Florida - 1997, Research Digest, Issue 23, July 1998. E. Madriz, Nothing Bad Happens to Good Girls: Fear of Crime in Women's Lives, University of California Press, Berkeley, California, 1997.

[183] Miethe 1995; Rountree and Land 1996a; Rountree 1998.

[184] Rountree and Land 1996a; Rountree 1998.

[185] Brown 1975.

[186] Brown 1975.

[187] Brown, 1975.

[188] D. LeBlanc, Fear, Rhetoric and Patterns of Crime, Justice Report, Vol. 11, Issue 1, 1995, pp. 21-23.

[189] Rountree, P.W., 1998, "Reexamination of the Crime-Fear Linkage," Journal of Research in Crime and Delinquency, 35:341-72.

[190] Id.

[191] Rountree 1998; Ferraro 1995; Fishman and Mesch 1996.

[192] Rountree 1998.

[193] Id.

[194] Id.

[195] DuBow, McCabe, and Kaplan 1979.

[196] Id.

[197] The National Crime Victimization Surveys (hereinafter referred to as NCVS) is conducted by the United States Census Bureau. The Uniform Crime Reports (hereinafter referred to as UCR) is conducted by the Federal Bureau of Investigation.

[198] NCVS 1992 data indicate that only 17 percent of households in rural areas were victimized by crime in that year, whereas households in urban areas were 11 percent more victimized by crime than rural areas in that year. Nearly 3 percent more urban households experienced a violent crime, such as a personal robbery or assault, in 1992 than the 4 percent rural households experienced in the same year. Victimizations such as household burglary or property theft from the residence are included as risk of property victimization. Urban residents were at risk of property victimization 20 percent in 1992, while rural residents in the same year were at risk of property victimization 11 percent.

[199] Miethe 1995.

[200] T.D. Miethe, Fear and Withdrawal From Urban Life, Annals of the American Academy of Political and Social Science, Vol. 539, May 1995, pp. 14-27.

[201] Id.

[202] W.G. Skogan, Reactions to Crime and Violence, Annals of the American Academy of Political and Social Science, Vol. 539, May 1995, pp. 1-225. The Journal contains articles examining public concern about crime, and presents a parallel critique of both political and media depictions of the nature of crime, and the solutions they have proposed.

[203] S. Stkins, S. Husain, and A. Storey, 1991, Influence of Street Lighting on Crime and Fear of Crime, Crime Prevention Unit Paper, 1991. This study failed to report any decrease in crime after introducing improved street

lighting. There were no significant changes. This survey showed one improvement and that was in the perceived safety of women walking alone after dark in the relit area.

[204] Atkins, Husain, and Storey 1991.

[205] S. Farrall, J. Bannister, J. Ditton, and E. Gilchrist, Questioning the Measurement of the "Fear of Crime: "Findings From a Major Methodological Study, The British Journal of Criminology, Vol. 37, Issue 4, Autumn 1997.

[206] Id.

[207] After this study was completed, on June 13, 2001, the June 2001 National Crime Victimization Survey was released. This Survey indicates that the violent crime rate for persons 12 years of age and over fell 15% between 1999 and 2000, resulting in the greatest annual percentage decline and the lowest rate of violent crime recorded since the inception of the National Crime Victimization Survey in 1973. Violent crime rates fell for almost every demographic group considered: males, females, Whites, Blacks, non-Hispanics, 35- to 49-year-olds, and 12- to 24-year-olds (historically the group experiencing the highest rates of violent victimization). Violent crime against Hispanics was reported to have fallen "somewhat" during the period. The property crime rate fell 10%.

The Survey reports that the lower the person's annual household income, the higher the rate of violent victimization. Victimization by Region indicates that Midwesterners and Westerners were significantly greater compared to those of persons in the Northeast and South were. Residence variable indicates that urban residents experienced overall violence at rates higher than suburban and rural residents did. Males were victims of overall violent crime at a higher rate than females. The younger the person, the higher rate of violent victimization. Blacks were violently victimized at a rate higher than the rates of persons of "other races." Most victims of violent crimes, except robbery, did not face an armed offender. However, 26 percent faced a weapon: 8 percent a firearm, 7 percent a knife, 10 percent "other" weapon, and 1 percent weapon not ascertained. Moreover, of the 55 percent robberies reported, 26% were committed with a firearm.

[208] As the present study revealed earlier, its statistical evidence, although qualified, supports this premise.

Please see the above Section "Victimization or Vulnerability Perspective of Fear."

[209] Pildes, Richard H., The New Progressives, The Boston Review, May 1999: pp.

[210] The Bureau of Justice Statistics further reflect that although most crime is not committed with guns, most gun crime is committed with handguns.

[211] The U.S. Department of Justice, Bureau of Justice Statistics, Office of Justice Programs Guns Used In Crime, July 1995, NCJ-148201.

[212] The Centers for Disease Control and Prevention, Firearm Injury Surveillance Study, June 1, 1992, through May 31, 1993.

[213] The FBI, Uniform Crime Report, Law Enforcement Officers Killed and Assaulted, dated 1978-1993.

[214] Wyoming v. Houghton, ___ S.Ct. ____ (April 1999), 956 P.2d 363.

[215] Meares, Tracey L. and Dan M. Kahan. When Rights are Wrong, Chicago's Paradox of Unwanted Rights, The Boston Review, May 1999.

[216] Id.

[217] Id.

[218] Id.

[219] Id.

[220] Sampson, Robert J., & W. Byron Groves (1989) "Community Structure and Crime: Testing Social Disorganization Theory," 94 American J. of Sociology 774-802.

[221] Id.

[222] Meares, Tracey L. and Dan M. Kahan. When Rights are Wrong, Chicago's Paradox of Unwanted Rights, The Boston Review, May 1999.

[223] Rochin v. California, 342 U.S. 165 (1952).

[224] Breithaupt v. Abram, 352 U.S. 432 (1957).

[225] Schmerber v. California, 384 U.S. 757 (1966).

[226] Id.

[227] In Gould v. United States, 255 U.S. 298 (1921), the Court did not permit mere evidence to be seized. However, in United States v. Lefkowitz, 285 U.S. 452 (1932), the Court found no special sanctity in papers, but their character as evidence rendered them immune. It was not enough merely to be used to apprehend and convict criminals, Warden v. Hayden, 387 U.S. 294, 303 (1967), and, the mere evidence rule was overturned. It is now settled by the Court that such evidentiary items as fingerprints, blood, urine samples, fingernail and skin scrapings, voice and handwriting exemplars, conversations, and other demonstrative evidence may be obtained through the warrant process or without a warrant where special need of government are shown. Davis v. Mississippi, 394 U.S. 721 (1969),; Schmerber v. California, 384 U.S. 757 (1966), Skinner v. Railway Labor Executives' Ass'n., 489 U.S. 602 (1989); Cupp v. Murphy, 412 U.S. 291 (1973); United States v. Dionisio, 410 U.S. 1 (1973); United States v. Mara, 410 U.S. 19 (1973); Berger v. New York, 388 U.S. 41, (1967).

A few medically assisted bodily intrusions have been held impermissible.

[228] Weeks v. United States, 232 U.S. 383 (1914).

[229] McNabb v. United States, 318 U.S. 332 (1943); and Mallory v. United States, 354 U.S. 449 (1957), in which the Court enforced a requirement that arrestees be promptly presented to a magistrate by holding that incriminating admission obtained during the period beyond a reasonable time for presentation would be inadmissible.

[230] Culombe v. Connecticut, 367 U.S. 568, 598-602.

[231] Davis, Thomas, A Hard Look At What We Know (and Still Need to Learn About the Costs of the Exclusionary Rule), including a report on a 1983 study by the American Bar Foundation. U.S. Comptroller General Study, Impact of the Exclusionary Rule on Federal Criminal Prosecution (Apr. 19, 1979).

[232] Elkins v. United States, 364 U.S. 206, 217 (160).

[233] Rochin v. California, 342 U.S. 165 (1952); Ashcraft v. Tennessee, 322 U.S. 143 (1944); Boyd v. United States, 116 U.S. 616 (1886).

[234] Illinois v. Krull, 480 U.S. 340 (1987), Arizona v. Evans, 115 S.Ct. 1185, applied its good faith exception to a case in which a law enforcement officer acted in objectively reasonable reliance on an erroneous computer record drawn from neutral and detached court records.

[235] Davis, Thomas, A Hard Look at What We Know (and Still Need to Learn About the Costs of the Exclusionary Rule), including a report on a 1983 study by the American Bar Foundation. U.S. Comptroller General Study, Impact of the Exclusionary Rule on Federal Criminal Prosecution (Apr. 19, 1979).

CHAPTER III: METHODOLOGY

Before officially conducting the final instrument, it was reviewed and approved by the author's Thesis Committee. Subsequently, the Human Subject Review Board of the Department of Criminology and Criminal Justice approved the study at the University of Maryland, College Park, Maryland. This survey was conducted several years before the September 11, 2001, martyrdom. Attached, as the Appendix to the study is a copy of the survey instrument. The study as developed follows.

Major Research Question

The major research question of this study was, "Is the general public willing to forfeit a Fourth Amendment Constitutional right to be free from unreasonable search and seizure as a means to receive greater personal security against crime and violence?" The study is interested in questioning whether there is any correlation between the average citizen who would be willing to forfeit a Constitutional right to combat crime, and a host of subpopulation independent variables and factors.

Specifically, this study is concentrating on two elements: the people's Fourth Amendment rights according

to the Constitution of the United States, and whether people would voluntarily forfeit that Fourth Amendment right to sanction or approve police officers' immediate use of the new Concealed Weapons Detection Technology (hereinafter sometimes referred to as the "CWDT"). Also, this study will analyze any statistically significant correlation between the dependent variable and the participants' belief that the new technology is an infringement on their Fourth Amendment rights. Moreover, the study is interested in identifying any relationship between those participants whose opinion it is that they would be willing to forfeit that Constitutional right to permit police officers the immediate use of the new Concealed Weapons Detection Technology, and the dependent variable voluntary forfeiture of their Fourth Amendment rights.

This chapter will outline the steps taken during the study: 1.) preparing, evaluating, sample testing, reevaluating, and sample re-testing the survey instrument, 2.) design of data collection and sampling methods, and 3.) statistical methods for analyzing the study data followed by a chapter summary.

Development of the Variables in the Study

The real interest in the study is the dependent variable, "voluntary forfeiture of the Fourth Amendment." The research question of primary concern in this study is. "Would people of the general population-at-large give serious consideration to voluntarily forfeiting a Constitutional protection of the Fourth Amendment, to be free from unreasonable police search and seizure?" Specifically, in this study, forfeiting their Fourth Amendment right for the purpose of helping to fight crime, violence, and terrorism in their City, State, and the Nation.

The interviewer developed this original survey instrument for the purpose of the study. The hypotheses and dependent variable were developed before selecting independent subpopulations and factors. Keeping in mind the developed research questions and hypotheses, independent variables, and factors were selected according to their relevancy, and influential potential. The relevant issue refers to the intent of the study, which is to identify with as much particularity as possible, variables that influence persons to voluntarily forfeit a

Constitutional right, specifically, the Fourth Amendment right to be free from unreasonable search and seizure. Although it might be said that since September 11, 2001, the citizens have already given up that Fourth Amendment right at airports, the type of new CWDT technology identified in the present study is not presently being utilized by law enforcement officials.

The independent variables selected for this study are: age, sex, marital status, depends, number of depends, race, education, profession, yearly income, and religion. The factors considered were: whether criminally victimized for self; whether criminally victimized for family member; number of times criminally victimized for self; number of times criminally victimized for family member; last time victimized for self; last time victimized for family member, gender of family member victimized; relationship to family member victimized; whether victim of misdemeanor crime and; or felony crime for self; and whether victim of misdemeanor crime and, or felony crime for family; name of crime(s) victim of for self; and name of crime(s) victim of for family member.

Other factors considered in the study are: belief in whether law enforcement officials should have immediate

use of the new Concealed Weapons Detection Technology; belief whether the use of the new CWDT would be an infringement on the Fourth Amendment rights guaranteed to all people; belief whether participant would voluntarily forfeit their Fourth Amendment right for the purpose only of permitting police officers the use of the new CWDT; opinion as to what factors would influence the participant to voluntarily forfeiture of the Fourth Amendment rights for the purpose only of police officer use; opinion of where the participant would want the new Concealed Weapons Detection Technology located; the participant's attitude as to who should have control over when, where, and how the new CWDT is used; the participant's attitudes toward the fear of crime factors identified in the study; the participant's attitude toward favor of curfews; and the participant's opinion of what governmental or judicial entity should have control over the proper use of the new CWDT.

Development of the Study Instrument

The survey instrument is a questionnaire of 61 questions. The survey is based on new Concealed Weapons Detection Technology developed for the Department of Justice, National Institute of Justice, Washington, D.C.

The survey was designed for use in measuring the value placed on one's Constitutional rights, specifically the Fourth Amendment right to be free from unreasonable search and seizure, and whether one would voluntarily forfeit that Constitutional right if it meant a City, State, and Nation freer from crime. The specific crimes mentioned, personal, property, violent, including terrorism crimes--crimes that often are committed with concealed weapons.

The instrument consists of four parts: subpopulation; victimization; opinions regarding the new Concealed Weapons Detection Technology; and fear of crime, including attitude toward curfews. Each part is tested against the participant's willingness to forfeit their Fourth Amendment right. They are each valued independently, identified through Frequency Tables, and then in combination and conjunction with one another in Bivariate Crosstabs Using a Chi-Square analysis. The test results, analyses, and findings were kept to these basic statistics in the study.

Instrument Validity

Inasmuch as this survey is an original, it has never been tested for validity of construction or content. Pilot tests were conducted to test individual item

reliability, however. After final modifications were made to the survey sample pilot test, a Citywide sample questionnaire of 50 Madison participants, and a sample of 50 D.C. participants was administered. A current telephone book white pages was used for each City to make randomly selected telephone calls. However, the possibility that some participants are not reachable because either they do not have a telephone, or they wish to maintain an unlisted telephone number was recognized in the study. Either of these factors could present a problem of bias, inasmuch as, the Department of Justice studies report that non-telephone households have somewhat different victimization rates than those households with telephones[1]. However, the number of those households is probably small enough that any effect on overall rates would not be significant[2].

Instrument Reliability

Two Cities were chosen specifically for their significant differences in subpopulations, especially in the gender, race, and rate of crime variables. The two Cities selected for the study are Madison, Wisconsin and Washington, D.C.; both in their own right nationally recognized Cities. Madison enjoys the reputation of

having been voted nationally the "best City" in which to live, as the "Dairy State," and is known as a College town, and the home campus of the University of Wisconsin.

Whereas, the District of Columbia (hereinafter sometimes referred to as ("D.C.") has an infamous reputation, has been voted nationally the "worst City" in which to live, and has been known as the "murder capital" of the Nation. In fact, in 1997, the homicide rate in Madison was 1.5 per 100,000 persons, while in D.C. the homicide rate was 56.9 per 100,000 persons[3]. Moreover, the percent change rate from 1990 to 1997 reflects a -29.9 change for D.C. and a -6.3 change for Madison. These rates do reflect a significant decrease in crime in D.C. over the period and a slight change for Madison. This rate change is especially startling when one compares the homicide rate change from 1985 to 1997. For that period in time, the change in D.C. was positive 142.1 per 100,000. However, again, for Madison, the rate change was a negative, but somewhat higher, -34.8 per 100,000[4].

Fifty participants from both Cities (N=100) were selected as randomly as the study would permit to maintain "representativeness." Representativeness as used in the

study refers to the concerted effort made during the survey process to give each resident in each City an equal opportunity to be selected to participate in the study. By analysis standards, 50 per group, 100 per study are a large enough number to satisfy both the external and internal validity and reliability of the test results. This sample size should permit a credible generalization of the results to the population of interest, which is the general public. A sample size of 100 also permits fair manageability of the data collection.

Definitions

The following terms used in the survey questionnaire were defined to the participants when they occurred throughout the study survey. A Misdemeanor was defined as a minor crime punishable by a fine, penalty, or imprisonment for less than a year in a City jail, and that for the purpose of the study; misdemeanor would not include traffic violations. A Felony crime was defined as a serious crime punishable by death, or imprisonment in a State or Federal prison for more than a year. A Concealed Weapon was described in the study as a gun, knife, or any object or instrument intended to be used, and could be

used by one individual to harm or threaten to harm another individual.

The study also described the hypothetical intent of the new Concealed Weapons Detection Technology as used for the purpose of the study. The study stated that for the intent of the study, the purpose of the new CWDT is described as follows: to detect concealed weapons before they are used to commit crime and violence; to be used by law enforcement officials to eliminate the initial hands-on physical search of a suspect to detect all concealed weapons, especially guns, and contraband; to search the individual's full-clothed body for weapons, explosive, drugs, and other contraband; to detect metallic and nonmetallic weapons, plastic explosives, drugs, and other contraband concealed under multiple layers of clothing; to be a truly nonintrusive, with minimal radiation level search, which does not invade the body, and reveals nothing of the anatomy; to offer the opportunity for rapid and remote, hand-held detection of concealed weapons or contraband; and to take approximately three (3) seconds to administer, at a distance of up to 12 feet.

The study realizes that there are five particular elements of the new CWDT, which will in all probability

bias the study in favor of the new CWDT. These five elements are: 1.) it is truly nonintrusive with minimal radiation level (does not invade the body); 2.) it does not reveal intimate anatomical details (private body parts) of the subject being searched; 3.) it has low probability of false alarms (of making mistakes); 4.) it can be used in large gathering places, such as shopping malls, schools, meeting places, and airports; and 5.) it would take approximately three (3) seconds to administer to a suspect while it allows for rapid and remote detection at a distance of up to 12 feet, thus avoiding the potentially confrontational, and perhaps dangerous direct physical "hands-on" search.

The study interviewer (as a practicing attorney) reminded the participants that under the Fourth Amendment to the Constitution of the United States, all people are guaranteed the right to be free from unreasonable search and seizure. The participants were then informed that the new CWDT could possibly be found by law to be an intrusion of that Fourth Amendment right. When questioned during the survey whether they would give up their Fourth Amendment right "for this purpose only," "for this purpose only" was defined to the participants as meaning

"permitting law enforcement officials, for the purpose of public safety, and preventing crime, violence and terrorism, to use the new CWDT hands-off device to detect concealed guns and other weapons, metallic and nonmetallic, such as plastic explosives, drugs, and other contraband that may be concealed on suspects for illegal purposes under multiple layers of clothing."

A telephone hot line or crisis line was kept at hand during the administering of this study to provide for any participant who experienced trauma or stress after recollecting, acknowledging, and relating to the interviewer any crime victimization for self or family[5]. It was necessary to provide the crisis hotline for only one resident in each of the Cities participating in the study. One participant had recently been a victim of rape, and the other participant had been a recent victim of a burglary in her home by someone the victim knew. Both of these participants were female.

Subpopulation Subsection

The subpopulation subsection of the instrument refers to the individual demographics of the participants. The subpopulations are age, sex, marital status, dependents,

number of dependents, age of dependents, race, education, profession, yearly income, and religion.

Victimization Subsection

The subsection victimization refers to self-reported victimization for self or any family member, including number of family members victimized, number of times victimized for self and family member(s), last time victimized for self and family member(s), type of victimization (misdemeanor or felony) for self and family member(s), curfews, residence locale, and crime rate of neighborhood.

New Concealed Weapons Detection Technology Subsection

This subsection refers to a thorough description of the new Concealed Weapons Detection Technology; a definition of "concealed weapons" as used in this study; a definition of the Fourth Amendment; a question whether one believes police officers should have immediate use of the new technology; a question whether using the new technology would be an infringement on their Constitutional right; and a question whether they would forfeit that right if it meant a decrease in crime. The study question asking why they would forfeit their right, had a selection of 13 items from which to rank, with one

(1) being the strongest reason why they would forfeit their right, and 13 the least reason why they would forfeit their right. This question was qualified with the statement, "if the use of the new CWDT were permitted by law." The 13 items provided by the study from which the participants were to select as reasons to forfeit their Constitutional rights were: to feel more secure in their homes; to feel more secure in their neighborhood; to feel more secure on public streets; to feel more secure in public places; to prevent property crimes and violence; to deter drug trafficking; to protect law enforcers from harm; to deter gangs; to prevent rapes; to prevent murders; to prevent robberies; to prevent physical assaults; and to prevent hijacking and terrorism.

This section also asked the participants to rank where they would want the new Concealed Weapons Detection Technology located, with 21 items from which to select, and one (1) the most favorable location for the new CWDT, and 21 being the least favorable location for placing the new CWDT. Only one location, "in high crime areas, only," was not selected by any participant as a place to locate the new technology. The 21 locations were: in airports; in Courthouses; on subways; in subway stations; on trains;

in train stations; in high schools; in bus depots; on travel buses; in banks; in youth-oriented places[6]; in elementary schools; on college campuses; in bars and nightclubs; in all stores and shopping malls; in movie theatres; in public libraries; in health spas; in restaurants; in churches and other religious institutions[7]; and in high crime areas only."

This subsection further asked the participants to opine who should have control over when, where, and how the new CWDT is used. Four categories were listed to be ranked, with 1 being the most favorable choice, and 4 being the least favorable choice. The four choices were: Federal Government; State Government; Individuals Vote By Referendums; and Courts On A Case-By-Case Basis.

Fear of Crime Subsection

This subsection has two parts: one section for self-reporting, and one section for reporting on family members. This subsection requested the participants to select, rank, or identify the following: the type of crime they feared, personal face to face, and or property crime; to rank their fear either as, very fearful, moderately fearful, or hardly fearful; to select the age range they most feared, listing five age ranges from which to choose,

4-14, 15-25, 26-36, 37-47, or 48 or older; to select from four choices the time of day they are most fearful, morning, afternoon, evening, or after midnight; to rank the crime they most feared for self or family members, with 27 items from which to select, high crime areas only, in their home, in their neighborhood, in airports, in bus depots, on travel buses, in train stations, on trains, in subway stations, on subways, in youth-oriented places, in courthouses, in movie theatres, in restaurants, in bars and night clubs, in all stores and shopping malls, in banks, in health spas, in elementary schools, in high schools, on college campuses, in churches and other religious institutions, in public libraries, on the job, and in parking lots. The individuals from Maryland who volunteered to take a sample survey suggested the last two items: on the job, and in parking lots. These two items were considered relevant and possibly revealing survey questions, and were included in the final survey instrument.

The section on fear of crime refers to the number of family members the participants fear may be victims of crime; the age of the family members; and the relationship of the family members to the participant. This section

also refers to the area in which the participants live with the choices being inner-City/City; suburban; and rural area. The Respondent was asked to rate the neighborhood level of crime (incivility) in which they live as, a high crime neighborhood, a medium crime neighborhood; or a low crime neighborhood. Finally, this section refers to curfews, questioning whether the participants believe in curfews, with a "Yes" or "No" response, and, if the answer is Yes, whether they believe in curfews for all minors, or for only those minors living in "high crime" areas. The participants were also questioned as to who they believe should be responsible for establishing and setting curfews. The choices were the Federal Government; the City or Local Government; State Government; Parents; or City and Parents. Again, the test participants suggested the category, City and Parents, during the sample survey. The question was considered relevant to the study and it was made a part of the final instrument.

Study Design

The Demographic and Geographic Dimensions of the Study Population

Madison and D.C. were selected as the Cities of interest mainly because of the dissimilarities between

them. The sampled populations in this study differ in geographic location, population size, gender make-up, as well as racial composition. Madison is located in the Midwest region, and D.C. is located on the East Coast region of the Country. Of specific interest was the difference in racial makeup and rate of crime in the two Cities. Madison has a low percentage of minorities, whereas D.C. has a high percentage of minorities. Madison has a low percentage of violent crime, whereas D.C. has a high percentage of violent crime. Madison has a high percentage of college graduates and higher education, whereas D.C. has a lower percentage of college graduates and higher education. Madison's population includes far less females than males, whereas D.C. has far more females than males in its population.

This study deliberated these variables, inter alia, as potential factors to explain any potential correlation between the individual Respondent's opinions, beliefs, and attitudes as reflected in the study.

General Characteristics of the Study Population

The population studied was the general public. The specific characteristics of the independent variables were age, sex, race, religion, education, income, profession,

marital status, number of siblings, number of dependents, age of dependents, sex of dependents, social economic status, locale, and education. Independent variables were used to test the theories of the study which were, favorable or unfavorable response to police officer use of the new Concealed Weapons Detection Technology; the belief in the Constitutionality of the new Concealed Weapons Detection Technology; and the attitude toward forfeiting that Constitutional right in support of police officer use of the new Concealed Weapons Detection Technology to control crime. Although all three of these factors were used interchangeably as dependent and independent variables, the last factor is the ultimate dependent variable in the study: Whether an individual would forfeit their Fourth Amendment Constitutional right to support law enforcement officer use of the new Concealed Weapons Detection Technology to deter, eliminate, and control crime and terrorism in this Country.

Other independent variables in the study are belief in curfews; previous victimization (for self and family); fear of future victimization (for self and family); and what entity should control the use of the new Concealed Weapons Detection Technology.

Data Collection Schedule

The data collection schedule utilized in the study was in the form of a questionnaire. The interviewer read each question and definition from the schedule to the study Respondents over the telephone. The answers were appropriately filled in on the questionnaire for each individual Respondent and each individual response. All of the results from the independent and the dependent variable questions of the study were analyzed using the nominal or ordinal level of measurement. The data collected at this time did not require nor was it desired to analyze the data in more sophisticated methods than those utilized, which included statistical analyses methods of Frequency Counts, and Percents, and Bivariate Crosstabs using the Chi-Square method. The tests were conducted at the Alpha Level of 0.05, two-tailed, unless otherwise noted. The analyses tested for significant statistical differences at the 0.05 Alpha Level. The statistical results are displayed using selective basic Frequency Tables, Pearson's and Chi-Square Charts, and Crosstab Tables.

Sampling Designs and Procedures

Representativeness was considered in this study. The study considers a sample size of n=50 per City large enough to satisfy both the external and internal validity and reliability of the study. This sample size permits a credible generalization of the results to the population of interest, which is the general public. The variables selected were found to be comparable to the true populations of Madison and D. C.

Study Instrument

The research design was a sample survey schedule. The instrument was in the form of a questionnaire, and was administered through telephone interviews. The interviewer read the survey questionnaires over the telephone to the participants of the survey. The sampled Cities of Madison and D.C. each contributed a sample size of n=50. The cross-sectional, exploratory, one-time-only observation survey was the design used to accumulate data to formulate and answer the research questions and to develop hypotheses to be tested.

Data Processing Procedures

Most of the variables in this study were nominal in level of measurement; some were ordinal; and a few

interval ratio. The values of 1 and 2 were assigned to each nominal variable; the answer "No" has a value of 2, and the answer "Yes" has a value of 1. In addition, Male has a value of 1, and Female has a value of 2. Measured using the ordinal level of measurement, after being collapsed, were, High School Education or less with a value of 1, Some College has a value of 2, and College Graduate or Higher Education has a value of 3. The variable Race was measured nominally; Black, or other minority has a value of 1, and Caucasians has a value of 2. The Race variable was analyzed just using the two races, Black and Caucasian inasmuch as the "Other" category was minimal, less than 5, per target City.

Other variables in the study were analyzed as either nominal or ordinal in level of measurement. At some point in the analysis, utility dictated collapsing the ordinal level variables into two categories. The variables signifying statistically significant relevance was noted, and further relationship analyses were conducted using the Crosstabs Chi-Square method. For example, if an independent variable indicated a significant number would voluntarily forfeit their Constitutional right for police officer right to use the new CWDT, the dependent variable,

those variables would be analyzed testing to find any statistically significant relationship, positive or negative, between the dependent variable and the various independent variables using Crosstabs, Chi-Square, and Pearson's(r), and Spearman's(r_s) tests.

The statistical analyses of this study were used to develop and establish the following research theories:

1. Minorities are more likely than Caucasians to support/not support forfeiting their Fourth Amendment right to permit police officer employment of concealed weapons technology.

2. Education at the college graduate and professional level are more likely than not to forfeit their Fourth Amendment right to employ concealed weapons technology.

3. Males are more likely than females to support/not support forfeiting their Fourth Amendment right to employ concealed weapons technology.

4. Black males are more likely than Caucasian Males to support/not support forfeiting their Fourth Amendment right to employ concealed weapons technology.

5. Caucasian males are more likely than Caucasian females to support/not support forfeiting their Fourth Amendment right to employ concealed weapons technology.

6. Inner-city male Respondents are more likely than rural males to support/not support forfeiting their Fourth Amendment right to employ concealed weapons technology.

These are but a few theories. All of the independent variables and dependent variable were used to hypothesize a thesis. All of the hypotheses in the study tested for statistical significance at least at the 0.05 Alpha Level. This study provides a scale, by specific demographics, of a participant's willingness or unwillingness to forfeit their Fourth Amendment rights in exchange for employment of the new crime prevention technology described in this study. This study provides general consensus, as well as more specific consensus of acceptance of this new Concealed Weapons Detection Technology.

Correlations

A correlation coefficient describes the extent to which data points of two different variables, for example, whether Race and Voluntary Forfeiture tend to fall along a straight line. As the points disperse away from a linear relationship, the correlation is said to be weaker, and

conversely, as the points cluster closer to a straight line, the correlation is said to be stronger[8]. All correlation coefficients return a value between -1 and 1. The sign (-/+) of the number indicates the slope of the line. A correlation of 0 indicates that there is no correlation between the variables at all. A correlation of 1, regardless of - or + signs, indicates that there is a perfect correlation between the variables. In social sciences, correlations around 0.30 have been considered satisfactory and consistent with this practice. It is suggested that correlations below this level are usually of little practical value even if they are significant[9]. Moreover, nonlinear relationships are not detected. Thus, because of the limitation of not working with any interval/ratio level variables, but only working with nominal and ordinal level data, Pearson correlation coefficient (r) and Spearman's correlation coefficient (r_s) methods are used to analyze the data for this study, as well as the Crosstabs Chi-Square (X^2) method.

A Sample Schedule of Instruments

A sample schedule of instruments is included with this study. Frequency distributions, as well as cross-sectional distributions of tables were produced from the

results of the study. These tables are depicted by demographics such as age, sex, race, and education, using factors such as whether or not individuals believe they would forfeit their Fourth Amendment rights for the use of the new Concealed Weapons Detection Technology; and selected reasons why the participants would or would not forfeit their Constitutional right.

This research project is intended to enable scientists, with a certain degree of certainty, to predict the hypothetical relationships between the dependent variable, forfeiture of a Constitutional right to permit the use of the new Concealed Weapons Detection Technology issues, and subpopulations such as demographics of race, age, sex, victims of a crime, and other subpopulations, as well as factors such as the Constitutionality of such new CWDT, and the actual need for immediate police officer use of the new CWDT to deter crime and violence in the Nation.

The study faced several sampling sources of error. First, the study is unable to report that each home in the Cities of interest had an equal chance of selection. However, although the great majority of homes is assumed to have been available for selection for the study, it is acknowledged that some of the residents of the target

Cities did not have telephones, while others have unlisted numbers[10]. Consequently, the study cannot attest to representing the Citywide household units in Madison or D.C. Nevertheless, any overall effect on the rate not reached should not be significant to the study. Thus, the study can attest as to its thorough representation. Moreover, to reiterate, a sample size of n=50 per group, with an N=100 population, statistically can be considered an adequate representation of the target population--the Nation.

Second, the study faced the non-sampling error of the Respondents' recall. Considering the nature of this study and the limited depth of the recall required, however, any recall error should not invalidate the study.

Third, although the sample size of n=50 per group is adequate, it is still somewhat small and possibly may cause a slightly significant bias in the estimates. A bias may be caused, specifically, if Respondents ipso facto demographically differ from non-Respondents. However, this may not be true for the study given the two Cities selected. Nevertheless, an attempt to correct for this bias, especially the diverse population of D.C.[11], and lack thereof in Madison's Respondents, specific Districts

were required in the manner discussed above as cutoff guides for both Madison, Wisconsin, and Washington, D.C.

Equal representation of the true population of Madison and D.C. was achieved through selective randomness from the four well-established Districts in both Cities. The four Districts in Madison are: the East Side (including the Isthmus area around the Square of Madison); the West Side; the South Side; and the North Side. The four D.C. Districts are: the Northeast; the Northwest; the Southeast; and the Southwest. Ideally, 25 percent of the participants had to be sampled from each District of each City. Consequently, to validate the study in one respect, but lose some of its randomness, an equal sampling from each District was accomplished[12]. It was important to the study to sample each District equally. Each District for both of the sampled Cities represents a disproportionately populated characteristics such as certain income level, race, age, inter alia. For instance, in Madison, the East Side represents the college age area of Madison.

A total sample size of N=100 is manageable. Therefore, not much consideration had to be given to data collection errors resulting from re-coding and coding

data, or to errors in estimating values for missing data. No data was missing from this study.

Madison has a population of 157,983 (age 16 years or older). The racial segment of the population in Madison is White (91%), Black (4%), and "Other" (6%). The racial breakdown of the Madison sample population is 6 percent Blacks, 92 percent Caucasian, and 2 percent "Other." The "Other" race for Madison includes Latino, Asian, Pacific Islander, American Indian, Aleut, and Eskimo. This sample is well within the true population percentage for Madison, as reported by the U.S. Department of Justice, Bureau of Justice Statistics of 1998[13].

The total population in D.C. is 412,593 (population age 16 or older). Fifty-three percent of the true population in D.C. is of the Black race, 41 percent is of the Caucasian race, and 6 percent is of the "Other" race.

This is a strong contrast to the Madison racial demographics in the true and sampled populations. Of the 50 Respondents surveyed in D.C., 68 percent is of the Black race, 24 percent is Caucasian, 4 percent is Latino, 2 percent is Asian, and 2 percent is "Other" race[14]. The "Other" category for D.C. true population included Asian, Pacific Islander, American Indian, Aleut, and Eskimo

races. The Asian race was not included in the "Other" category for the sampled population because the race was not represented in the sample. The sample population for D.C. is not that similar in race to the true population. This may be because as a rule, the telephone calls were made to homes only once, and Blacks were more often at home during the time of day the calls began. In addition, the knowledge that Blacks are skeptical about filling out census reports could explain this discrepancy.

Summary

To accomplish this study, a series of steps were undertaken. After receiving appropriate human subject clearance from the University of Maryland, the collection of data was conducted in three phases. Phase one involved selecting specific subject locales of interest. The specific Cities of Madison, Wisconsin and Washington, D.C. were selected during this phase for reasons previously stated.

Phase two involved contacting subject residents of Madison, Wisconsin, and Washington, D.C. Using the white pages of the telephone book for each City, the interviewer closed her eyes and blindly selected 100 telephone numbers at a time. The interviewer wrote the numbers down, placed

them in a pile, and blindly selected one number at a time to telephone. When the interviewer ran out of telephone numbers, she blindly selected another 100 telephone numbers, wrote them down, placed them in a pile, and blindly selected telephone numbers randomly. Each telephone number was dialed once until the sample size was complete. Generally, if there were no answer to the first telephone call, the telephone number was not recalled. However, callbacks were made only if the target answered the first telephone call, expressed interest in the study, and specifically requested to participate in the study at a specified later time[15].

The survey sample design initially was a simple random sample of telephone numbers within the Cities of Madison, Wisconsin, and Washington, D.C. After taking half of the samples, it became apparent that all Districts within the sampled Cities were going to be unequal in representation. To compensate for this inequality in representation and for the sake of preserving the integrity of the study, whenever it became apparent that any particular area was not being equally represented, the design became one of random selectivity.

Thus, in an effort to achieve further a true population sample to preserve the integrity of the study, and to maintain the telephone randomness of the study, Respondents were selected according to the District in which they lived. Ultimately, one of the initial questions asked of the residents was, "In what District do you live?" If the individual were not from a "needed" District, the interview would politely end. This process continued until the desired sample sizes were obtained. This sampling problem occurred in the sampling of both Cities.

Phase three involved analyzing, evaluating, and making assumptions about the results of the responses to the questionnaire. The data was entered into SPSS 10.0 Windows For Student Statistical Analysis. The Likert-type scale was not employed for the attitude, belief, and opinion section; the study limited its variables to the nominal and ordinal type level of measurement. At this time, the study is only interested in observing whether there is a statistically significant relationship between any of the independent variables and the dependent variable, and determining the strength and direction, positive or negative, of any relationship identified.

This methodology resulted in a sample size of N=100. Finally, the statistical methods for data analyses of Pearson's(r), and Spearman's (r_s) Correlations, as well as Chi-Square (X^2), based on the observed Bivariate Correlations using Crosstabs, were used and the findings and results are reported in the study.

Statistics of significance revealed from the study are: Pearson's(r) and Spearman's(r_s) Correlation identified in the study as, Belief in police officers' immediate use of the new CWDT; and Voluntary forfeiture of a Fourth Amendment right with a moderate, positive relationship (r=.384, r_s=.384); Voluntary forfeiture of the Fourth Amendment, and Belief that the new technology infringes the Fourth Amendment rights, with a weak, moderate, negative correlation (believe the new technology would not infringe one's Fourth Amendment rights) (r=-.263, r_s=-.263); and, Immediate delivery, and Voluntary forfeiture with a weak, negative correlation (r=-.218, r_s=.218). These results are statistically significant at the Alpha Level 0.01, 2-tailed test.

Fear of crime is a tested variable in the study. Of Madison's true population, 36 percent of the residents are fearful of crime in their City[16]. Of D.C.'s true

population, 74 percent of the residents are fearful of crime in their City. The sample population indicates that 52 percent of the Washington Respondents fear crime, whereas 44 percent of the Madison Respondents fear crime.

This study relied on fear of crime research studies upon which to theorize of hypotheses. Specifically, sociologists, psychologists, and criminologists studies that report fear of crime as an empirical predictor of human behavior. The authors of these studies believe once a person experiences being a violent crime victim, that person begins to fear many types of criminal victimization[17]. This study evidences that more participants in D.C. (52%) than the participants in Madison (44%) actually fear crime. The study further evidences that those D.C. participants who experienced victimization, 53% were victims of a misdemeanor crime at least two times, and 38.5% were victims of a felony crime at least two times. Of the Madison participants who were victims of crime, 50% were victims of a misdemeanor crime at least two times, and 16.7% were victims of a felony crime at least two times.

Moreover, these studies identify two components of fear as a cognitive or risk perception component, and an

emotion or "being afraid" component. Both of these components as well as others researched are considered and analyzed in the study.

As noted previously, people respond in different ways to crime and fear of crime[18]. This study supports the belief that people are so oppressed and engulfed by fear of crime, violence, and terrorism (and this fear and oppression is probably even more drastic and dramatic since the attack of September 11, 2001), that they are willing to forfeit a Constitutional right to regain control of their lives, but more importantly, to stop being afraid. This study espouses the view that this Nation is now in a State of Criminal and Terrorist Urgency; that this Nation has finally reached the "State of Urgency" so eloquently expressed by Justice Marshall in 1989 when he wrote that, "Grave threats to liberty often come in times of urgency, when Constitutional rights seem too extravagant to endure[19]." This study believes that now may be the time to introduce the new CWDT to the Nation, and let the people decide.

ENDNOTES

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1 Smith, Steven K., Steadman, Greg W., Minton, Todd D., Townsend, Meg, Criminal Victimization and Perceptions of Community Safety in 12 Cities, 199`8, U.S. Department of

Justice, Bureau of Justice Statistics, and Office of Community Oriented Policing Services.

[2] Id.

[3] Id.

[4] FBI, Uniform Crime Reports, *Crime In The United States* 1985-1997.

[5] The telephone number provided for Madison Respondents was (608) 251-2345, and the telephone number provided for Washington, D.C. participants was (202) 387-6775.

[6] Youth-oriented places was described to the Madison and D.C. Respondents as, "any place where teenage individuals have a tendency to frequent."

[7] The response to this particular question surprised the interviewer. The interviewer asked several of the Madison Respondents why such a high response for churches. The Respondents replied that of late, there had been a rash of church crimes.

[8] Hinton 1995.

[9] Azjen and Fishbein 1980.

[10] Department of Justice studies report that non-telephone households have somewhat different victimization rates than those households with telephones. However, the number of those households is probably small enough that any effect on overall rates would not be significant. Smith, Steven K., Steadman, Greg W., Minton, Todd D., Townsend, Meg, Criminal Victimization and Perceptions of Community Safety in 12 Cities, 1998, U.S. Department of Justice, Bureau of Justice Statistics, and Office of Community Oriented Policing Services.

[11] The populace in several Districts in Washington, D.C. is known to be inhabited by one race overwhelmingly more than anotner. The same is not true for the populace in Madison, Wisconsin. Minorities have always been a small percentage of Madison's population. However, since this bias is cancelled out considering the overall percent

of the minority races in Madison, any significance is minimal.

[12] A count was kept per District for each City. When the representative sample size was reached for that District, the interviewer had to start asking the telephoned Respondents initially, in what District they lived. If the response was a District for which the sample size had been reached, 25%, then the interviewer would thank the respondent, end the interview, and randomly select the next number.

[13] Smith, Steven K., Steadman, Greg W., Minton, Todd D., Townsend, Meg, Criminal Victimization and Perceptions of Community Safety in 12 Cities, 1998, U.S. Department of Justice, Bureau of Justice Statistics, and Office of Community Oriented Policing Services. The population statistics used for Madison and D.C. include Respondents 16 years of age, or older. In the instant study, the Respondents were 18 years of age or older.

[14] Id.

[15] There were numerous such requests in Madison, Wisconsin, and several in Washington, D.C. Participants of the study requested copies of the study when completed.

[16] Smith, Steven K., Steadman, Greg W., Minton, Todd D., Townsend, Meg, Criminal Victimization and Perceptions of Community Safety in 12 Cities, 1998, U.S. Department of Justice, Bureau of Justice Statistics, and Office of Community Oriented Policing Services.

[17] Rountree, 1998; Garofalo, 1979.

[18] DuBow, McCabe, and Kaplan 1979.

[19] See Skinner v. Railway Labor Executives' Association, 489 U.S. 602, 635 (1989) (Marshall, J., dissenting).

CHAPTER IV: RESULTS

This chapter will present results of the analyses of the data from the survey instrument used in the study. The survey sample and overall analysis of the independent variables are described first, followed by a presentation of the experimental data in the context of five research hypotheses.

Only five of the relationships were found to be statistically significant, therefore, only those five variables are fully analyzed. The five independent variables are: Belief that the new Concealed Weapons Detection Technology should be delivered immediately to law enforcement officers; Belief whether or not the new Concealed Weapons Detection Technology infringes one Fourth Amendment rights; Opinion as to what forum should control the use of the new Concealed Weapons Detection Technology; Previous victimization of an individual; and Belief whether or not curfews reduce National crime[1].

Survey Respondents Summary

There were 100 Respondents in the study. The two Cities of Madison, Wisconsin and Washington, D.C. were selected because of their known dissimilarities[2], as further evidenced in the study. Fifty Respondents who willingly answered the questions on the survey instrument represented each City.

Tables 1 through 9 show demographic frequency tables, and where appropriate, descriptive statistics of Madison, Wisconsin (hereinafter referred to as "Madison"), and Washington, D.C. (hereinafter referred to as "D.C.") Respondents.

Race

Table 1 shows the racial breakdown of the Madison and D.C. Respondents[3]. Fifty-eight percent (58%) of the Respondents is Caucasian, 37% is of the Black race, 2% is of the Latino race, 2% is of the Asian race (represented in the Madison only), and 1% is of the "Other[4]" race.

Gender

Table 2 shows the gender breakdown of the Madison and D.C. Respondents. Fifty percent (50%) of the Respondents are Male, and 50 percent is Female[5]. These results were not intentional, yet nonetheless they are indicative of the true populations[6].

Religion

Table 3 shows the religious breakdown of the Madison and D.C. Respondents. Fifty-four percent (54%) of the Respondents is Protestant, 14 percent is Catholic, 4 percent is Jewish, and 28 percent is of the "Other" religion[7].

Age

Table 4 shows the mean age of the Respondents as approximately 46 years of age, the median is 44 years of age, the mode is multiple (28, 40, and 55) with the smallest value shown of 28 years of age. The minimum age is 18; the maximum age is 84, with a range of 66 years[8].

TABLES 1 THROUGH 4

RACE OF MADISON AND D.C. RESPONDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	BLACK	37	37.0	37.0	37.0
	CAUCASIAN	58	58.0	58.0	95.0
	LATINO	2	2.0	2.0	97.0
	ASIAN	2	2.0	2.0	99.0
	OTHER	1	1.0	1.0	100.0
	Total	100	100.0	100.0	

TABLE 1a

RACE OF MADISON AND D.C. RESPONDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	BLACK AND OTHER MINORITIES	42	42.0	42.0	42.0
	CAUCASIAN	58	58.0	58.0	100.0
	Total	100	100.0	100.0	

TABLE 1b

SEX OF MADISON AND D.C. RESPONDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	MALE	50	50.0	50.0	50.0
	FEMALE	50	50.0	50.0	100.0
	Total	100	100.0	100.0	

TABLE 2

RELIGION OF MADISON AND D.C. RESPONDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	PROTESTANT	54	54.0	54.0	54.0
	CATHOLIC	14	14.0	14.0	68.0
	JEWISH	4	4.0	4.0	72.0
	OTHER	28	28.0	28.0	100.0
	Total	100	100.0	100.0	

TABLE 3

AGE OF MADISON AND D.C. RESPONDENTS

N	Valid	100
	Missing	0
Mean		46.48
Median		44.00
Mode		28[a]
Range		66
Minimum		18
Maximum		84

TABLE 4a

a. Multiple modes exist. The smallest value is shown

AGE RANGE OF MADISON AND D.C. RESPONDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	18 TO 39 YEARS OF AGE	39	39.0	39.0	39.0
	40 TO 55 YEARS OF AGE	28	28.0	28.0	67.0
	56 TO 84 YEARS OF AGE	33	33.0	33.0	100.0
	Total	100	100.0	100.0	

TABLE 4b

AGE OF RESPONDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YOUNGER - 18 TO 30 YEARS OF AGE	10	10.0	10.0	10.0
	OLDER - 31 YEARS OF AGE AND OLDER	90	90.0	90.0	100.0
	Total	100	100.0	100.0	

TABLE 4c

AGE OF MADISON AND D.C. RESPONDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	18	2	2.0	2.0	2.0
	19	2	2.0	2.0	4.0
	20	1	1.0	1.0	5.0
	21	2	2.0	2.0	7.0
	22	3	3.0	3.0	10.0
	23	1	1.0	1.0	11.0
	24	1	1.0	1.0	12.0
	25	3	3.0	3.0	15.0
	26	2	2.0	2.0	17.0
	27	2	2.0	2.0	19.0
	28	4	4.0	4.0	23.0
	29	1	1.0	1.0	24.0
	30	2	2.0	2.0	26.0
	32	1	1.0	1.0	27.0
	33	3	3.0	3.0	30.0
	34	3	3.0	3.0	33.0
	36	2	2.0	2.0	35.0
	37	1	1.0	1.0	36.0
	39	3	3.0	3.0	39.0
	40	4	4.0	4.0	43.0
	41	3	3.0	3.0	46.0
	42	1	1.0	1.0	47.0
	43	2	2.0	2.0	49.0
	44	2	2.0	2.0	51.0
	45	3	3.0	3.0	54.0
	48	2	2.0	2.0	56.0
	49	1	1.0	1.0	57.0
	50	1	1.0	1.0	58.0
	51	2	2.0	2.0	60.0
	52	1	1.0	1.0	61.0
	53	1	1.0	1.0	62.0
	54	1	1.0	1.0	63.0
	55	4	4.0	4.0	67.0
	56	1	1.0	1.0	68.0
	57	1	1.0	1.0	69.0
	58	3	3.0	3.0	72.0
	59	1	1.0	1.0	73.0
	60	3	3.0	3.0	76.0
	61	1	1.0	1.0	77.0
	63	1	1.0	1.0	78.0
	65	1	1.0	1.0	79.0
	66	2	2.0	2.0	81.0
	68	2	2.0	2.0	83.0
	69	2	2.0	2.0	85.0
	71	3	3.0	3.0	88.0
	72	2	2.0	2.0	90.0
	73	3	3.0	3.0	93.0
	75	1	1.0	1.0	94.0
	76	2	2.0	2.0	96.0
	77	1	1.0	1.0	97.0
	80	1	1.0	1.0	98.0
	83	1	1.0	1.0	99.0
	84	1	1.0	1.0	100.0
	Total	100	100.0	100.0	

The specific age ranges were selected more for equality of representation. The older over 31 years of age group and the younger 18 to 30 years of age group were specifically selected for comparison among previous research referenced for the study that used similar age groups.

Marital Status

Table 5 shows the marital status breakdown of the Madison and D.C. Respondents. Forty-three percent (43%) of the Respondents are married, 38 percent is single, 10 percent is divorced, and 9 percent is widowed[9].

Dependents

Table 6 shows the dependent breakdown for the Respondents. Twenty-six percent (26%) of the Respondents report having dependents and 74 percent report having no dependents. Of the Madison, and D.C. Respondents with dependents, 7 percent have teenage dependents[10].

Education

Table 7 shows the education level breakdown of the Respondents. Twenty percent (20%) of the Respondents have completed high school or less education. Twenty-nine percent (29%) of the Respondents have some college, and 29 percent have completed college. Twenty-two percent (22%) have a graduate or professional school education[11].

Profession

Table 8 shows the professional level breakdown of the Respondents. Forty-seven percent (47%) of the Respondents are white-collar employees, 16 percent is blue-collar employees, 7 percent is students, 21 percent is retirees, 2 percent is housepersons, and 7 percent is unemployed[12].

TABLES 5 THROUGH 8

MARITAL STATUS OF MADISON AND D.C. RESPONDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	MARRIED	43	43.0	43.0	43.0
	SINGLE	38	38.0	38.0	81.0
	DIVORCED	10	10.0	10.0	91.0
	WIDOWED	9	9.0	9.0	100.0
	Total	100	100.0	100.0	

TABLE 5

MADISON AND D.C. RESPONDENTS WITH DEPENDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	26	26.0	26.0	26.0
	NO	74	74.0	74.0	100.0
	Total	100	100.0	100.0	

TABLE 6a

MADISON AND D.C. RESPONDENTS WITH TEENAGE DEPENDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO DEPENDENTS	74	74.0	74.0	74.0
	DEPENDENTS BUT NO TEENAGE DEPENDENTS	19	19.0	19.0	93.0
	TEENAGE DEPENDENTS	7	7.0	7.0	100.0
	Total	100	100.0	100.0	

TABLE 6b

EDUCATION OF MADISON AND D.C. RESPONDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	HIGH SCHOOL OR LESS	20	20.0	20.0	20.0
	SOME COLLEGE	29	29.0	29.0	49.0
	COLLEGE GRADUATE	29	29.0	29.0	78.0
	GRADUATE/PROFESSIONAL SCHOOL	22	22.0	22.0	100.0
	Total	100	100.0	100.0	

TABLE 7

PROFESSIONS OF MADISON AND D.C. RESPONDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	WHITE COLLAR	47	47.0	47.0	47.0
	BLUE COLLAR	16	16.0	16.0	63.0
	STUDENT	7	7.0	7.0	70.0
	RETIRED	21	21.0	21.0	91.0
	HOUSEPERSON (WIFE OR HUSBAND)	2	2.0	2.0	93.0
	UNEMPLOYED	7	7.0	7.0	100.0
	Total	100	100.0	100.0	

TABLE 8

Income

Table 9 shows the mean yearly income of the Respondents as approximately $49,000.00, the median is $43,000.00, with a mode of $50.000.00. The minimum yearly income is $9,000.00; the maximum is $250,000.00, with a range of $241,000.00[13].

Victimization[14]

Table 10 contains a frequency table of victimization of Madison and D.C. Respondents and, or their family members.

Fifty-five percent of all Respondents report some type of victimization, either personal, property, or personal and property crimes either for self[15] or for a family member[16]. These crimes were then analyzed as either a misdemeanor crime[17], or a felony crime[18].

Belief in the Use of New Concealed Weapons Detection Technology

Table 11 contains demographic frequency tables of Madison and D.C. Respondents' belief regarding use of new Concealed Weapons Detection Technology by police officers.

YEARLY INCOME OF MADISON AND D. C. RESPONDENTS

		YEARLY INCOME OF MADISON AND D.C. RESPONDENTS	YEARLY INCOME GROUPED OF MADISON AND D.C. RESPONDENTS	YEARLY INCOME OF MADISON AND D.C. RESPONDENTS
N	Valid	63	100	63
	Missing	37	0	37
Mean		$48,555.5556	.7800	$48,555.5556
Median		$43,000.0000	1.0000	$43,000.0000
Mode		$50,000.00	1.00	$50,000.00
Range		$241,000.00	2.00	$241,000.00
Minimum		$9,000.00	.00	$9,000.00
Maximum		$250,000.00	2.00	$250,000.00

YEARLY INCOME GROUPED OF MADISON AND D.C. RESPONDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	STUDENT OR FIXED INCOME	37	37.0	37.0	37.0
	HIGH/MIDDLE INCOME - $30,000.00 or more	48	48.0	48.0	85.0
	LOW INCOME - Less than $30,000.00	15	15.0	15.0	100.0
	Total	100	100.0	100.0	

TABLE 9b

YEARLY INCOME OF MADISON AND D.C. RESPONDENTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	$9,000.00	1	1.0	1.6	1.6
	$13,000.00	2	2.0	3.2	4.8
	$15,000.00	1	1.0	1.6	6.3
	$17,000.00	1	1.0	1.6	7.9
	$20,000.00	8	8.0	12.7	20.6
	$25,000.00	1	1.0	1.6	22.2
	$26,000.00	1	1.0	1.6	23.8
	$30,000.00	5	5.0	7.9	31.7
	$34,000.00	1	1.0	1.6	33.3
	$35,000.00	1	1.0	1.6	34.9
	$36,000.00	1	1.0	1.6	36.5
	$40,000.00	7	7.0	11.1	47.6
	$42,000.00	1	1.0	1.6	49.2
	$43,000.00	1	1.0	1.6	50.8
	$50,000.00	18	18.0	28.6	79.4
	$55,000.00	1	1.0	1.6	81.0
	$56,000.00	1	1.0	1.6	82.5
	$60,000.00	3	3.0	4.8	87.3
	$70,000.00	1	1.0	1.6	88.9
	$75,000.00	1	1.0	1.6	90.5
	$80,000.00	1	1.0	1.6	92.1
	$95,000.00	1	1.0	1.6	93.7
	$100,000.00	2	2.0	3.2	96.8
	$200,000.00	1	1.0	1.6	98.4
	$250,000.00	1	1.0	1.6	100.0
	Total	63	63.0	100.0	
Missing	$.00	37	37.0		
Total		100	100.0		

TABLE 9c

VICTIMIZATION OF MADISON AND D.C. RESPONDENTS AND OR A FAMILY MEMBER

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	55	55.0	55.0	55.0
	NO	45	45.0	45.0	100.0
	Total	100	100.0	100.0	

TABLE 10a

MADISON RESPONDENTS VICTIM OF SOME CRIME

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	17	34.0	34.0	34.0
	NO	33	66.0	66.0	100.0
	Total	50	100.0	100.0	

TABLE 10b

WASHINGTON, D.C. RESPONDENT VICTIM OF CRIME

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	28	56.0	56.0	56.0
	NO	22	44.0	44.0	100.0
	Total	50	100.0	100.0	

TABLE10c

MADISON RESPONDENTS' FAMILY MEMBER A VICTIM OF CRIME

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	15	30.0	30.0	30.0
	NO	35	70.0	70.0	100.0
	Total	50	100.0	100.0	

TABLE 10d

WASHINGTON, D.C. FAMILY MEMBER VICTIM OF CRIME

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	17	34.0	34.0	34.0
	NO	33	66.0	66.0	100.0
	Total	50	100.0	100.0	

TABLE 10e

MADISON AND D.C. RESPONDENTS BELIEVE NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY INFRINGES FOURTH AMENDMENT RIGHTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	49	49.0	49.0	49.0
	NO	51	51.0	51.0	100.0
	Total	100	100.0	100.0	

TABLE 11a

MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	62	62.0	62.0	62.0
	NO	38	38.0	38.0	100.0
	Total	100	100.0	100.0	

TABLE 11b

MADISON AND D.C. RESPONDENTS BELIEVE NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY SHOULD BE DELIVERED IMMEDIATELY TO POLICE OFFICERS TO HELP FIGHT CRIME AND VIOLENCE

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	82	82.0	82.0	82.0
	NO	18	18.0	18.0	100.0
	Total	100	100.0	100.0	

TABLE 11c

There were several research questions of interest to the study regarding the Respondents' opinions. The research questions were:

1.) Whether using Concealed Weapons Detection Technology would infringe on people's Constitutional rights[19]. Fifty-one percent of the Respondents believe that it would not,

2.) Whether they would give up that Constitutional right if they thought doing so would decrease crime. Sixty-two percent of the Respondents would forfeit that right even if it infringed on their Constitutional rights, and

3.) Whether police officers should be permitted immediately to use Concealed Weapons Detection Technology. An overwhelming 82 percent of the Respondents believed they should be[20].

Belief in Where the New Concealed Weapons Detection Technology Should Be Located[21]

Table 12 contains demographic frequency tables of Madison and D.C. Respondents' belief regarding where the new Concealed Weapons Detection Technology should be located[22].

The D.C. and Madison Respondents were asked where they would want Concealed Weapons Detection Technology located other than on police officers' persons, if its use were permitted. The choices given to the Respondents included,

in "airports[23], Courthouses, subways, subway stations, trains, train stations, in high schools, in bus depots, on travel buses, in banks, in youth-oriented places[24], in elementary schools, on college campuses, in bars and nightclubs, in all stores and shopping malls, in movie theatres, in public libraries, in health spas, in restaurants, in churches and other religious institutions[25], and in high crime areas only."

Over 50 percent of all Madison and D.C. Respondents wanted the new Concealed Weapons Detection Technology located in all places suggested except for the following: Less than 50 percent of the Madison Respondents would want the new Concealed Weapons Detection Technology located in in public libraries (49 percent), in restaurants (41 percent), in churches and other religious institutions (40%), in health spas (38 percent), and in high crime areas only (4%).

TABLES 12

MADISON AND D.C. RESPONDENTS WANT DETECTOR LOCATED IN HIGH CRIME AREAS ONLY

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	96	96.0	96.0	96.0
	YES	4	4.0	4.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN AIRPORT

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	15	15.0	15.0	15.0
	YES	85	85.0	85.0	100.0
	Total	100	100.0	100.0	

MADISON AND D,C. RESPONDENTS WANT DETECTORS LOCATED IN BUS DEPOTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	24	24.0	24.0	24.0
	YES	76	76.0	76.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN TRAVEL BUSES

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	24	24.0	24.0	24.0
	YES	76	76.0	76.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN TRAIN STATIONS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	21	21.0	21.0	21.0
	YES	79	79.0	79.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED ON TRAINS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	21	21.0	21.0	21.0
	YES	79	79.0	79.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN SUBWAY STATIONS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	24	24.0	24.0	24.0
	YES	76	76.0	76.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED ON SUBWAYS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	24	24.0	24.0	24.0
	YES	76	76.0	76.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN YOUTH-ORIENTED PLACES

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	33	33.0	33.0	33.0
	YES	67	67.0	67.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN MOVIE THEATRES

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	47	47.0	47.0	47.0
	YES	53	53.0	53.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDNTS WANT DETECTORS LOCATED IN RESTAURANTS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	59	59.0	59.0	59.0
	YES	41	41.0	41.0	100.0
	Total	100	100.0	100.0	

MADIOSN AND D,C. RESPONDENTS WANT DETECTORS LOCATED IN BARS AND NIGHT CLUBS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	38	38.0	38.0	38.0
	YES	62	62.0	62.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN ALL STORES

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	48	48.0	48.0	48.0
	YES	52	52.0	52.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN BANK

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	24	24.0	24.0	24.0
	YES	76	76.0	76.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN HEALTH SPAS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	62	62.0	62.0	62.0
	YES	38	38.0	38.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN ELEMENTARY SCHOOLS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	38	38.0	38.0	38.0
	YES	62	62.0	62.0	100.0
	Total	100	100.0	100.0	

IADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN HIGI SCHOOLS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	19	19.0	19.0	19.0
	YES	81	81.0	81.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED ON COLLEGE CAMPUSES

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	37	37.0	37.0	37.0
	YES	63	63.0	63.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN RELIGIOUS INSTITUTIONS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	60	60.0	60.0	60.0
	YES	40	40.0	40.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS WANT DETECTORS LOCATED IN PUBLIC LIBRARIES

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	NO	51	51.0	51.0	51.0
	YES	49	49.0	49.0	100.0
	Total	100	100.0	100.0	

Belief in Who Should have Control Over the Use of the New Concealed Weapons Detection Technology

Table 13 contains a demographic frequency table reflecting Madison and D.C. Respondents' belief in who should have control over police officers' use of the new Concealed Weapons Detection Technology. Specifically, the opinion sought of the Respondents was who should have control over when, where, and how the new Concealed Weapons Detection Technology is used, if its use were permitted. The options given were: individual votes initiated by referendum, per State, the Federal Government, the State Government, or the Courts on a case-by-case basis. The

Respondents opined 33 percent of the time that individual votes initiated by referendum, per State, should have control, 30 percent believed that the Federal Government should have control, 19 percent stated that the State Government should have control, 14 percent indicated that the Courts should have control, on a case-by-case basis, and 4 percent had no preference[26].

TABLE 13

MADISON AND D.C. RESPONDENTS' BELIEF IN WHO SHOULD CONTROL USE OF NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	STATE GOVERNMENT	19	19.0	19.0	19.0
	COURTS, ON A CASE-BY-CASE BASIS	14	14.0	14.0	33.0
	INDIVIDUALS VOTE BY REFERENDUMS	33	33.0	33.0	66.0
	FEDERAL GOVERNMENT	30	30.0	30.0	96.0
	NO PREFERENCE	4	4.0	4.0	100.0
	Total	100	100.0	100.0	

TABLE 13

Table 14 contains demographic frequency tables that reflect Madison and D.C. Respondents' self-reported fear of crime.

This next portion of the survey asked Madison and D.C. Respondents to recount and to evaluate their fear of crime. Forty-eight percent of the Madison and D.C. Respondents fear being a victim of crime[27].

Fear of Crime for Family Members

Madison and D.C. Respondents were asked whether they fear a family member being a victim of crime. Forty-four

percent of the Respondents fear a family member being a victim of crime[28].

TABLE 14

MADISON AND D.C. RESPONDENTS FEAR BEING A VICTIM OF CRIME

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	48	48.0	48.0	48.0
	NO	52	52.0	52.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS FEAR A FAMILY MEMBER BEING A VICTIM OF CRIME

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	44	44.0	44.0	44.0
	NO	56	56.0	56.0	100.0
	Total	100	100.0	100.0	

MADISON RESPONDENTS FEAR BEING A VICTIM OF CRIME

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	22	22.0	44.0	44.0
	NO	28	28.0	56.0	100.0
	Total	50	50.0	100.0	
Missing	System	50	50.0		
Total		100	100.0		

D.C. RESPONDENTS FEAR BEING A VICTIM OF CRIME

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	26	26.0	52.0	52.0
	NO	24	24.0	48.0	100.0
	Total	50	50.0	100.0	
Missing	System	50	50.0		
Total		100	100.0		

MADISON RESPONDENT FEAR FAMILY MEMBER BEING A VICTIM OF CRIME

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid		50	50.0	50.0	50.0
	YES	18	18.0	18.0	68.0
	NO	32	32.0	32.0	100.0
	Total	100	100.0	100.0	

D.C. RESPONDENT FEAR FAMILY MEMBER MAY BECOME A VICTIM OF CRIME

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid		50	50.0	50.0	50.0
	YES	26	26.0	26.0	76.0
	NO	24	24.0	24.0	100.0
	Total	100	100.0	100.0	

MADISON AND D.C. RESPONDENTS FEAR CRIME VICTIMIZATION FOR SELF OR FAMILY MEMBER

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	56	56.0	56.0	56.0
	NO	44	44.0	44.0	100.0
	Total	100	100.0	100.0	

VICTIMIZATION OF MADISON AND D.C. RESPONDENTS AND OR A FAMILY MEMBER

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	YES	55	55.0	55.0	55.0
	NO	45	45.0	45.0	100.0
	Total	100	100.0	100.0	

Those Respondents who acknowledged fear of some sort were asked where are they fearful, what time of day are they fearful, what crime do they fear the most, and to rate their fear as very fearful, moderately fearful, or hardly fearful[29].

Factors of Fear[30]

Age

The Respondents for both Madison and D.C. identified the age range they most fear. The age range categories presented in years in the study are 4 to 14, 15 to 25, 26 to 36, 37 to 47, and 48 and over.

Sixty-one percent of the Madison Respondents who fear personal victimization fear most the age range of 15 to 25 years. This age range is reported in other research also,

as the most feared[31]. Fifty-four percent of the Madison Respondents who fear property victimization also most fear the age range of 15 to 25 years. Approximately 65 percent of the D.C. Respondents who fear personal victimization most fear the age range of 15 to 25 years. Sixty percent of the D.C. Respondents who fear property victimization also most fear the age range of 15 to 25 years.

Time of Day

The Madison and D.C. Respondents who fear victimization were asked to identify the time of day they most fear victimization for themselves. The times of day from which to select was morning, afternoon, evening, past midnight, and any time of the day or night.

The more frequent time of day selected by approximately 62 percent of the Madison Respondents is past midnight. The more frequent time of day selected by approximately 65 percent of the D.C. Respondents is evening.

Crime Most Feared

The Respondents of Madison and D.C. were asked to rank the crime they fear for themselves from 1 to 13 with 1 representing the crime they fear the most and 13 the crime they fear the least. The crime categories the study listed were: murder, robbery, burglary, rape, assault, carjacking, and drive-by shooting. These main categories had

subcategories that included the crime being committed with or without a concealed weapon. As an example would be a category of murder, and the subcategories would be with a concealed weapon, or without a concealed weapon. Both Madison and D.C. Respondents selected only the subcategories, the crimes committed with a concealed weapon.

The crime most feared by 32 percent of Madison Respondents is murder with a concealed weapon. The crime most feared by 29 percent of D.C. Respondents is robbery with a concealed weapon.

Where Fearful Of Victimization

Madison and D.C. Respondents were asked to indicate whether they were fearful of victimization in various locations. These locations were: high crime areas only, their home, their neighborhood, airports, bus depots, on travel buses, as opposed to city buses, in train stations, on trains, in subway stations, on subways, in youth-oriented places, in courthouses, in movie theatres, in restaurants, in bars and night clubs, in all stores, in banks, in health spas, in elementary schools, in high schools, on college campuses, in churches and other religious institutions, in public libraries, on their job, and in parking lots. Less than 30 percent of all Madison Respondents report fear in any one particular location.

However, 80 percent of the D.C. Respondents reported fear in one particular location.

The most feared location for Madison Respondents (28 percent) is in their neighborhood. The most feared location for D.C. Respondents (80 percent) is in high schools. This response may reflect the rate of school crimes in D.C. as opposed to school crimes in Madison. Moreover, it may reflect the Respondents' awareness, as reported by previous research in the study, of the crimes actually being committed in their respective City.

ANALYSES

The strategy for analysis was to present the bivariate associations between the relevant independent variables and the dependent variable--voluntary forfeiture of a Constitutional right for the use of the new Concealed Weapons Detection Technology. Crosstabs are used for the limited purpose of quantifying the strength and nature of the relationships between the dependent variable and the independent variables. Inasmuch as the variables for the most part are measured on a nominal scale, the study used Chi-Square (χ^2) and Pearson's (r) and Spearman's (r_s) correlations as measures of association to determine whether there is a statistically significant relationship, and the strength and direction (positive or negative) of

any relationship. Unless otherwise indicated, findings are statistically significant at the $\alpha = 0.05$ level.

The null hypotheses and alternative null hypotheses were selected prior to the study. The variables were selected to identify subpopulations that influence the use of the new Concealed Weapons Detection Technology. In addition, variables were selected to determine subpopulations that would influence voluntary forfeiture of a Fourth Amendment right in favor of Concealed Weapons Detection Technology (hereinafter sometimes referred to as "CWDT"). Hypotheses were developed based on the variables and factors of gender, race, age, neighborhood, victimization, income and locate.

Table 15 contains statistically significant Chi-Square (χ^2) crosstab tables. When statistically significant, Pearson's (r) and Spearman's (r_s) correlations tables also are shown to depict the strength of the association between the dependent variable and a specific independent variable.

Statistically significant associations were found between the dependent variable, voluntary forfeiture of the Fourth Amendment Constitutional right for the new Concealed Weapons Detection Technology, and five of the independent variables used in the study.

Belief that the New Concealed Weapons Detection Technology Should be Delivered Immediately to Police Officers

The association between the dependent variable voluntary forfeiture and the independent variable belief that the new Concealed Weapons Detection Technology should be delivered immediately to police officers to help fight crime and violence was statistically significant at the $\alpha = 0.001$ level for a (2_t-test, χ^2 (DF=1), $\alpha = 0.000$) value of 14.742. The null hypothesis that there is no difference between those who believe and those who do not believe that the new Concealed Weapons Detection Technology should be delivered immediately to police officers to help fight crime and violence is rejected. Of those Respondent who so believe, 70.7% would forfeit their Constitutional right for the new CWDT.

It appears that those who believe in delivering the technology are more likely to forfeit voluntarily their Constitutional right. The strength and direction of the association as determined by Pearson's ($\alpha = 0.000$) and Spearman's ($\alpha = 0.000$) correlations indicate a value of .384, respectively, at the $\alpha = 0.001$ level. This indicates an approximate value of .40. A value of .40 indicates a moderately strong positive relationship between the dependent variable and the independent variable. This

is a fairly strong indication that individuals want more protection from crime, and believe that police officers should be provided with the necessary equipment to provide that protection. These correlations are consistent with values reported in the literature reviewed for the study[32].

TABLE 15A

MADISON AND D.C. RESPONDENTS BELIEVE NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY SHOULD BE DELIVERED IMMEDIATELY TO POLICE OFFICERS TO HELP FIGHT CRIME AND VIOLENCE *
MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTION TECHNOLOGY

			MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY		
			YES	NO	Total
MADISON AND D.C. RESPONDENTS BELIEVE NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY SHOULD BE DELIVERED IMMEDIATELY TO POLICE OFFICERS TO HELP FIGHT CRIME AND VIOLENCE	YES	Count	58	24	82
		% within MADISON AND D.C. RESPONDENTS BELIEVE NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY SHOULD BE DELIVERED IMMEDIATELY TO POLICE OFFICERS TO HELP FIGHT CRIME AND VIOLENCE	70.7%	29.3%	100.0%
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	93.5%	63.2%	82.0%
		% of Total	58.0%	24.0%	82.0%
	NO	Count	4	14	18
		% within MADISON AND D.C. RESPONDENTS BELIEVE NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY SHOULD BE DELIVERED IMMEDIATELY TO POLICE OFFICERS TO HELP FIGHT CRIME AND VIOLENCE	22.2%	77.8%	100.0%
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	6.5%	36.8%	18.0%
		% of Total	4.0%	14.0%	18.0%
Total		Count	62	38	100
		% within MADISON AND D.C. RESPONDENTS BELIEVE NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY SHOULD BE DELIVERED IMMEDIATELY TO POLICE OFFICERS TO HELP FIGHT CRIME AND VIOLENCE	62.0%	38.0%	100.0%
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	100.0%	100.0%	100.0%
		% of Total	62.0%	38.0%	100.0%

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	14.742[b]	1	.000		
Continuity Correction [a]	12.755	1	.000		
Likelihood Ratio	14.599	1	.000		
Fisher's Exact Test				.000	.000
Linear-by-Linear Association	14.595	1	.000		
N of Valid Cases	100				

a. Computed only for a 2x2 table

b. 0 cells (.0%) have expected count less than 5. The minimum expected count is 6.84.

Symmetric Measures

		Value	Asymp. Std. Error[a]	Approx. T[b]	Approx. Sig.
Interval by Interval	Pearson's R	.384	.093	4.117	.000[c]
Ordinal by Ordinal	Spearman Correlation	.384	.093	4.117	.000[c]
N of Valid Cases		100			

a. Not assuming the null hypothesis.

b. Using the asymptotic standard error assuming the null hypothesis.

c. Based on normal approximation.

Belief the New Concealed Weapons Detection Technology Infringes a Person's Fourth Amendment Right

The association between the dependent variable voluntary forfeiture and the independent variable belief that the new Concealed Weapons Detection Technology does not infringe a person's Fourth Amendment right was statistically significant at the $\alpha = 0.01$ level for a (2_t-test, χ^2 (DF=1) $\alpha = 0.009$) value of 6.914. The strength and direction of the association as determined by Pearson's value of -.263 ($\alpha = 0.008$) and Spearman's value of -.263 ($\alpha = 0.008$) correlations indicate a negative (belief that the new technology does not infringe one's rights) association at the $\alpha = 0.01$ level. This indicates an approximate negative value of .30. A value of .30

indicates a moderate, negative relationship between the dependent variable and the independent variable. The null hypothesis that there is no difference between those who believe the CWDT does not infringe and those who believe the CWDT does infringe a person's Fourth Amendment right, yet would still forfeit that right is rejected. Of those Respondents who believe the new CWDT would infringe on a person's Constitutional right, almost 50% (49%) would voluntarily forfeit that right for the new CWDT.

It appears that those who believe that the new technology does not infringe (74.5%) one's Constitutional right are more likely to forfeit voluntarily their Constitutional right, than are those who believe it does infringe but would voluntarily forfeit that right. The correlation is consistent with fear of crime values reported in the literature researched for the study[33].

The instant study correlates infringement with fear. That is to say, for the study, not finding the new CWDT an infringement of one's Constitutional rights equates with fear. The study found that there is a correlation between those who fear crime and those who would forfeit their Constitutional right to help prevent crime if they thought doing so would decrease crime.

TABLE 15B

MADISON AND D.C. RESPONDENTS BELIEVE NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY INFRINGES FOURTH AMENDMENT RIGHTS *
MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTION TECHNOLOGY

			MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY		
			YES	NO	Total
MADISON AND D.C. RESPONDENTS BELIEVE NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY INFRINGES FOURTH AMENDMENT RIGHTS	YES	Count	24	25	49
		% within MADISON AND D.C. RESPONDENTS BELIEVE NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY INFRINGES FOURTH AMENDMENT RIGHTS	49.0%	51.0%	100.0%
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	38.7%	65.8%	49.0%
		% of Total	24.0%	25.0%	49.0%
	NO	Count	38	13	51
		% within MADISON AND D.C. RESPONDENTS BELIEVE NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY INFRINGES FOURTH AMENDMENT RIGHTS	74.5%	25.5%	100.0%
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	61.3%	34.2%	51.0%
		% of Total	38.0%	13.0%	51.0%
Total		Count	62	38	100
		% within MADISON AND D.C. RESPONDENTS BELIEVE NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY INFRINGES FOURTH AMENDMENT RIGHTS	62.0%	38.0%	100.0%
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	100.0%	100.0%	100.0%
		% of Total	62.0%	38.0%	100.0%

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	6.914[b]	1	.009		
Continuity Correction [a]	5.872	1	.015		
Likelihood Ratio	7.004	1	.008		
Fisher's Exact Test				.013	.007
Linear-by-Linear Association	6.844	1	.009		
N of Valid Cases	100				

a. Computed only for a 2x2 table

b. 0 cells (.0%) have expected count less than 5. The minimum expected count is 18.62.

Symmetric Measures

		Value	Asymp. Std. Error[a]	Approx. T[b]	Approx. Sig.
Interval by Interval	Pearson's R	-.263	.096	-2.698	.008[c]
Ordinal by Ordinal	Spearman Correlation	-.263	.096	-2.698	.008[c]
N of Valid Cases		100			

a. Not assuming the null hypothesis.

b. Using the asymptotic standard error assuming the null hypothesis.

c. Based on normal approximation.

Belief in Who Should Control the Use of the New Concealed Weapons Detection Technology

The association between the dependent variable voluntary forfeiture and the independent variable belief in who should control the use of the new Concealed Weapons Detection Technology was statistically significant at the $\alpha = 0.01$ level for a (2_t-test, χ^2 (DF=1) $\alpha = 0.002$) value of 17.024. However, the strength and direction of the association as determined by Pearson's ($\alpha = 0.067$) and Spearman's ($\alpha = 0.144$) correlations indicate a positive almost negligible, statistically significant Pearson value of .184 (at an alpha level of 0.10), and a positive weak statistically insignificant Spearman's value of .147. Based on the Chi-Square value, the null hypothesis that

there is no difference between voluntary forfeiture and those who believe that the Federal Government should control, or those who believe individuals by vote by referendum should control the use, or those who believe State Government should control, or those who believe Courts on a case-by-case basis should control the use of the new Concealed Weapons Detection Technology is rejected.

It appears that those who believe the State Government (89.5%) should control are more likely to forfeit voluntarily their Constitutional right. The correlation is consistent with values reported in the literature researched for the study[34].

TABLE 15C

MADISON AND D.C. RESPONDENTS' BELIEF IN WHO SHOULD CONTROL USE OF NEW CONCEALED WEAPONS DETECTION TECHNOLOGY * MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTION TECHNOLOGY

			MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR		
		Statistics	YES	NO	Total
MADISON AND D.C. RESPONDENTS' BELIEF IN WHO SHOULD CONTROL USE OF NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	STATE GOVERNMENT	Count	17	2	19
		% within MADISON AND D.C. RESPONDENTS' BELIEF IN WHO SHOULD CONTROL USE OF NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	89.5	10.5	100.0
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	27.4	5.3	19.0
		% of Total	17.0	2.0	19.0
	COURTS, ON A CASE-BY-CASE BASIS	Count	5	9	14
		% within MADISON AND D.C. RESPONDENTS' BELIEF IN WHO SHOULD CONTROL USE OF NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	35.7	64.3	100.0
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	8.1	23.7	14.0
		% of Total	5.0	9.0	14.0
	INDIVIDUALS VOTE BY REFERENDUMS	Count	20	13	33
		% within MADISON AND D.C. RESPONDENTS' BELIEF IN WHO SHOULD CONTROL USE OF NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	60.6	39.4	100.0
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	32.3	34.2	33.0
		% of Total	20.0	13.0	33.0
	FEDERAL GOVERNMENT	Count	20	10	30
		% within MADISON AND D.C. RESPONDENTS' BELIEF IN WHO SHOULD CONTROL USE OF NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	66.7	33.3	100.0
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	32.3	26.3	30.0
		% of Total	20.0	10.0	30.0
	NO PREFERENCE	Count		4	4
		% within MADISON AND D.C. RESPONDENTS' BELIEF IN WHO SHOULD CONTROL USE OF NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY		100.0	100.0
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY		10.5	4.0
		% of Total		4.0	4.0
Total		Count	62	38	100
		% within MADISON AND D.C. RESPONDENTS' BELIEF IN WHO SHOULD CONTROL USE OF NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	62.0	38.0	100.0
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	100.0	100.0	100.0
		% of Total	62.0	38.0	100.0

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	17.024[a]	4	.002
Likelihood Ratio	19.334	4	.001
Linear-by-Linear Association	3.339	1	.068
N of Valid Cases	100		

a. 2 cells (20.0%) have expected count less than 5. The minimum expected count is 1.52.

Symmetric Measures

		Value	Asymp. Std. Error[a]	Approx. T[b]	Approx. Sig.
Interval by Interval	Pearson's R	.184	.091	1.849	.067[c]
Ordinal by Ordinal	Spearman Correlation	.147	.097	1.472	.144[c]
N of Valid Cases		100			

a. Not assuming the null hypothesis.

b. Using the asymptotic standard error assuming the null hypothesis.

c. Based on normal approximation.

Fear of Crime Victimization for Self or Family

The association between the dependent variable voluntary forfeiture and the independent variable fear of crime victimization for self and or family members was statistically significant at the $\alpha = 0.10$ level for a (2_t-test, χ^2(DF=1) $\alpha = 0.076$) value of 3.156. The strength and direction of the association as determined by Pearson's value of .178 (α= 0.077) and Spearman's value of .178 (α = 0.077) correlations indicate a weak, positive statistically significant value at the 0.10 level. Based on the Chi-Square value the null hypothesis that there is no difference between voluntary forfeiture and those who fear victimization and those who do not fear victimization is rejected.

It appears that those who fear victimization for self and or family members (69.6%) are more likely to forfeit voluntarily their Constitutional right. These correlations are consistent with values reported in the literature[35] referenced for the study.

TABLE 15D

MADISON AND D.C. RESPONDENTS FEAR CRIME VICTIMIZATION FOR SELF OR FAMILY MEMBER
MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTION TECHNOLOGY

			MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY		
			YES	NO	Total
MADISON AND D.C. RESPONDENTS FEAR CRIME VICTIMIZATION FOR SELF OR FAMILY MEMBER	YES	Count	39	17	56
		% within MADISON AND D.C. RESPONDENTS FEAR CRIME VICTIMIZATION FOR SELF OR FAMILY MEMBER	69.6%	30.4%	100.0%
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	62.9%	44.7%	56.0%
		% of Total	39.0%	17.0%	56.0%
	NO	Count	23	21	44
		% within MADISON AND D.C. RESPONDENTS FEAR CRIME VICTIMIZATION FOR SELF OR FAMILY MEMBER	52.3%	47.7%	100.0%
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	37.1%	55.3%	44.0%
		% of Total	23.0%	21.0%	44.0%
Total		Count	62	38	100
		% within MADISON AND D.C. RESPONDENTS FEAR CRIME VICTIMIZATION FOR SELF OR FAMILY MEMBER	62.0%	38.0%	100.0%
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	100.0%	100.0%	100.0%
		% of Total	62.0%	38.0%	100.0%

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	3.156[b]	1	.076		
Continuity Correction [a]	2.461	1	.117		
Likelihood Ratio	3.154	1	.076		
Fisher's Exact Test				.098	.058
Linear-by-Linear Association	3.124	1	.077		
N of Valid Cases	100				

a. Computed only for a 2x2 table

b. 0 cells (.0%) have expected count less than 5. The minimum expected count is 16.72.

Symmetric Measures

		Value	Asymp. Std. Error[a]	Approx. T[b]	Approx. Sig.
Interval by Interval	Pearson's R	.178	.099	1.787	.077[c]
Ordinal by Ordinal	Spearman Correlation	.178	.099	1.787	.077[c]
N of Valid Cases		100			

a. Not assuming the null hypothesis.

b. Using the asymptotic standard error assuming the null hypothesis.

c. Based on normal approximation.

Belief that Curfews Reduce National Crime

The independent variable, belief that curfews reduce National crime was statistically significant at the α = 0.01 level for a (2_t-test, χ^2(DF=1) α = 0.009) value of 6.794. The strength and direction of the association as determined by Pearson's (α = 0.009) and Spearman's (α = 0.009) correlations value of .261, respectively, indicates a positive value at the α = 0.01 level. This indicates an approximate value of .30. A value of .30 indicates a moderate, positive relationship between the dependent variable and the independent variable. The null hypothesis that there is no difference between those who believe that curfews reduce National crime and those who do not believe

that curfews reduce National crime and voluntary forfeiture is rejected.

It appears that those who believe that curfews reduce National crime (73.2%) are more likely to forfeit voluntarily their Constitutional right. The correlation is consistent with values reported in the prior literature[36] referenced in the study.

TABLE 15E

MADISON AND D.C. RESPONDENTS' BELIEF THAT CURFEWS REDUCE NATIONAL CRIME MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR THE NEW CONCEALED WEAPONS DETECTION TECHNOLOGY

			MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY		
			YES	NO	Total
MADISON AND D.C. RESPONDENTS' BELIEF THAT CURFEWS REDUCE NATIONAL CRIME	YES	Count	41	15	56
		% within MADISON AND D.C. RESPONDENTS' BELIEF THAT CURFEWS REDUCE NATIONAL CRIME	73.2%	26.8%	100.0%
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	66.1%	39.5%	56.0%
		% of Total	41.0%	15.0%	56.0%
	NO	Count	21	23	44
		% within MADISON AND D.C. RESPONDENTS' BELIEF THAT CURFEWS REDUCE NATIONAL CRIME	47.7%	52.3%	100.0%
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	33.9%	60.5%	44.0%
		% of Total	21.0%	23.0%	44.0%
Total		Count	62	38	100
		% within MADISON AND D.C. RESPONDENTS' BELIEF THAT CURFEWS REDUCE NATIONAL CRIME	62.0%	38.0%	100.0%
		% within MADISON AND D.C. RESPONDENTS WOULD FORFEIT THEIR FOURTH AMENDMENT CONSTITUTIONAL RIGHT FOR NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY	100.0%	100.0%	100.0%
		% of Total	62.0%	38.0%	100.0%

Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	6.794[b]	1	.009		
Continuity Correction[a]	5.755	1	.016		
Likelihood Ratio	6.822	1	.009		
Fisher's Exact Test				.013	.008
Linear-by-Linear Association	6.726	1	.010		
N of Valid Cases	100				

a. Computed only for a 2x2 table

b. 0 cells (.0%) have expected count less than 5. The minimum expected count is 16.72.

Symmetric Measures

		Value	Asymp. Std. Error[a]	Approx. T[b]	Approx. Sig.
Interval by Interval	Pearson's R	.261	.097	2.673	.009[c]
Ordinal by Ordinal	Spearman Correlation	.261	.097	2.673	.009[c]
N of Valid Cases		100			

a. Not assuming the null hypothesis.

b. Using the asymptotic standard error assuming the null hypothesis.

c. Based on normal approximation.

HYPOTHESES

Research Question One: Gender

What will be the extent of the relationship of an individual's gender and voluntary forfeiture of a Constitutional right?

Results

An individual's gender will correlate equally to the variable voluntary forfeiture of one's Constitutional rights. The study did not predict a direction for the alternative hypothesis whether women or men were more likely to forfeit their Constitutional right for the new Concealed Weapons Detection Technology. The studies researched for the study reveal consistently contradictory facts--men are the most often attacked, however, women are supposedly the most fearful[37].

Madison and D.C. Results[38]

Fifty percent (50%) of the Respondents are Male, and 50 percent is Female. The study finds that of all Madison and D.C. Respondents who would forfeit their Constitutional right by gender, 44 percent is Males, and 56 percent is

Females. The null hypothesis is rejected. Men and women are not equally willing to forfeit their Constitutional right. Women are more likely than men are to forfeit their Constitutional right.

Moreover, within the genders of the total population of Madison and D.C. Respondents, of the Female Respondents, 68 percent would forfeit their Constitutional right, and 32 percent would not. Of all Madison and D.C. Male Respondents, 54 percent would forfeit their right, and 46 percent would not.

Again, it appears that the null hypothesis is rejected. Madison and D.C. Male and Female Respondents would not equally forfeit their Constitutional right. The Madison and D.C. Females are more likely to forfeit their Constitutional right than are the Males.

Research Question Two: Race

What will be the extent of the relationship of an individual's race and voluntary forfeiture of a Constitutional right?

Results

An individual's race will correlate equally to the variable voluntary forfeiture of one's Constitutional right. Taking into consideration only the Black and Caucasian races, the study did not predict a direction for the alternative hypothesis[39]. The null hypothesis states

that one's race would equally determine whether an individual would be more likely to forfeit their Constitutional right for the new Concealed Weapons Detection Technology.

Sixty-six percent of Madison and D.C. Caucasian Respondents would forfeit their Constitutional right. Approximately 45 percent of the Male Respondents would forfeit their Constitutional right, and approximately 55 percent of the Female Respondents would forfeit their Constitutional right.

Approximately 51 percent of all Madison and D.C. Black Respondents would forfeit their Constitutional right. Approximately 42 percent is Males, and approximately 58 percent is Female.

The null hypothesis is rejected. The races differ in forfeiture. Caucasians are more likely than Blacks to forfeit their Constitutional right.

Research Question Three: Age

What will be the extent of the relationship of an individual's age and voluntary forfeiture of a Constitutional right?

Results

An individual's age will correlate equally to the variable voluntary forfeiture of one's Constitutional right.

The study did not predict a direction for the alternative hypothesis inasmuch as prior fear of crime studies discussing age is contradictory[40].

The results of the study, however, indicate that of the Madison and D.C. Respondents who would forfeit their Constitutional right, approximately 29 percent is the younger Respondents 18 to 30 years of age. Seventy-one percent of the Madison and D.C. older Respondents over 30 years of age would forfeit their Constitutional right to promote the use of the new Concealed Weapons Detection Technology.

The null hypothesis is rejected. Respondents who are more likely to forfeit their Constitutional right differ in age. The older Respondents are more likely to forfeit their Constitutional right than the younger Respondents.

Research Question Four: Neighborhood

What will be the extent of the relationship of an individual's neighborhood and voluntary forfeiture of a Constitutional right?

Results

The neighborhood in which an individual lives will correlate equally to the variable voluntary forfeiture of one's Constitutional right. The study did not predict a direction for the alternative hypothesis although studies show that suburbanites reportedly have less of a reason to

fear crime than do inner-city residents[41]. For just this reason, suburbanites may believe that supporting Concealed Weapons Detection Technology is a way to control inner-city crime. However, crime fear studies report more fear in the inner Cities. If this is true, the inner city residents may feel more urgency in legitimizing the use of Concealed Weapons Detection Technology.

The study supports these previous findings. Of all Madison and D.C. Respondents, 71 percent live in the inner-city/city and 29 percent live in the suburban/rural area. Of the Madison and D.C. Respondents who would forfeit their Constitutional right, 65 percent of the Respondents live in the inner-city/city area, and approximately 35 percent live in the suburban/rural area.

The null hypothesis is rejected. Respondents who live in the inner-city/city, and who live in the suburban/rural areas are not equally likely to forfeit their Constitutional right. Respondents living in the inner-city/city are more likely to forfeit their Constitutional right than are suburban/rural Respondents.

Research Question Five: Victimization

What will be the extent of the relationship of an individual's history of prior victimization for self or a family member and voluntary forfeiture of a Constitutional right?

Results

An individual who has been a victim of crime or whose family member has been a victim of crime, and an individual who reports no previous victimization for self or family member will correlate equally to the variable voluntary forfeiture of one's Constitutional right. The consensus among empirical studies is that fear increases with prior victimization.

The study predicted that Respondents who had been victimized or had a family member victimized (62.9%) would forfeit their Constitutional right more often than Respondents who had never been victimized (37.1%), based on previous studies. Fifty-five percent of the Respondents has been a victim of crime or has a family member who has been a victim of crime. Social research scholars have reported, once a person experiences being a violent crime victim, that person begins to fear many types of criminal victimization[42]. The consensus is that high fear of crime increases with prior victimization[43]. The study supports those findings.

Victimization does seem to increase fear in the Respondents in the study. The study found that within the category of victimization, those who have been victimized or had family members victimized are more likely to forfeit

their Constitutional right (69.6%) than not (30.4%) forfeit their Constitutional right.

Respondents' Victimization

Approximately 60 percent of all Madison and D.C. Respondents who have been victims of at least one crime would forfeit their Constitutional right for Concealed Weapons Detection Technology.

Under this scenario, the null hypothesis is rejected. Victims are more likely to forfeit their Constitutional right than non-victims.

Family Members' Victimization

Thirty-one percent of all Madison and D.C. Respondents has at least one family member who has been a victim of crime. Approximately 55 percent of the Madison and D.C. Respondents whose family member has been a victim of crime would forfeit their Constitutional right.

The null hypothesis is rejected; being a victim of crime and or having a family member a victim of crime does make it more likely that one would forfeit their Constitutional right for Concealed Weapons Detection Technology.

Research Question Six: Income

What will be the extent of the relationship of an individual's yearly income and voluntary forfeiture of a Constitutional right?

Results

An individual's yearly income will correlate equally to the variable voluntary forfeiture of one's Constitutional right. The individual of low income or high-income and voluntary forfeiture will be moderately correlated. The fact found in recent studies, however, is that high fear of crime decreases with income[44].

The study reports that low-income Respondents would forfeit their Constitutional rights more often than high to middle class income Respondents. The study did not predict a direction based on previous studies[45], however.

Of the Madison and D.C. Respondents[46], approximately 63 percent of the high to middle income bracket (over $30,000.00 per year) would forfeit their Constitutional right. Sixty-seven percent of all Madison and D.C. low-income Respondents would forfeit their Constitutional right to promote the use of the new Concealed Weapons Detection Technology. This consensus is similar to findings among recent and earlier research studies. The fact found is that high fear of crime decreases with income, as report in other studies[47].

The null hypothesis is rejected. Low-income Respondents are more likely to forfeit their Constitutional right than are high to middle income Respondents. Both Madison Respondents and D.C. Respondents of low income are

more likely to forfeit their Constitutional right than Madison Respondents and D.C. Respondents of high to middle income.

Research Question Seven: Locale

What will be the extent of the relationship of an individual's locale (Madison versus D.C.) and voluntary forfeiture of a Constitutional right?

Results

An individual's locale will correlate equally to the variable voluntary forfeiture of one's Constitutional right. An individual living in Madison or in D.C. will moderately correlate to voluntary forfeiture.

The study results indicate that Madison Respondents would forfeit their Constitutional rights more often than would D. C. Respondents. Madison does not have what is commonly known as the "inner-city." Crimes are reportedly more prevalent in inner cities.

The study reveals that 68 percent of Madison Respondents would forfeit their Constitutional right, and 56 percent of all D.C. Respondents would forfeit their Constitutional right to promote the use of the new Concealed Weapons Detection Technology[48].

The null hypothesis is rejected. Madison and D.C. Respondents do differ. Madison Respondents who live in the Midwest are more likely to forfeit their Constitutional

right for Concealed Weapons Detection Technology than are D.C. Respondents who live in the Southeast. Although D.C. has the higher crime rate, Madison demonstrates more fear through forfeiture of a Constitutional right. One explanation for this result, according to previous studies, is complacency, or desensitization. It is reported that many urban residents become desensitized to the existence of crime, so that crime does not result in a total withdrawal from, and rejection of urban life[49].

Summary of the Results

The results from previous empirical studies[50] have found that Females (68%) are more afraid of victimization and are more afraid of crime per se than Males (54%) seems to correlate with the fact found in the study that Females are more willing to forfeit their Constitutional right to the Fourth Amendment protection than are Males. Females are found to be more willing to forfeit their Fourth Amendment rights as a proactive measure than are Males, according to prior research studies[51]. These findings were not found to be statistically significant.

The fact that previous empirical studies[52] have found that Caucasians are more afraid of victimization and are more afraid of crime per se than are Blacks seems to correlate with the fact found in the study that Caucasian (66%) are more willing to forfeit their Constitutional

right to the Fourth Amendment protection than are Blacks (51%). These findings were not found to be statistically significant.

Previous contradictory empirical studies[53] have found that both younger and older individuals are more afraid of victimization and are more afraid of crime, per se. The study reports a finding that there is a correlation between one's age group and one's willingness to forfeit their Constitutional right to the Fourth Amendment protection. Twenty-nine percent of the younger Respondent, aged 18 to 30 would forfeit their Constitutional Fourth Amendment right, whereas the older Respondents over 30 years of age (71%) would also forfeit their Constitutional Fourth Amendment right. These findings were not found to be statistically significant.

The fact that previous empirical studies[54] have found that different neighborhoods are more afraid of victimization and are more afraid of crime, per se, than are other neighborhoods supports the study finding that there is a correlation found in the study between neighborhood and one's willingness to forfeit their Constitutional right to the Fourth Amendment protection. Sixty-five percent of the Respondents living in the inner-city/city area would forfeit their Constitutional Fourth Amendment right whereas only 35 percent of the Respondents

living in the suburban/rural area would forfeit their Constitutional Fourth Amendment right. These findings were not found to be statistically significant.

The fact that previous empirical studies[55] have found that prior victimized Respondents are more afraid of victimization and are more afraid of crime per se than non-victims seems to correlate with the fact found in the study that prior victims of self or family member are more willing to forfeit their Constitutional right to the Fourth Amendment protection (70%) than they are not willing to forfeit their Constitutional Fourth Amendment right (30%). These findings were found to be statistically significant for the fear of crime victimization for self or family variable. The association between the dependent variable voluntary forfeiture and the independent variable fear of crime victimization for self and or family members was statistically significant at the $\alpha = 0.10$ level for a (2_t-test, χ^2(DF=1) $\alpha = 0.076$) value of 3.156. The strength and direction of the association as determined by Pearson's value of .178 (α= 0.077) and Spearman's value of .178 (α = 0.077) correlations indicate a weak, positive statistically significant value at the 0.10 level. Based on the Chi-Square value the null hypothesis that there is no difference between voluntary forfeiture and those who fear

victimization (62.9%) and those who do not fear victimization (37.1%) was rejected.

The fact that previous empirical studies[56] have found that low-income individuals are more afraid of victimization and are more afraid of crime per se than high-income individuals seems to correlate with the fact found in the study. The study found that low-income Respondents (67%) are more willing to forfeit their Constitutional right to the Fourth Amendment protection than are high-income Respondents (63%). Low-income Respondents are found to be somewhat more willing to forfeit their Fourth Amendment. These findings are not statistically significant.

Prior empirical studies have found that the locale of individuals reflects more fear of victimization and more fear of crime per se. The study found that the individual's locale[57], will correlate equally with the facts found in the study. However, the study reveals that 68 percent of Madison Respondents would forfeit their Constitutional right, and 56 percent of D.C. Respondents would forfeit their Constitutional right to promote the use of the new Concealed Weapons Detection Technology. The Madison locale Respondents are found to be more willing to forfeit their Fourth Amendment than the D.C. locale

Respondents. These findings were not found to be statistically significant.

Discussion of Findings

This section will summarize the research findings, discuss the results, and suggest recommendations for further research on the new Concealed Weapons Detection Technology.

Summary of Research Findings

The results of the study of an individual's willingness to voluntarily forfeit a Constitutional right in favor of new Concealed Weapons Detection Technology out of fear of crime and previous victimization were similar to other studies of fear of crime, and victimization of crime. In fact, research studies have found the fear of crime in the United States to be quite significant and widespread. Research studies on fear of crime emphasize that various proximate causes of fear and the crime fear in question are relevant to one's state of mind. Elements of importance in determining the power of fear to compel a person to voluntarily forfeit a Constitutional right were fear must be of a particular type and of a certain amount of that particular type of fear, and inter alia, one's neighborhood, one's age, one's sex, one's race, as well as any combination of socio-psychological factors, such as previous victimization[58].

Independent Variable Summary

The current events of school shootings and police shootings of unarmed persons make it ripe to introduce in the study the new Concealed Weapons Detection Technology. The independent variables in the study were found not to be statistically significant, unless indicated otherwise. The present study revealed a negative Beta value for Sex, and other independent variables, which indicated that women (55%) are more likely than men (45%) are to forfeit their Constitutional right for the new Concealed Weapons Detection Technology. The Jewish religion (6%) are less likely to forfeit their Constitutional right than are Protestants (58%), who are the most likely, then Catholics (13%), and "Other" (23%) religions. Respondents who had been victimized or had a family member victimized are more likely (53%) to forfeit their Constitutional right than are those who have not been victimized (47%). Younger Respondents 18 to 30 years of age are less likely (11%) to forfeit their Constitutional right than are older Respondents 30 years of age or older (89%). Specifically Respondents in the age range 18 to 39 (45%) were more likely to forfeit their Constitutional right than Respondents in the age range 40 to 56 (24%), and those Respondents in the age range 56 to 84, (31%).

Respondents who live in the inner-city/city are more likely (65%) to forfeit their Constitutional right than are Respondents who live in suburban areas (29%) and those who live in rural areas (6%). Respondents who believe that curfews reduce National crime (66%) (X^2,.013, $2_{t,}$.008), reduce their City crime (68%) and reduce their neighborhood crime (52%), are more likely to forfeit their Constitutional right than are those Respondents who do not believe curfews reduce National crime (34%), reduce City crime (32%) or reduce their neighborhood crime (48%). The variable, curfews reduce National crime is statistically significant at the 0.01 level.

The Caucasian race (61%) would forfeit their Constitutional right more likely than the Black (31%), the Latin (3%), the Asian (3%), or the "Other" (2%) races.

Single (42%) and Married (40%) Respondents are more likely to forfeit their Constitutional right than are Divorced (8%), or Widowed (10%) Respondents.

Respondents with dependents (62&) are more likely than not to forfeit their Constitutional right. However, Respondents with teenaged dependents (71%) are even more likely than not to forfeit their Constitutional right.

All education levels are more likely to forfeit their Constitutional right than they are not willing to forfeit it. However, college graduates (32%) are the most likely

group. The least likely is the high school or less Respondents (18%), graduate or professional school (23%), and some college (27%). White-collar workers (52%) are more likely to forfeit their Constitutional right than are blue-collar workers (13%), retirees (16%), students (8%), unemployed (8%), and house person (3%). High or middle income Respondents (48%) are more likely to forfeit their Constitutional right than are students or Respondents of fixed income (36%), or low income Respondents (16%).

Respondents who believe in curfews for all minors are more likely (82%) to forfeit their Constitutional right than are Respondents who do not believe in curfews for all minors (18%). Respondents who believe that the City Government (31%) should set curfews are more likely to forfeit their Constitutional right than those Respondents who believe that parents should set curfew (29%), City Government and parents should set curfews (11%), State Government should set curfews (8%), and Federal Government should set curfews (5%). Sixteen percent of the Respondents do not believe in curfews for minors. These findings support results from the empirical studies referenced throughout the study.

Statistical Correlations

Respondents who believe that the new Concealed Weapons Detection Technology should be delivered immediately to

police officers to help fight crime and violence (94%) (X^2,.000, 2_t,.000), are more willing to forfeit their Constitutional right than those who do not believe (6%) the new concealed weapons should be delivered immediately to police officers. These findings are statistically significant at the 0.01 level, and support a hypothesis of the study, as well as results from other empirical studies recounted in the literature review.

Respondents who do not believe that the new Concealed Weapons Detection Technology infringes an individual's Fourth Amendment right (61%) (X^2,.013, 2_t,.007) would more likely forfeit their Constitutional right than those Respondents who believe that the new Concealed Weapons Detection Technology fringes an individual's Fourth Amendment right (39%). These findings are statistically significant at the 0.01 level, and support a hypothesis in the study, as well as results from other empirical studies recounted in the literature review.

Respondents who believe that the State Government (89.9%) should control use of the new Concealed Weapons Detection Technology (X^2,.002), are more likely to forfeit their Constitutional right than those who believe that the Federal Governments (66.7%), Individuals Vote by Referendum (60.6%), or Courts on a case-by-case basis (35.7%) should control the use of the new Concealed Weapons Detection

Technology. These findings are statistically significant at the 0.01 level, and support my hypothesis as well as results from other empirical studies recounted in the literature review.

Respondents who fear victimization for self or family members (63%) (X^2,.058), are more likely to forfeit their Constitutional right than are Respondents who do not fear victimization for self or family members (37%). These results are statistically significant at the 0.05 level.

Respondents who believe that curfews reduce National crime (66%) (X^2,.013, 2_t,.008), reduce their City crime (68%) and reduce their neighborhood crime (52%), are more likely to forfeit their Constitutional right than are those Respondents who do not believe curfews reduce National crime (34%), reduce City crime (32%) or reduce their neighborhood crime (48%). The variable, curfews reduce National crime is statistically significant at the 0.01 level.

Implications for Further Research

One premise that appears to stand out in the study is that crime is a definite predictor of behavior. Decades ago, or even a decade ago, individuals probably would not have selected, or even have considered it a serious option to place Concealed Weapons Detection Technology inside of churches. Decades ago, it was not necessary; today, it is.

People have become fearful of every aspect of free living. Answers to the survey question, "Where should Concealed Weapons Detection Technology be located?" were across the board. Respondents want them located everywhere public. The time of day people are fearful of crime, some of the Respondents answered, "anytime." When asked, "Where fearful of crime?" the Respondents selected every public place suggested.

The results of the study suggest several implications for further research regarding the new Concealed Weapons Detection Technology and an individual's willingness to forfeit a precious Constitutional right to effect that technology. The study found that crime is still a major oppressor in the Nation, and that citizens are desperate for a resolution. A resolution to the use of concealed weapons specifically guns could be the use of the new Concealed Weapons Detection Technology.

A study could be undertaken with an assigned community and the community's police department. The new Concealed Weapons Detection Technology would be given to the police officers for daily use during their tour of police duty. This community would be made aware of the new Concealed Weapons Detection Technology their police officers will be utilizing. An analysis of the crime statistics for that community would be performed using pre- and post-tests.

If a comparison study is of interest, then another assigned community and police department comparable to the first community would be selected and included in the study. No CWDT would actually be used by police officers, but rumors of the capabilities of the CWDT would be openly disclosed to the community. It would be intimated, however, that the police officers of that community could be armed with the new CWDT. An analysis comparing the crime statistics for the two communities would be performed using pre- and post-test for the study.

The new Concealed Weapons Detection Technology could be used by the police officers of one community, only. The following scenarios would be evaluated, compared, and analyzed for the two communities.

1. A study would be undertaken to analyze the impact of the actual use of the new Concealed Weapons Detection Technology and any decrease in crimes committed with concealed weapons.

2. A study would be undertaken to analyze the impact of the new Concealed Weapons Detection Technology and the perceived sense of safety felt by school children.

3. A study would be undertaken to analyze the impact of the new Concealed Weapons Detection Technology and perceived safety felt by police officers.

4. A study to analyze the correlation between the absolute decrease in school shootings and other crimes in the community committed with concealed weapons.

5. A study to analyze the correlation between the initiation of the new Concealed Weapons Detection Technology and any decrease in the accusation of police profiling.

6. A study to analyze the correlation between the initiation of the new technology and any decrease in police shootings of unarmed individuals.

Summary

The above implications are but a few studies that could be conducted involving the new Concealed Weapons Detection Technology and responsiveness from the general public. Potential studies are as many and as varied as is the criminologists' imagination. Presently, a solution that would effectively combat the epidemic of crime committed with concealed weapons is not in place in the Nation. Perhaps, now the time is ripe to initiate the use of innovative technology such as the new Concealed Weapons Detection Technology discussed in the study.

Wittingly, the intent of the study is to encourage social, political and scientific discussions of the feasibility of such unique technology. The study results indicate that the Respondents of the two Cities surveyed,

Madison, Wisconsin and Washington, D.C., would welcome the new Concealed Weapons Detection Technology as a solution to deter National crime. The majority of the Respondents want police officers to have immediate use of the new Concealed Weapons Detection Technology. The majority of Respondents in both Cities in the study would vote in the affirmative through local referendums and initiatives for this new Concealed Weapons Detection Technology. Even more remarkable is the fact that an equal majority of the Respondents in the study would support Federal Government controlling the use of this new Concealed Weapons Detection Technology. This fact is revealing, taking into consideration the general public's and present Administration's call for a smaller Government. Desperate times, means Justice Marshall's desperate measures.

Accordingly, if one can infer from the study to the general population of the United States, then the Nation is inclined to accept the utilization of the new Concealed Weapons Detection Technology in almost every public place, even in such a remarkable place as one's place of worship. Albeit, individual protections under the Constitution of the United States, must not be infringed. Constitutional scholars will find the Constitutionality of the Concealed Weapons Detection Technology question challenging. Albeit,

making certain to give proper weight to its justification during any deliberation.

However, considering the new laws permitting police departments the right to locate cameras at any corner to "search" for traffic violators, surely this new Concealed Weapons Detection Technology could also conduct a "search" just as benign. Particularly after September 11, 2001, the Nation is probably zealous for the utility of the new Concealed Weapons Detection Technology. Intrinsically, merely disseminating the knowledge Nationwide to criminal communities, that police officers have access to the technology capabilities of the new Concealed Weapons Detection Technology, could be a powerful deterrent strategy.

ENDNOTES

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[1] There was no relationship found for the independent variable, curfews reduce crime in the Respondent's neighborhood, or for the independent variable, curfews reduce crime in the Respondent's City.

[2] Smith, Steven K., Steadman, Greg W., Minton, Todd D., Townsend, Meg, Criminal Victimization and Perceptions of Community Safety in 12 Cities, 1998, U.S. Department of Justice, Bureau of Justice Statistics, and Office of Community Oriented Policing Services. The population statistics for Madison, Wisconsin include Respondents 16 years of age, or older.

[3] The study surveyed 50 Madison Respondents. The racial breakdown of that sample population is 6 percent Blacks, 92 percent Caucasian, and 2 percent "Other." The "Other" race generally includes Latino, Asian, and Native Indian. This sample is well within the true population percentage for Madison, as reported by the U.S. Department of Justice,

Bureau of Justice Statistics of 1998. The Black race makes up 3.5 percent of Madison's true population whereas the Caucasian race, the largest segment of the population in Madison, makes up 91 percent. The remaining 5.5 percent of the true population belong to the "Other" race.

To the contrary, of the 50 Respondents surveyed in D.C., 68 percent is of the Black race, 24 percent is Caucasian, 4 percent is Latino, 2 percent is Asian, and 2 percent is "Other" race. This sample population is fairly within the percentages found in the true population of D.C. as reported by the U.S. Department of Justice, Bureau of Justice Statistics of 1998. Fifty-three percent of the true population in D.C. is of the Black race, 40 percent is of the Caucasian race, and 7 percent is of the "Other" race, which includes, inter alia, Latino, and Asian.

[4] Other race generally includes Latino, Asian, and Native Indian.

[5] Of the 50 survey Respondents in Madison, 62 percent is Male, and 38 percent is Female. The ratio of Males to Females in Madison is 1.6 to 1. There are almost two Males to every Female in Madison. Of the 50 survey Respondents in D.C., 62 percent is Females, and 38 percent is Males. The ratio of Male to Female, of course, is the same however, with contrasting interpretation. There are almost two Females to every Male in D.C. The survey confirms a historical fact that at least since World War II, there are twice as many Females in D.C. as Males.

[6] Smith, Steven K., Steadman, Greg W., Minton, Todd D., Townsend, Meg, Criminal Victimization and Perceptions of Community Safety in 12 Cities, 1998, U.S. Department of Justice, Bureau of Justice Statistics, and Office of Community Oriented Policing Services. However, the population statistics for Madison, Wisconsin include Respondents 16 years of age, or older, whereas the instant study Respondents are 18 years of age, or older.

[7] Forty-two percent of the Madison Respondents are Protestants; 16 percent is Catholic; 8 percent is Jewish; and 34 percent is of the "Other" religion. Sixty-six percent of the D.C. Respondents are Protestants; 12 percent is Catholic; and 22 percent is of the "Other" religion.

[8] The mean age of the Respondents in Madison is approximately 46 years of age, the median is approximately 43 years of age, and the mode is bimodal, 40 years of age,

and 55 years of age. The smallest value of 40 years is shown. The ages of the Respondents in D.C. have a mean of approximately 47 years of age, and a median of approximately 47. The mode is 28 years of age. The age range is 66 for Madison Respondents, and 65 for D.C. Respondents. Both survey samples reflect a minimum age of 18 years, and a maximum age in the early 80s: a maximum age of 84 years for Respondents in Madison, and a maximum age of 83 years for D.C. Respondents.

[9] The marital status of Madison Respondents is 44 percent is married. The marital status of D.C. Respondents is 42 percent is married. Forty-two percent of Madison Respondents are single. Thirty-four percent of D.C. Respondents are single. Ten percent of Madison Respondents are divorced. Ten percent of D.C. Respondents are divorced. Four percent of Madison Respondents are widowed. Fourteen percent of D.C. Respondents are widowed.

[10] Madison Respondents

The variable Dependents of Madison Respondents reflects that 24 percent of the 50 Madison Respondents have dependents. The Madison Respondents included all of their dependent children, regardless of their age.

Of this 24 percent, ten percent have one dependent, ten percent have two dependents, and four percent have three dependents. The range in age is 39, the mean age is almost 10 years, the median age is eight years, and the mode is multiple: 6, 7 and 10. The statistics, however, reflect the smallest value of 6. The surveyor did not ask but only assumed that the dependents well over the majority age could possibly be either physically or mentally disabled.

Of the 24 percent of Madison Respondents who have dependents, approximately 67 percent believe concealed weapons detectors technology should be delivered immediately into the hands of our police officers; 33 percent believe it should not.

Of all Madison Respondents with dependents, 75 percent would forfeit their Constitutional right in favor of the use of the new Concealed Weapons Detection Technology.

Approximately 42 percent of the Madison Respondents with dependents feel that the use of concealed weapons detectors would infringe on their Constitutional right, whereas 58 percent believe it would not. However, of those

Madison Respondents with dependents who believe that Concealed Weapons Detection Technology use would infringe on their Fourth Amendment right, 60 percent would forfeit that Constitutional right.

One hundred percent of the Madison Respondents with teenage dependents believe that Concealed Weapons Detection Technology would infringe on their Constitutional right. However, 100 percent would forfeit their Constitutional right for the use of Concealed Weapons Detection Technology.

Seventy-six percent of Madison Respondents are without dependents. Approximately 66 percent of all Madison Respondents without dependents would forfeit their Constitutional right for Concealed Weapons Detection Technology use. Forty-seven percent of the Madison Respondents without dependents believe that Concealed Weapons Detection Technology use would infringe on their Constitutional right. However, 50 percent of the Madison Respondents who believe that Concealed Weapons Detection Technology use would infringe on their Constitutional right, would forfeit that right.

D.C. Respondents

Twenty-eight percent of all D.C. Respondents have dependents. The D.C. Respondents' dependents included children only 20 years of age or younger.

Of this 28 percent, 18 percent have one dependent, 8 percent have two dependents, and 2 percent have five dependents. The range in age is 19, the mean age is 9 years, the median age is approximately 8 years, and the mode is multiple: 2, 5 and 15. The statistics, however, reflect the smallest value, 2.

Fifty percent of the D.C. Respondents with dependents would forfeit their Constitutional right for the use of concealed weapons detectors. Of all D.C. Respondents with dependents, approximately 57 percent believe the use of the new Concealed Weapons Detection Technology would infringe on their Constitutional right, and, approximately 43 percent believe it would not. Of those D.C. Respondents with dependents who believe that Concealed Weapons Detection Technology would infringe on their Constitutional right, approximately 38 percent would forfeit that Constitutional right in favor of the use of the new Concealed Weapons Detection Technology. Approximately 62 percent would not. Moreover, approximately 93 percent of

the D.C. Respondents with dependents believe that Concealed Weapons Detection Technology should be delivered immediately into the hands of police officers, whereas 7 percent do not.

Fifty percent of all D.C. Respondents with teenage dependents would forfeit their Constitutional right for the use of the new Concealed Weapons Detection Technology. Seventy-five percent of the D.C. Respondents with teenage dependents believe the new Concealed Weapons Detection Technology would infringe on their Constitutional right. Of that 75 percent, approximately 33 percent would forfeit that Constitutional right.

Seventy-two percent of all D.C. Respondents are without dependents. Approximately 58 percent of the D.C. Respondents without dependents would forfeit their Constitutional right for the new Concealed Weapons Detection Technology use. Approximately 51 percent of all D.C. Respondents without dependents believe that Concealed Weapons Detection Technology use would infringe on their Constitutional right. However, 100 percent of the D.C. Respondents without dependents who believe that Concealed Weapons Detection Technology use would infringe on their Constitutional right, would forfeit that right.

[11] The samples of both Madison and D.C. represent well-educated populations. Eighty-four percent of the Respondents surveyed in Madison have at least some college education. Sixteen percent of the Madison Respondents have an education of high school or less. Seventy-six percent of the Respondents surveyed in D.C. have at least some college education. Twenty-four percent of D.C. Respondents have an education of high school or less.

[12] Forty-two percent of Madison Respondents are white-collar workers. Twenty-six percent is blue-collar workers. Thirty-two percent is students, unemployed, retired, or housewives. Fifty-four percent of D.C. Respondents are white-collar workers. Six percent is blue-collar workers. Forty percent is students, unemployed, retired, or housewives.

[13] The yearly income for Madison Respondents represents an "N" of 33 Respondents for 66 percent. The mean yearly income of those Madison Respondents is approximately $53,000.00; the median is $40,000.00. The yearly income mode for Madison is $20,000.00, although in actuality a bimodal, which includes $50,000.00. The range is

approximately $190,000.00, with the minimum of $60,000.00, and the maximum of $250,000.00. The remaining 17 for 34 percent of the Madison Respondents are either students, retirees, unemployed, or housewives. This category is excluded from the analysis in the study inasmuch as 0, no income, is used to represent yearly income earned.

The yearly income "N" for D.C. Respondents is 30 for 60 percent. The mean yearly income of D.C. Respondents is approximately $42,000.00; the median and mode are $50,000.00. The range is $86,000.00, with the minimum of $9,000.00, and the maximum of $95,000.00. The remaining 20 for 40 percent of the D.C. Respondents are either students, retired, unemployed, or housewives. Again, this category is excluded from the analysis in the study inasmuch as 0, no income, represent yearly income earned. To include the large number of Respondents in both Madison and D.C., who are in the student, retired, unemployed, and housewife category would, of course, grossly askew the results.

[14] Victimization included either personal, property, or personal and property crimes. These terms were analyzed and used interchangeably in the study with the terms misdemeanor crime and felony crime.

[15] MADISON

Forty-four percent of all Madison Respondents self-report at least one crime committed against them. Of that 36 percent, 73 percent self-report at least one misdemeanor crime 18 percent self-report at least one felony crime, and 9 percent self-report at least one misdemeanor and felony crime committed against them.

Of the 73 percent of Madison Respondents who self-report victimization of at least one misdemeanor crime, the most frequent time reported by 22 percent of the variable "last time victimized," is eight years ago. The next most frequent time last victimized by approximately 17 percent of the Madison Respondents is two years ago. The percent of misdemeanor crimes self-reported were burglary, reported by 50 percent, car vandalism reported by approximately 33 percent, property vandalism reported by 11 percent, and petty theft reported by approximately 6 percent of the Madison Respondents. Sixty-four percent of all Madison Respondents were not victims of misdemeanor crimes.

The statistics are somewhat different for Madison self-reported felony victimization. Forty-four percent of all Madison Respondents self-report victimization. Twelve

percent of Madison Respondents self-report at least one felony victimization. Of this 12 percent, the variable "the time period last victimized" the most frequent times reported was equally reported by approximately 17 percent of the Madison Respondents: four years, five years, nine years, ten years, 13 years, and 17 years ago.

The felony crimes reported were assault and battery, fraud, grand theft, and robbery. Thirty-three percent of the Madison Respondents report being victims of robbery, 33 percent reported grand theft, approximately 17 percent reported assault and battery, and approximately 17 percent reported fraud. Approximately nine percent of all Madison Respondents were victims of both misdemeanor and felony crimes. Eighty-eight percent of all Madison Respondents self-report no felony crime victimization.

D.C.

Thirty percent of D.C. Respondents self-report victimization of at least one misdemeanor crime. Of those Respondents who reported misdemeanor crime victimization, as "the last time victimized" the most frequent times reported by 20 percent of the Respondents were less than a year ago, and 20 years ago. The misdemeanor crimes reported were simple assault, by 20 percent of the Respondents, battery, reported by almost 7 percent, theft reported by 60 percent, and vandalism reported by 13 percent of the Respondents. Seventy percent of D.C. Respondents self-report no misdemeanor victimization.

The frequencies are somewhat comparable for Madison and D.C. self-reported felony victimization. Twenty-six percent of D.C. Respondents self-report at least one felony victimization. Of that 26 percent, "the last time victimized" most frequently reported by 23 percent was less than one year ago. The felony crimes reported by the D.C. Respondents were armed robbery by approximately 8 percent, assault and battery by approximately 8 percent, rape reported by 8 percent, attempted rape by approximately 8 percent, burglary reported by approximately 31 percent, forgery by approximately 8 percent, armed car jacking by approximately 7 percent, aggravated assault and armed robbery, each reported by approximately 15 percent, and grand theft reported by approximately 7 percent. Forty-two percent of all D.C. Respondents self-report victimization of both misdemeanor and felony crime. Seventy-four percent of D.C. Respondents self-report no felony victimization.

MADISON

Twelve percent of the Madison Respondents report family member misdemeanor victimization. Of the 12 percent reporting family member misdemeanor victimization, 83 percent of Madison Respondents report one family member misdemeanor victimization, and approximately 17 percent report 3 family members. The most frequent last time a family member was the victim of a misdemeanor crime was ten years ago as reported by 33 percent of the Madison Respondents. The misdemeanor crimes the Madison Respondents reported committed against family members were petty theft by approximately 83 percent, and burglary/theft by 17 percent of the Respondents.

Twenty-two percent of Madison Respondents report family member felony crime victimization. Of the 22 percent reporting family member felony victimization, 55 percent of the Respondents report that at least once a felony crime was committed against a family member. Eighteen percent report at least twice a family member had a felony crime committed against them. Eighteen percent report at least three times a felony crime had been committed against a family members. Nine percent reports that at least ten times a family member had been a victim of a felony crime.

The most frequent last time a family member was a felony victim was two years ago, as reported by approximately 18 percent of the Madison Respondents. The 18 percent report the crimes committed against family members was robbery, assault, rape, and assault and battery. Nine percent of the Madison Respondents report each of the felony crimes committed against family member: robbery/fraud, drive-by shooting, and grand theft.

D.C.

Eighteen percent of D.C. Respondents report at least one family member misdemeanor crime victimization. The most frequent periods each reported by approximately 22 percent of the Respondents when a family member was last victimized are one year and two years ago. The misdemeanor crimes committed against family members as reported by D.C. Respondents are petty theft by approximately 56 percent, vandalism by approximately 22 percent, and simple assault by approximately 22 percent.

Twenty-two percent of D.C. Respondents report at least one family member felony victimization. The most frequent responses by approximately 27 percent of the D.C.

Respondents for each last time family member victimized are less than one year, and two years ago.

Of the 22 percent of the D.C. Respondents who report family member felony crime victimization, approximately 18.2 percent report murder, approximately 18.2 percent report grand theft, and approximately 18.1 percent report breaking and entering. Approximately 9.1 percent of the D.C. Respondents report family member felony crimes as aggravated assault, armed robbery/murder, grand theft/aggravated assault, armed carjacking, and kidnapping.

[17] A misdemeanor crime was defined in the survey as: A misdemeanor is a minor crime punishable by a fine, penalty, or imprisonment for less than a year in a city jail. For the purpose of this survey, misdemeanor will not include traffic violations.

[18] A felony crime was defined in the survey as: A felony is a serious crime punishable by death or imprisonment in a state or federal prison for more than a year.

[19] When questioned as to whether in their opinion using the new Concealed Weapons Detection Technology would be an infringement on their Constitutional rights, specifically, their Fourth Amendment right to be free from unreasonable searches and seizures, 46 percent of Madison Respondents responded, "Yes," and 54 percent responded "No."

When asked this same question, the D.C. Respondents answered "Yes," 52 percent of the time, and 48 percent answered, "No."

When questioned hypothetically, "If use of the new Concealed Weapons Detection Technology is an infringement upon their Constitutional right, and, in fact, found legally to be an unreasonable search and seizure, would they be willing to forfeit that right only for the purpose of police officers' use," 68 percent of Madison Respondents answered, "Yes," and 32 percent responded, "No."

When asked the same question, the D.C. Respondents answered "Yes," 56 percent of the time, and 44 percent responded "No."

[20] When questioned as to whether delivering the new Concealed Weapons Detection Technology immediately into the hands of law enforcement officers would help fight crime and violence, 80 percent of the Madison Respondents

reported in the affirmative and 20 percent answered in the negative. In response to this same question, the D.C. Respondents answered in the affirmative 84 percent of the time, and 16 percent responded in the negative.

[21] The term "located" was explained to the Respondents to mean either stationary placement of a concealed weapons detector, or wherever a police officer could be located, carrying a concealed weapons detector.

[22] Ninety percent of Madison Respondents want detectors located in airports. The location Courthouse was selected by 84 percent of the Madison Respondents. Subways and subway stations were locations wanted by 82 percent. Eighty percent of Madison Respondents want concealed weapons detectors located on trains, and in train stations. Seventy-eight percent of the Respondents in Madison want detectors located in banks, in high schools, in bus depots, and on travel buses. Seventy percent of the Madison Respondents would like to have concealed weapons detectors located in youth-oriented places. Madison Respondents 62 percent of the time want detectors located in elementary schools.

Sixty percent of the Madison Respondents selected putting detectors on college campuses. Fifty-eight percent of the Respondents want concealed weapons detectors located in bars and nightclubs. Madison Respondents 52 percent of the time want all stores and shopping malls to have detectors. The movie theatre was a location selected to place concealed weapons detectors by 48 percent of the Respondents in Madison. Public libraries were selected for placement of detectors by 44 percent of Madison Respondents. Forty percent of the Madison Respondents believe that concealed weapons detectors should be located in health spas and in restaurants. Thirty-four percent of Madison Respondents want concealed weapons detectors located in churches and other religious institutions. Two percent of Madison Respondents want concealed weapons detectors located in high crime areas only.

The D.C. Respondents want the new concealed weapons detectors, 84 percent of the time, located in high schools. Eighty percent of D.C. Respondents want the detectors located in airports. Seventy-eight percent of D.C. Respondents believe concealed weapons detectors should be located in Courthouses, on trains, and in train stations. Seventy-four percent of the D.C. Respondents want concealed weapons detectors located in banks, on travel buses, and in

bus depots. Seventy percent believe the detectors should be located on subways, and in subway stations. Sixty-six percent of the D.C. Respondents believe the new concealed weapons detectors should be located on college campuses, on subways, in subway stations, and in bars and nightclubs. Sixty-four percent of the D.C. Respondents believe detectors should be located in youth-oriented places. Sixty-two percent of the D.C. Respondents believe detectors should be located in elementary schools. Fifty-eight percent of the D.C. Respondents believe detectors should be located in movie theatres. The category Public libraries was selected by 54 percent of D.C. Respondents to locate concealed weapons detectors.

Fifty-two percent of the D.C. Respondents believe the detectors should be located in all stores and shopping malls. Forty-six percent of D.C. Respondents believe detectors should be located in churches and other religious institutions. Forty-two percent of the D.C. Respondents believe that concealed weapons detectors should be located in restaurants. Thirty-six percent of D.C. Respondents want concealed weapons detectors located in health spas. Six percent of the D.C. Respondents believe concealed weapons detectors should be located in high crime areas only.

Madison and D.C. Respondents do not believe crime occurs in high crime areas, only. The choice "high crime areas only" is the only category to receive a single digit response. Only two percent of Madison Respondents selected this category as a reason to forfeit their Constitutional right. Six percent of the D.C. Respondents selected this category.

[23] The study was taken pre-September 11, 2001. Nevertheless, an overwhelming 85% of the study Respondents would want CWDT located in airports.

[24] Youth-oriented places were described to the Madison and D.C. Respondents as any place where teenager individuals have a tendency to frequent.

[25] The results of this particular question surprised the surveyor. The surveyor asked several of the Madison Respondents why such a high response for churches. The surveyor was informed that of late, there had been a rash of church crimes.

[26] Madison Respondents opined 30 percent of the time that individual votes initiated by referendum, per State, should have control. Twenty-eight percent believed that the Federal Government should have control. Twenty-six percent stated that the State Government should have control. Sixteen percent indicated that the Courts should have control, on a case-by-case basis.

The D.C. Respondents opined 36 percent of the time that individual votes initiated by referendum, per State, should have control. Thirty-two percent stated that the Federal Government should have control. Twelve percent indicated that the State Government should have control. Twelve percent believed that the Courts should have control, on a case-by-case basis. Eight percent of the D.C. Respondents stated they had no preference of who should have control.

[27] MADISON

Thirty-two percent of all Madison Respondents report fear of some type of victimization, either personal, property, or personal and property crimes. Of that 32 percent, approximately 6 percent fear personal crime, 6 percent fear property crime, and 20 percent fear both property and personal crime. However, 24 percent of all Madison Respondents fear personal crime, 26 percent fear property crime, and 18 percent fear both personal and property crime victimization.

Of the 32 percent of Madison Respondents who fear some type of crime, approximately 71 percent believe concealed weapons should be immediately delivered to, and used by law enforcement officers, 47 percent believe concealed weapons detectors do not infringe on their constitution right, and approximately 71 percent would forfeit their Constitutional right to permit the use of the new Concealed Weapons Detection Technology.

Forty-two percent of the Madison Respondents who fear crime believe Concealed Weapons Detection Technology should be delivered immediately to police officers even though they believe it would infringe on their Constitutional right. Of the 42 percent of Madison Respondents who have been victimized and believe Concealed Weapons Detection Technology should be delivered immediately to police officers even if it infringes on their Constitutional right, 60 percent would be willing to forfeit that Constitutional right.

Sixty-eight percent of Madison Respondents do not fear crime. Of the 68 percent of Madison Respondents who do not fear crime, approximately 85 percent believe Concealed Weapons Detection Technology should be delivered immediately for police officers' use. Approximately 42 percent of the 68 percent of Madison Respondents do not fear crime and believe Concealed Weapons Detection Technology infringes on their Constitutional rights. However, of those Madison Respondents who do not fear crime, approximately 64 percent would be willing to forfeit that Constitutional right in favor of police officer use of the new Concealed Weapons Detection Technology.

Of the Madison Respondents reporting misdemeanor victimization, approximately 53 percent would forfeit their Constitutional right to permit police officers to use the new Concealed Weapons Detection Technology. Approximately 46 percent of the felony victims of the Madison Respondents would forfeit their Constitutional right to permit police officers to use the new Concealed Weapons Detection Technology. Of the Madison Respondents who had been victimized by both misdemeanor and felony crimes, approximately 43 percent of them would forfeit their Constitutional right to permit police officers to use the new Concealed Weapons Detection Technology.

These results support the earlier studies that found that people who were victimized were more willing to accept cutting-edge solutions to eliminate crime in their neighborhood, city, and the nation. The study found that this theory applied only to Madison victims of misdemeanor crimes. One solution acceptable in the study is the use of the new Concealed Weapons Detection Technology. The frequencies from the study, however, do not support the theory that fear of crime increases with victimization. Alternatively, the study does support the thesis that the question of whether fear of crime does or does not increase with prior victimization is still an illusory one. As stated previously, 44 percent of all Madison Respondents have been victims of crime. Approximately 18 percent of those Madison Respondents fear crime. Of the 56 percent of Madison Respondents who have not been victimized, approximately 43 percent fear crime. Obviously, these percents do not support the consensus of previous research studies that high fear of crime increases with prior victimization. Perhaps an explanation for this lack of support is the fact that Madison residents generally do not experience high incidents of violent crimes.

D.C.

Fifty-two percent of D.C. Respondents report fear of some type of victimization, either personal, property, or personal and property. Forty-eight percent report no fear of crime. Of the 52 percent who report fear, approximately 23 percent fear personal crime, approximately 12 percent fear property crime, and approximately 65 percent fear both property and personal crime.

Fifty-two percent of D.C. Respondents fear some type of victimization, either personal, property, or personal and property crimes. Of that 52 percent, approximately 27 percent fear personal crime, 12 percent fear property crime, and 61 percent fear both property and personal crime. Of the 52 percent of the D.C. Respondents who fear crime, approximately 92 percent believe concealed weapons should be immediately delivered to and used by law enforcement officials. Approximately 8 percent do not. Approximately 58 percent of the D.C. Respondents who fear crime are of the opinion that using the new Concealed Weapons Detection Technology would infringe on their Constitutional right. Approximately 42 percent of the D.C. Respondents who fear crime do not believe Concealed Weapons Detection Technology infringes on their constitution right.

Of all D.C. Respondents who fear crime of some type, personal, or property, or personal and property crimes, approximately 69 percent would forfeit their Constitutional right to permit police officer to use the new Concealed Weapons Detection Technology. D.C. Respondents who fear crime and believe Concealed Weapons Detection Technology do infringe on their Constitutional right, approximately 35 percent would be willing to forfeit that Constitutional right. Of the D.C. Respondents who do not fear crime and believe Concealed Weapons Detection Technology would infringe on their Constitutional right, approximately 23 percent would be willing to forfeit that Constitutional right.

Of all D.C. Respondents who have been previously victimized, approximately 30 percent have been a victim at least once of a misdemeanor crime, approximately 26 percent of the Respondents had been a victim at least once of a felony crime, and approximately 42 percent have been victims of at least one misdemeanor and felony crime. Of all misdemeanor victims, approximately 53 percent of the D.C. Respondents would forfeit their Constitutional right to permit police officers to use the new Concealed Weapons Detection Technology. Approximately 46 percent of the

felony victims of the D.C. Respondents would forfeit their Constitutional right to permit police officers to use the new Concealed Weapons Detection Technology. D.C. Respondents who had been victimized by both misdemeanor and felony crime, approximately 43 percent of them would forfeit their Constitutional right to permit police officers to use the new Concealed Weapons Detection Technology.

Of the 42 percent of D.C. Respondents who have been a victim of crime, approximately 61 percent fear crime. Of the 58 percent of D.C. Respondents who have not been previously victimized, approximately 40 percent fear crime. The statistics for the D.C. Respondents support the consensus of previous research studies that high fear of crime increases with prior victimization. This portion of the study also supports conclusions found in prior studies that people fear specific crimes, as opposed to fearing crime, generally.

The D.C. Respondents who report victimization were more likely to forfeit their Constitutional right than those who were never victimized. Specifically, when asked whether they would forfeit their Constitutional right to prevent property crime and violence, 89 percent of D.C. Respondents said they would forfeit their right. This is contradictory to the 52 percent of D.C. Respondents who fear some type of crime and only 69 percent would forfeit their Constitutional right.

[28] Of all Madison Respondents, 36 percent report fear of crime for a family member. Those Respondents who fear family member victimization, approximately 61 percent of.

[29] For a discussion on these fears, see, Chiricos, Ted, Michael Hogan, and March Gertz, 1987. Racial Composition of Neighborhood and Fear of Crime. Criminology 35:107-31.

[30] FACTORS OF FEAR

Age

The Respondents for both Madison and D.C. identified the age range they most fear. The age range categories presented in years in the study are 4 to 14, 15 to 25, 26 to 36, 37 to 47, and 48 and over.

Of the 32 percent of the Madison Respondents who fear some type of victimization, 61 percent who fear personal victimization fear the age range of 15 to 25 years, and approximately 31 percent of the Respondents fear the age

range of 26 to 36 years. The age range least feared by approximately 8 percent is the age range 48 years and older. Only one Respondents reported this last age range. As this researcher noted, at the time of the survey, the Respondents had within just days experienced personal crime victimization by someone close to the family.

The age range most feared by 54 percent of the Madison Respondents who fear property victimization is the age range of 15 to 25 years. The only other age range feared by 46 percent of the Madison Respondents is the age range of 26 to 36 years.

The age range most feared by approximately 65 percent of the D.C. Respondents who fear personal victimization is the age range of 15 to 25 years. Twenty-nine percent the Respondents most fear the age range of 26 to 36 years. Approximately 6 percent of the D.C. Respondents fear the age range of 37 to 47 years.

The age range most feared by 60 percent of the D.C. Respondents who fear property victimization is the age range of 15 to 25 years. The only other age range feared by 40 percent of the Respondents is the age range of 26 to 36 years.

Time of Day

The Madison and D.C. Respondents who fear victimization were asked to identify the time of day they most fear victimization for themselves. The times of day from which to select was morning, afternoon, evening, past midnight, and any time of the day or night.

The more frequent time of day selected by approximately 62 percent of the Madison Respondents is past midnight. Twenty-three percent reported they are most fearful in the evening, and 15 percent reported they are most fearful in the morning.

The more frequent time of day selected by approximately 65 percent of the D.C. Respondents is evening. Approximately 19 percent of the D.C. Respondents are most fearful past midnight, approximately 8 percent most fear morning, and almost 4 percent most fear both afternoon, and anytime of the day or night.

Crime Most Feared

The Respondents of Madison and D.C. were asked to rank the crime they fear most for themselves from 1 to 13 with 1

representing the crime they fear the most and 13 the crime they fear the least. The crime categories the study provided are murder, robbery, burglary, rape, assault, carjacking, and drive-by shooting. These main categories had subcategories of the crime being committed with or without a concealed weapon. An example would be a category of murder, and the subcategories would be with a concealed weapon, or without a concealed weapon. Both Madison and D.C. Respondents selected the subcategory, crime committed with a concealed weapon.

The crime most feared by 32 percent of Madison Respondents was murder with a concealed weapon. The crime most feared by 29 percent of D.C. Respondents was robbery with a concealed weapon.

Where Fearful Of Victimization

Madison and D.C. Respondents were asked to indicate whether they were fearful of victimization in various locations. These locations include: high crime areas only, their home, their neighborhood, airports, bus depots, on travel buses, as opposed to city buses, in train stations, on trains, in subway stations, on subways, in youth-oriented places, in courthouses, in movie theatres, in restaurants, in bars and night clubs, in all stores, in banks, in health spas, in elementary schools, in high schools, on college campuses, in churches and other religious institutions, in public libraries, on their job, and in parking lots. Less than 30 percent of all Madison Respondents report fear in any one particular location. In sharp contrast, 80 percent of the D.C. Respondents reported fear in one particular location. The most feared location for Madison Respondents (28 percent) was in their neighborhood. The most feared location for D.C. Respondents (80 percent) is in high schools.

[31] Smith, Steven K., Steadman, Greg W., Minton, Todd D., Townsend, Meg, Criminal Victimization and Perceptions of Community Safety in 12 Cities, 1998, U.S. Department of Justice, Bureau of Justice Statistics, and Office of Community Oriented Policing Services. The population statistics for Madison, Wisconsin include Respondents 16 years of age, or older.

[32] Scholars generalize that fear is a multidimensional concept; that there are various dimensions of the concept of fear and components of fear that need to be theoretically and empirically distinguished. Specifically, two components of fear being a cognitive or risk perception

component, and an emotion or "being afraid" component. People being people, respond in different ways to crime and fear of crime.

Some reports find that some individuals may avoid particular places at particular times; some may purchase protective equipment such as burglar alarm systems, and deadbolt locks; some may form neighborhood crime watch groups or coalitions against crime; some may modify their daily routines and lifestyles; and some may change their living arrangements, and mode or method of transportation (DuBow, McCabe, and Kaplan 1979). For other persons, crime and fear of crime may have no discernible impact on their "affective states," or "behavior" (DuBow, McCabe, and Kaplan 1979). (Benson, P. R. (1981), Biderman, A. D., Johnson, L. A., McIntyre, J., & Weir, A. (1967), Bordua, D. J. & Tifft, L. L. (1971), Dean, D. (1980), Frank, J., Brandl, S. G., Cullen, F. T., & Stichman, A. (1996), Greene, J. R., & Decker, S. H. (1989)).

[33] (Rountree (1998); Braungart, Braungart, and Hayer (1980); Miethe (1995), Clarke & Lewis (1982), Stafford & Galle (1984), Cohen, L. & Felson, M. (1979), Garofalo, J. (1981), Greene, J. R. & Decker, S. H. (1979), Lewis, D. A., & Salem, G. (1986), Loftin, C., & McDowall, D. (1981)).

[34] The study showed people respond in different ways to crime and fear of crime. One article "When Rights Are Wrong" espoused a premise which may be applicable to the appropriateness of citizens voting into law by referendum official police use of Concealed Weapons Detection Technology. This article stated that perhaps citizens' democratic participation was a healthy thing. (Meares, Tracey L. & Dan M. Kahan (1999), Agnew, R. S. (1985), Balkan, S. (1979), Cohen, L. & Felson, M. (1979), DuBow, F., McCabe, E., & Kaplan, G. (1979)).

[35] Sociologists, psychologists, and criminologists have reported fear of crime as an empirical predictor of human behavior. Social research scholars believe once a person experiences being a violent crime victim, that person begins to fear many types of criminal victimization. (Rountree, 1998; Garofalo, 1979). Studies have surmised that greater trauma may create a greater spillover effect, that violent victimization is often more traumatic than less confrontational property victimization, that violent victimization may be more likely to lead to heightened perceptions of neighborhood disorder, which in turn increases fear of any crime, including crimes other than

the violent crime one has already experienced. (LaGrange & Ferraro, (1989), Lebowitz (1975), Lewis & Maxfield, (1980), Lewis & Salem, (1986), Warr, M. (1984), Sales, E., Baum, M., & Shore, B. (1983)).

[36] Rountree (1998), Braungart, Braungart, & Hayer (1980), Miethe (1995), Clarke & Lewis (1982), Stafford & Galle (1984), Taylor, R. B., & Covington, J. (1993), Smith, L. H., & Hill, G. D. (1991), Lavrakas, P. J. (1982)). However, if the Concealed Weapons Detection Technology law is to depend upon precedent citizenry initiated law, such as the Chicago curfew ordinance of 1992, it may never become law. The Chicago curfew law was designed to restrict known gang members from congregating on street corners and other public ways. Although it appears that carefully considered guidelines accompanied the ordinance, the ordinance was struck down for arbitrary and, or discriminatory enforcement.

This law was struck down, despite the fact that the ordinance was reportedly successful in decreasing crime. Perhaps that would be the fate of the new Concealed Weapons Detection Technology.

[37] E.A. Stanko, Women, Crime and Fear, Annals of the American Academy of Political and Social Science, Vol. 539, May 1995. T.D. Miethe, Fear and Withdrawal From Urban Life, Annals of the American Academy of Political and Social Science, Vol. 539, May 1995. Florida Department of Juvenile Justice, Bureau of Data and Research, Fear of Crime & Related Perceptions in Florida - *1997*, Research Digest, Issue 23, July 1998. E. Madriz, Nothing Bad Happens to Good Girls: Fear of Crime in Women's Lives, University of California Press, Berkeley, California, 1997.

[38] The results of the study indicate that of all Madison Respondents who would forfeit their Constitutional right, approximately 52 percent is Male, and 48 percent is Female. It appears that the Madison Male Respondents are more likely to forfeit their Constitutional right than Female Respondents until one looks at the other side of the picture.

Observing within the genders, all Madison Female Respondents, 84 percent would forfeit their Constitutional right, and 16 percent would not. Of the Male Madison Respondents, 55 percent would forfeit their right, and 45 percent would not. In this instance, Females in Madison are more likely to forfeit their Constitutional right than

are Madison Males. In either instance, the null hypothesis is rejected.

Of all D.C. Respondents who would forfeit their Constitutional right, approximately 36 percent is Male, and 64 percent is Female. The null hypothesis is rejected. Females are more likely to forfeit their Constitutional right than Males. Even within the genders, of all D.C. Female Respondents, 58 percent would forfeit their Constitutional right, and 42 percent would not. Of all D.C. Male Respondents, 53 percent would forfeit their right, and 47 percent would not. The null hypothesis remains rejected. The D.C. Females are more likely to forfeit their Constitutional right than are the Males.

[39] The U.S. Department of Justice, Bureau of Justice Statistics in 1995 reported that statistics indicate that African-American households were much more likely than Anglo-American households were to indicate crime was a neighborhood problem. In 1995, 2.5 times as many African-American households found crime was a problem, however, the difference was not nearly as large for actual victimization.

The report indicated that 27% of African-American households experienced one or more crimes, compared to 23% of Anglo-American households. See also, Chiricos, Ted, Michael Hogan, and March Gertz, 1987. Racial Composition of Neighborhood and Fear of Crime. Criminology 35:107-31.

[40] In contradiction to the study, the Florida study reported that a high fear of crime was more common among younger Respondents aged 18 to 24 (20.4%), and less common for older Respondents 65 years of age and older (12.9%). However, other research studies have reported as the study reports, the elderly self-report being more fearful than younger individuals (Rountree 1998; Braungart, Braungart, and Hayer 1980; Miethe 1995; Clarke and Lewis 1982; Stafford and Galle 1984).

[41] Some empirical models of fear of crime included as a predictor, perceived level of crime in the neighborhood. The studies report that locale had an impact on fear of crime. Grabosky 1995; Rountree 1998). The more crime perceived in the neighborhood, the more fear. Chiricos, Ted, Michael Hogan, and March Gertz, 1987. Racial Composition of Neighborhood and Fear of Crime. Criminology 35:107-31.

[42] Rountree, 1998; Garofalo, 1979.

[43] Rountree 1998; Braungart, Braungart, and Hayer 1980; Miethe 1995; Clarke and Lewis 1982; Stafford and Galle 1984.

[44] Id.

[45] One consensus among recent and earlier research studies is the fact that high fear of crime decreases with income (Rountree 1998; Braungart, Braungart, and Hayer 1980; Miethe 1995; Clarke and Lewis 1982; Stafford and Galle 1984).

[46] In the study, almost 42 percent of Madison Respondents of high to middle income of $30,000 or more would forfeit their Constitutional right. Fifty-eight percent of Madison Respondents of low income of less than $30,000 would forfeit their Constitutional right.

Forty-seven percent of D.C. Respondents of high to middle income of $30,000 or more would forfeit their Constitutional right. Approximately 53 percent of D.C. Respondents of low income of less than $30,000 would forfeit their Constitutional right.

The null hypothesis is not rejected. Low-income Respondents would forfeit their Constitutional right more likely than high to middle income Respondents. Individually, both Madison Respondents and D.C. Respondents of low income would forfeit their Constitutional right more often than Madison Respondents and D.C. Respondents of high to middle income.

[47] Rountree 1998; Braungart, Braungart, and Hayer 1980; Miethe 1995; Clarke and Lewis 1982; Stafford and Galle 1984.

[48] Of all Madison Respondents, 80 percent believe Concealed Weapons Detection Technology should be delivered immediately into the hands of our police officers, whereas 20 percent believe it should not. Sixty-eight percent of all Madison Respondents would forfeit their Constitutional right for the use of Concealed Weapons Detection Technology. Forty-six percent of all Madison Respondents believe the use of Concealed Weapons Detection Technology infringes on their Constitutional right. However, of that 46 percent who believe the new Concealed Weapons Detection

Technology infringes on their Constitutional right, 52 percent would forfeit that right.

Of all D.C. Respondents, 84 percent believe Concealed Weapons Detection Technology should be delivered immediately into the hands of our police officers, whereas 16 percent believe it should not. Fifty-two percent of all D.C. Respondents believe the use of Concealed Weapons Detection Technology infringes on their Constitutional right. Fifty-six percent of all D.C. Respondents would forfeit their Constitutional right for the use of concealed weapons six percent of all D.C. Respondents would forfeit their Constitutional right for the use of Concealed Weapons Detection Technology. However, of that 52 percent who believe the new Concealed Weapons Detection Technology infringes on their Constitutional right, 46 percent would forfeit that right.

[49] T.D. Miethe, Fear and Withdrawal From Urban Life, Annals of the American Academy of Political and Social Science, Vol. 539, May 1995, pp. 14-27.

[50] Balkan, S. (1979), Baumer, T.L. (1978), (1985), Gordon, M. & Riger, S. (1991), Young, V. D. (1992), Valentine, G. (1989), Smith, M. D. (1988), Stanko, E. A. (1988), (1992), (1995)).

[51] Id.

[52] Jacobs, H. (1971), Parker, K. D. (1988), Ortega, S. T. & Myles, J. L. (1987), Skogan, W. (1995).

[53] Akers, R. L., LaGreca, A. J., Sellers, C., & Cochran, J. (1987), Atunes, G., Cook, F., Cook, T., & Skogan, W. (1977), Baldassare, M. (1986), Braungart, M. M., Brungart, R. G., & Hoyer, W. J. (1980), Clemente, F. & Kleiman, M. B. (1977), LaGrange, R. L. & Ferraro, K. F. (1987), (1988), (1989), Lebowitz, B. D. (1975).

[54] Will, J. A. & McGrath, J. H. (1995), White, M., Stanislav, V. K., Zahner, G. E. P., Will, J. C. (1987), Taylor, R. B. & Covington, J. (1993), Smith, B. L. & Huff, C. R. (1982), Skogan, (1986), Lavrakas, P. J. (1982), Lewis, D. A. & Maxfield, M. (1980), Maxfield, M. G. (1984), Merry, S. E. (1980), Miethe, T. D., (1995).

[55] Balkan, S. (1979), Biderman, A. D., Johnson, L. A., McIntyre, J. & Weir, A. (1967), Ennis, P. H., (1967), Garofalo, J. (1979), Hindelang, M. J., Gottfredson, M. R.,

& Garofalo, J. (1978), Ollenberger, J. (1981), Moeller, G. L. (1989).

[56] Roundtree (1998), Braungart, Braungart, and Hayer (1980), Miethe (1995), Clarke and Lewis (1982), Stafford and Galle 1984), Hagen, J. (1972).

[57] Cook, P. J. (1980), Garofalo, J. (1981), Lewis, D. A. & Salem, G. (1986), Quinney, R. (1977), Reiss, A. J., Jr. (1967), Wilson, J. G. (1968).

[58] Grabosky 1995; Rountree 1998; Garofalo & Laub, 1978; Garofalo, 1979; Hindelang, Gottfredson, & Garofalo, 1978.

CHAPTER V. CONCLUSIONS

In conclusion, prior research studies have shown that crime does affect fear, and fear causes people to feel trapped, helpless, and oppressed. These studies report that fear-related feelings of apprehensiveness and helplessness could cause people to do desperate things in an attempt to alleviate their fears. Doing desperate things might include a neighborhood community voluntarily permitting police officers to search their home without official warrants. In a Chicago community, police officers were permitted into any home in a particular community to look for a suspect if they thought the suspect was hiding within that community[1]. Acts such as this could be considered by most as drastic in nature. However, for a Chicago community ridden with violent crimes and shootings, such an extreme act was desirable, and acceptable. The community voted upon this action and it was accepted. It was the community's act as a proactive measure hoping to deter further crimes of violence in the community.

The extreme act this study identifies as a premise--voluntary forfeiture of a Constitutional right to permit the use of the new Concealed Weapons Detection Technology--may be considered extreme by some, and actually considered appropriate action by others, given the crime rate in the Nation, and especially in the wake of September 11, 2001.

The newly oppressed and insurgent face of the Nation versus putting into operation, possibly unconstitutional but effective, new Concealed Weapons Detection Technology may be the Litmus test set by Justice Marshall over a decade ago.

In a 1989 Court case, Justice Marshall argued that "grave threats to liberty often come in times of urgency, when Constitutional rights seem too extravagant to endure[2]." A credible statement could be made that the Nation is now experiencing such a state of urgency like never before--a criminal terrorist urgency. However, before September 11, 2001, a credible urgency was the high crime rate in the Nation, highlighting the fear of violence faced each day by children at their schools. Both of these urgencies were created with illegally concealed weapons that were used to administer terror to the innocent.

The measure identified in this study may be considered an extreme proactive measure, however, befitting the urgency anguished by Justice Marshall in Skinner[3]. The drastic measure identified in the study--the voluntary willingness of people to forfeit a Constitutional right--is specific to one of the more precious Constitutional rights--the Fourth Amendment right to be free from unreasonable searches and seizures. The voluntary forfeiture addressed in the study was limited to, for the specific purpose of

police officer use of the CWDT to control crime and terrorism in their Cities, and in the Nation, as a whole.

After analyzing the results of the survey responses, it could be inferred that such action would be acceptable and justifiable not only in small communities, but throughout the Nation. The study results indicate that a majority of the Respondents is willing to forfeit voluntarily a Constitutional right. The study results further indicate that the majority of the Respondents are willing to pass initiatives and referendums to legitimize forfeiting their Constitutional right for the use of the new Concealed Weapons Detection Technology. The Respondents report that they would be willing to take this action as a proactive response to violent criminal acts caused by concealed guns and other concealed weapons.

Moreover, the study results reveal that the majority of the Respondents is of the opinion that the Concealed Weapons Detection Technology could be identified as a deterrent, and a solution to decreasing the growing violence caused by concealed guns and other concealed weapons in schools in Cities all over the Nation. The results of this study were further interpreted and reveal that Concealed Weapons Detection Technology could aid in quashing accusations of police profiling and police

brutality, and in preventing mistaken shootings of unarmed suspects by police officers.

These positive factors alone are formidable enough to warrant worthy recognition of the scientific development of the new Concealed Weapons Detection Technology, and what the new CWDT could contribute to criminology and all humanity. Promoting more responsible policing and creating police-community cohesion, notably so in high-crime areas, are also laudable potential utilities of the new Concealed Weapons Detection Technology.

One important given premise of this study is that every citizen of this Nation is guaranteed privacy rights protected under the Fourth Amendment of the United States Constitution. Another equally important premise of this study, which was tested in the study, is the importance of determining whether the new Concealed Weapons Detection Technology would, if utilized by police officers, violate the rights of the people protected by the Fourth Amendment. The study reflects by a small majority (51%) of the Respondents' opinions that the use of the new Concealed Weapons Detection Technology would not violate that privacy right. Albeit, even if the new CWDT were found to violate a person's privacy rights, the majority of the Respondents were willing to voluntarily forfeit those rights.

The study analyzes the hypothetical balancing test, weighing the benefits of police officer use of the new Concealed Weapons Detection Technology, against the perceived criminal harms that would ensue daily if the new Concealed Weapons Detection Technology were not utilized by police officers. The study reflects that the scale tips heavily in favor of using Concealed Weapons Detection Technology; that the benefits outweigh the potential harm. Ultimately, according to the study survey responses, the majority of the Respondents indicate that they would vote by referendum if necessary to permit the voluntary forfeiture of their Fourth Amendment right in favor of the use of the new Concealed Weapons Detection Technology by police officers. The majority of the Respondents believe such use would aid in creating a sense of freedom from crime, violence, and terrorism in the minds of the public.

Generally, it could be inferred that the general public also would believe that far more good than harm would be evidenced from the use of the new Concealed Weapons Detection Technology.

Some of the potential positive effects of Concealed Weapons Detection Technology espoused in the study are: it could save lives; prevent violence; quell outcries of police brutality and racial profiling; permit more feelings of personal safety for self and family members; encourage a

more cohesive existence between police officers and their respective communities; and prevent violence from terrorism.

Some of the potential negative effects are: the possibility of searching an innocent person; the possibility of "over searching," that is, searching too many people with minimum cause; and the possibility of violating people's Fourth Amendment rights, albeit it harmlessly, given the nature of a CWDT search.

It is publicly revealed through mass media reporting that there are no schools "too good" to be insulated from outbreaks of violence within its confines. Consequently, teachers would probably feel safer in their classrooms if they did not have to fear that students may be carrying concealed weapons, and try to identify which students may be or may not be carrying a concealed weapon. Teachers would probably be able to avoid that fear of an imminent outbreak of violence.

The study results indicate a majority desire by the Respondents to place this new Concealed Weapons Detection Technology in all schools. This majority was of the opinion that this placement of the new Concealed Weapons Detection Technology would be invaluable to the personal safety of teachers, students, and the staff. If police officers presently assigned to patrol schools were equipped

with the new Concealed Weapons Detection Technology, school children, faculty, staff, parents, police officers, the Nation-at-large possibly would have far less reason to fear another Columbine High School massacre. This new CWDT could be used in schools as a normal staple in other Countries as well. Such Countries could include Germany[4].

Research studies identify fear as a great oppressor, and fear generally is not conducive to learning. One could generalize that fear does not stimulate academic success in children. Thus, it could be hypothesized that fear may be a relevant contributing factor in test scores. If this premise is true, theoretically, it could be said that it could explain a certain Community's poor scoring on yearly, mandatory, academic achievement tests, in comparison to another Community's good scoring on the same academic achievement tests. This theory could be especially revealing if Community One were identified as a high crime-rate community, and Community Two were identified as a low-crime-rate community.

This subject is a valuable research project the author of this study would like to conduct. The study would entail employing, and publishing, such as during a school's general assembly, the use of the new CWDT in Community One(a), and employing a placebo, rumors only of employing the new CWDT in Community One(b). Both Communities could

be located in high crime areas. After a year's time, the mandatory test scores would be compared from the previous year. Both test scores would be compared to Community Two(a) where the CWDT would be located and its capabilities published, and to Community Two(b) where only the placebo is placed, the rumors. Both schools would be located in low-crime-rate school areas. Analyses would be conducted for combinations of within and without each of the subject test areas, and include pre- and post tests.

Being mindful of the Columbine High School tragedy, as well as other school tragedies that followed, the study strongly indicates that it would be reasonable to immediately equip police officers with the new Concealed Weapons Detection Technology identified in the study. Further, the study results could be interpreted to infer that it would not be unreasonable to equip responsible public school officials with the new Concealed Weapons Detection Technology. It appears, as discussed in the study, State laws and case law now permit such action.

The survey results strongly reflect that a positive solution to end tragedies of violent crime and terrorism caused by concealed weapons is permitting the use of the new Concealed Weapons Detection Technology. To reiterate, the new Concealed Weapons Detection Technology solution has many possibilities. To name a few: it could reconcile the

cry for the right to bear arms espoused by the National Rifle Association; it could protect unarmed suspects from accidental shootings by police officers; it could protect the public streets; it could prevent further school killings; and, inter alia, it could prevent future hijackings and further terrorism.

Many forums, especially airports[5], could be equipped with the new Concealed Weapons Detection Technology. The new Concealed Weapons Detection Technology could detect just the type of concealed weapons used on September 11, 2001--box cutters, as well as, inter alia, guns, knives, plastic explosives, drugs, and other contraband. Other forums to be equipped with the new CWDT could include: Law Enforcement Departments, State and Federal; school officials; and the military, particularly during the time of war. The new Concealed Weapons Detection Technology also has international potential. It could be hypothesized that the new Concealed Weapons Detection Technology could have aided the military in Vietnam, the schools in the United States and in Germany, and even the people of Israel.

The media has reported many incidents of the United States military in Vietnam not knowing the difference between a friend, or foe. If the military had been equipped with the new Concealed Weapons Detection

Technology in Vietnam, perhaps any unfamiliar person who approached the military in Vietnam could have been silently searched within only seconds, at a distance of up to 12 feet, and quickly alerted to defend against any concealed weapons. The new Concealed Weapons Detection Technology has the utility of detecting concealed weaponry such as strapped on explosives, including plastic explosive, even if worn under layers of clothing.

Moreover, international regions such as the Middle East, where ferocious battles presently ensue, could greatly benefit from the new Concealed Weapons Detection Technology. For instance, the new Concealed Weapons Detection Technology could be used as proactive technology to defend against suicide bombers, who enter public places wearing concealed explosives under layers of clothing. Potentially hundreds of innocent lives especially those killed and mutilated by suicide bombers strapped with explosives could be saved. The utility of the new Concealed Weapons Detection Technology was designed specifically to include detecting such plastic explosives as those specifically used in Vietnam and in the Middle East.

The engaging of the new Concealed Weapons Detection Technology, with its potential proactive purposes, is limited only by the imagination of the real Peacekeepers of

the World. There is no millennium more appropriate for the development and implementation of the new Concealed Weapons Detection Technology than the millennium of 2002, in which it is being demonstrated that the past is the present, and the future is now.

Information generated by this study validates opinions held by professionals in the field regarding the prevalence of fear of crime and expected human behavior in response thereto. However, the response of voluntarily forfeiting a Constitutional right, specifically a Fourth Amendment right to permit the use by police officers of the new Concealed Weapons Detection Technology warrants further investigation. Consequently, the author would like to repeat the analysis of this study in a more analytically sophisticated manner. Measures of association such as Lambda would be utilized to calculate between nominal-level independent and dependent variables and the Chi-Square statistic and Tukey's B to test for statistically significant differences between groups (e.g. men and women) and among groups (e.g. Caucasians, Blacks, etc.). The analyses would include interval level dependent variables such as number of victimizations, and analysis of variance would be employed to test for statistically significant (p-value of ≤ 0.05) differences between groups. Tests would be conducted to correct for possible biases introduced by

the fact that some household had multiple telephone lines and multiple eligibles, and for over- and under-representation of selected demographic subgroups, possibly using weighted data. Multivariate analysis would be conducted because so many of the significant variables are probably inter-related, such as age, race, education, etc.

ENDNOTES

[1] Meares, Tracey L. and Dan M. Kahan. When Rights Are Wrong, Chicago's Paradox of Unwanted Rights, The Boston Review, May 1999: pp. _. The article encouraged citizens to exercise their right to present an initiative of referendums to express how they wish to be policed. A Chicago Housing Association passed an ordinance that was supported by the majority residence of a crime-infested community.

[2] See Skinner v. Railway Labor Executives' Association, 489 U.S. 602, 635 (1989) (Marshall, J., dissenting).

[3] Id.

[4] In late April of 2002, in Erfurt, Germany, a former student went on a rampage at the Johann Gutenberg School and massacred 16 victims--killing 13 teachers, 2 students, and one police officer, before turning the gun on himself.

[5] The vast majority of Respondents believe that the new Concealed Weapons Detection Technology should be located in airports and on airplanes. This study was conducted before September 11, 2001, and even at that time, terrorism was one of the highest fear factors of the study.

DEPARTMENT OF CRIMINOLOGY AND CRIMINAL JUSTICE
THE UNIVERSITY OF MARYLAND
COLLEGE PARK, MARYLAND

A SURVEY
CONCEALED WEAPONS DETECTION TECHNOLOGY

THE PURPOSE OF THIS SURVEY IS TO QUESTION WHETHER THE GENERAL PUBLIC WOULD BE WILLING TO VOLUNTARILY FORFEIT A CONSTITUTIONAL RIGHT IF THEY THOUGHT DOING SO WOULD PREVENT CRIME, AND IF SO, TO WHAT DEGREE WOULD CRIME HAVE TO BE PREVENTED: GREATLY, MODERATELY, OR MODESTLY? PARTICIPATING IN THIS SURVEY SHOULD BE OF NO RISK TO YOU, AND, ALTHOUGH THERE ARE NO IMMEDIATE, DIRECT BENEFITS TO YOU, ULTIMATELY, IT IS HOPED THAT THIS SURVEY WILL BE OF VALUE IN PROMOTING NEW CRIME PREVENTION TECHNOLOGY IN THE UNITED STATES.

YOU MAY ACCEPT OR DECLINE TO PARTICIPATE IN THIS STUDY. ALL INFORMATION PROVIDED IN THIS SURVEY IS STRICTLY CONFIDENTIAL, AND WILL BE USED FOR RESEARCH PURPOSES, ONLY. NAMES, OR ANY OTHER IDENTIFIABLE INFORMATION WILL NOT BE REQUESTED OF PARTICIPANTS. A RECORD WILL BE MADE OF HOUSEHOLD TELEPHONE NUMBERS, ONLY. TO MAINTAIN AN ANONYMOUS STATUS FOR PARTICIPANTS, TELEPHONE NUMBERS RANDOMLY SELECTED WILL BE WRITTEN DOWN WITHOUT NAMES. THE INTERVIEWER WILL PLACE THOSE WRITTEN TELEPHONE NUMBERS IN A CONTAINER, AND RANDOMLY DRAW PARTICIPANTS, THEREFROM. TELEPHONE CALLS WILL BE MADE RANDOMLY TO HOUSEHOLDS WITHIN THE DISTRICT OF COLUMBIA, AND MADISON, WISCONSIN.

YOU MAY STOP PARTICIPATING IN THE SURVEY AT ANY TIME, OR SKIP ANY QUESTIONS YOU DO NOT WISH TO ANSWER. HOWEVER, BECAUSE THIS IS AN EXTREMELY IMPORTANT STUDY, YOU ARE ENCOURAGED TO PLEASE FULLY COMPLETE THE SURVEY.

THE SUCCESS OF THIS STUDY DEPENDS SOLELY ON YOUR TRUTHFULNESS. PLEASE ASK QUESTIONS AT ANY TIME DURING THE SURVEY. ANYTHING YOU DO NOT UNDERSTAND, PLEASE ASK FOR CLARIFICATION FROM THE INTERVIEWER.

THANK YOU FOR YOUR FULL COOPERATION. WE WILL NOW BEGIN THE SURVEY.

PLEASE CHECK (✓), OR SUPPLY THE APPROPRIATE RESPONSE FOR EACH QUESTION.

1. WHAT IS YOUR AGE? _____

2. WHAT IS YOUR SEX?

   MALE _____
   FEMALE _____

3. WHAT IS YOUR MARITAL STATUS?

   MARRIED _____
   SINGLE _____
   DIVORCED _____
   WIDOWED _____

4. HOW MANY DEPENDENTS DO YOU HAVE? _____
   (IF 0, PLEASE GO TO QUESTION 6)

5. WHAT IS THE AGE OF YOUR DEPENDENT(S)?

_____, _____, _____, _____,

6. WHAT IS YOUR RACE?

   BLACK _____
   CAUCASIAN _____
   LATINO _____
   ASIAN _____
   NATIVE INDIAN _____
   OTHER _____

7. WHAT IS YOUR EDUCATION?

   HIGH SCHOOL OR LESS _____
   SOME COLLEGE _____
   COLLEGE GRADUATE _____
   GRADUATE OR PROFESSIONAL _____

8. WHAT IS YOUR PROFESSION?

_____

9. WHAT IS YOUR YEARLY INCOME?

_____

10. WHAT IS YOUR RELIGION?

PROTESTANT _____
CATHOLIC _____
JEWISH _____
OTHER _____

MISDEMEANOR: A MISDEMEANOR IS A MINOR CRIME PUNISHABLE BY A FINE, PENALTY, OR IMPRISONMENT FOR LESS THAN A YEAR IN A CITY JAIL. FOR THE PURPOSE OF THIS SURVEY, MISDEMEANOR WILL NOT INCLUDE TRAFFIC VIOLATIONS.

FELONY: A FELONY IS A SERIOUS CRIME PUNISHABLE BY DEATH, OR IMPRISONMENT IN A STATE OR FEDERAL PRISON FOR MORE THAN A YEAR.

11. WERE YOU EVER A VICTIM OF A MISDEMEANOR CRIME?

YES _____
NO _____

IF NO, PLEASE GO TO QUESTION 15. IF YES:

12. HOW MANY TIMES WERE YOU A VICTIM OF A MISDEMEANOR CRIME?

_____

13. HOW LONG AGO WERE YOU LAST A VICTIM OF A MISDEMEANOR CRIME?

_____

14. WHAT WAS THE MISDEMEANOR CRIME(S) COMMITTED?

_____, _____, _____, _____

15. WAS A FAMILY MEMBER EVER A VICTIM OF A MISDEMEANOR CRIME?

YES _____
NO _____

IF NO, PLEASE GO TO QUESTION 19. IF YES:

16. HOW MANY FAMILY MEMBERS WERE A VICTIM OF A MISDEMEANOR CRIME?

_____

17. HOW LONG AGO WAS THE LAST TIME A FAMILY MEMBER(S) WAS A VICTIM OF A MISDEMEANOR CRIME?

_____

18. WHAT WAS THE MISDEMEANOR CRIME COMMITTED AGAINST A FAMILY MEMBER(S)?

_____, _____,
_____

19. WERE YOU EVER A VICTIM OF A FELONY CRIME?

YES _____
NO _____

IF NO, PLEASE GO TO QUESTION 23. IF YES:

20. HOW MANY TIMES WERE YOU THE VICTIM OF A FELONY CRIME?

_____

21. HOW LONG AGO WERE YOU LAST A VICTIM OF A FELONY CRIME?

_____

22. WHAT WAS THE FELONY CRIME COMMITTED?

_____, _____,
_____, _____

23. WAS A FAMILY MEMBER(S) EVER A VICTIM OF A FELONY CRIME?

YES _____
NO _____

IF NO, PLEASE GO TO QUESTION 27. IF YES:

24. HOW MANY TIMES WAS YOUR FAMILY MEMBER(S) A VICTIM OF A FELONY CRIME?

_____

25. HOW LONG AGO WAS THE LAST TIME A FAMILY MEMBER(S) WAS A VICTIM OF A FELONY CRIME?

_____

26. WHAT WAS THE FELONY CRIME OF WHICH YOUR FAMILY MEMBER(S) WAS A VICTIM?

_____, _____,
_____

THE FOLLOWING DEFINITION OF CONCEALED WEAPONS IS BEING USED FOR THE PURPOSE OF THIS SURVEY.

CONCEALED WEAPONS: A CONCEALED WEAPON IS A GUN, KNIFE, OR ANY OBJECT OR INSTRUMENT INTENDED TO BE USED, AND COULD BE USED BY ONE INDIVIDUAL TO HARM OR THREATEN TO HARM ANOTHER INDIVIDUAL.

IN A SERIOUS EFFORT TO PREVENT CRIME AND VIOLENCE, GOVERNMENT IS SPONSORING THE DEVELOPMENT OF TECHNOLOGY WHICH WILL DETECT CONCEALED WEAPONS ON THE HUMAN BODY.

THE PURPOSE OF THIS CONCEALED WEAPONS TECHNOLOGY IS TO BE ABLE TO DETECT CONCEALED WEAPONS BEFORE THEY ARE USED TO COMMIT CRIME AND VIOLENCE. THE NEW TECHNOLOGY WILL BE USED BY LAW ENFORCEMENT OFFICIALS, AND WILL ELIMINATE AN INITIAL HANDS-ON PHYSICAL SEARCH OF A SUSPECT TO DISCOVER ILLEGAL WEAPONS.

THIS TECHNOLOGY WILL INVOLVE SCANNING THE INDIVIDUAL'S FULL-CLOTHED BODY FOR WEAPONS, EXPLOSIVES, DRUGS, AND OTHER CONTRABAND. THE NEW TECHNOLOGY WILL BE ABLE TO DETECT METALLIC AND NONMETALLIC WEAPONS, PLASTIC EXPLOSIVES, DRUGS, AND OTHER CONTRABAND CONCEALED UNDER MULTIPLE LAYERS OF CLOTHING. SOME OF THE NEW TECHNOLOGY OFFERS THE OPPORTUNITY FOR RAPID AND REMOTE, HAND-HELD DETECTION OF CONCEALED WEAPONS OR CONTRABAND AT A DISTANCE OF UP TO 12 FEET.

IF THIS NEW TECHNOLOGY:

1. IS TRULY NONINTRUSIVE WITH MINIMAL RADIATION LEVEL (DOES NOT INVADE THE BODY).

2. DOES NOT REVEAL INTIMATE ANATOMICAL DETAILS (PRIVATE BODY PARTS) OF THE SUBJECT BEING SCANNED,

3. HAS A LOW PROBABILITY OF FALSE ALARMS (OF MAKING MISTAKES),

4. CAN BE USED IN LARGE-GATHERING PLACES SUCH AS SHOPPING MALLS, SCHOOLS, MEETING PLACES, AND AIRPORTS, AND

5. WOULD TAKE APPROXIMATELY THREE (3) SECONDS TO ADMINISTER.

27. IS IT YOUR OPINION THAT DELIVERING THIS TECHNOLOGY IMMEDIATELY INTO THE HANDS OF LAW ENFORCEMENT OFFICIALS WOULD HELP FIGHT CRIME AND VIOLENCE?

YES _____
NO _____

UNDER THE FOURTH AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES, YOU ARE GUARANTEED THE RIGHT TO BE FREE FROM UNREASONABLE SEARCH AND SEIZURES.

28. IS IT YOUR OPINION THAT USING THIS NEW TECHNOLOGY WOULD BE AN INFRINGEMENT ON THAT CONSTITUTIONAL RIGHT?

YES _____
NO _____

29. IS IT YOUR OPINION THAT IF THIS NEW TECHNOLOGY OF DETECTING CONCEALED WEAPONS IS CONSIDERED AN INFRINGEMENT UPON YOUR CONSTITUTIONAL RIGHT, AND FOUND LEGALLY TO BE AN UNREASONABLE SEARCH AND SEIZURE, WOULD YOU BE WILLING TO GIVE UP THAT RIGHT, **FOR THIS PURPOSE ONLY?**

FOR THIS PURPOSE ONLY MEANS PERMITTING LAW ENFORCEMENT OFFICIALS TO USE HANDS-OFF TECHNOLOGY TO DETECT METALLIC AND NONMETALLIC WEAPONS, PLASTIC EXPLOSIVES, DRUGS, AND OTHER CONTRABAND ON SUSPECTS, CONCEALED UNDER MULTIPLE LAYERS OF CLOTHING FOR THE PURPOSE OF PROVIDING PUBLIC SAFETY, AND PREVENTING CRIME AND VIOLENCE.

YES _____
NO _____

IF NO, PLEASE GO DIRECTLY TO QUESTION 31. IF YES:

30. WHY WOULD YOU GIVE UP THIS RIGHT?

	YES	NO
TO FEEL MORE SECURE IN YOUR HOME	_____	_____
TO FEEL MORE SECURE IN YOUR NEIGHBORHOOD	_____	_____
TO FEEL MORE SECURE ON PUBLIC STREETS	_____	_____
TO FEEL MORE SECURE IN PUBLIC PLACES	_____	_____
TO PREVENT PROPERTY CRIME AND VIOLENCE (BURGLARY)	_____	_____
TO DETER DRUG TRAFFICKING	_____	_____
TO PROTECT LAW ENFORCERS FROM HARM	_____	_____
TO DETER GANGS	_____	_____
TO PREVENT RAPES	_____	_____
TO PREVENT MURDERS	_____	_____
TO PREVENT ROBBERIES	_____	_____
TO PREVENT PHYSICAL ASSAULTS	_____	_____
TO PREVENT HIJACKING AND TERRORISM	_____	_____

31. IN YOUR OPINION, IF THIS NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY WERE PERMITTED TO BE USED BY LAW ENFORCEMENT OFFICIALS TODAY, WOULD YOU FEEL MORE SECURE, AND PROTECTED FROM PERSONAL CRIME AND VIOLENCE?

YES _____
NO _____

32. IN YOUR OPINION, IF THIS NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY WERE PERMITTED TO BE USED BY LAW ENFORCEMENT OFFICIALS TODAY, WOULD YOU FEEL MORE SECURE, AND PROTECTED FROM PROPERTY CRIME?

YES _____
NO _____

33. IF WEAPONS DETECTORS ARE PERMITTED, WHERE WOULD YOU WANT WEAPONS DETECTORS LOCATED?

	YES	NO
IN HIGH CRIME AREAS, ONLY	_____	_____
IN AIRPORTS	_____	_____
IN BUS DEPOTS	_____	_____
ON TRAVEL BUSES (AS OPPOSED TO CITY BUSES)	_____	_____
IN TRAIN STATIONS	_____	_____
ON TRAINS	_____	_____
IN SUBWAY STATIONS	_____	_____
ON SUBWAYS	_____	_____
IN YOUTH-ORIENTED PLACES	_____	_____
IN COURTHOUSES	_____	_____
IN MOVIE THEATERS	_____	_____
IN RESTAURANTS	_____	_____
IN BARS AND NIGHT CLUBS	_____	_____
IN ALL STORES	_____	_____
IN BANKS	_____	_____
IN HEALTH SPAS	_____	_____
IN ELEMENTARY SCHOOLS	_____	_____
IN HIGH SCHOOLS	_____	_____
ON COLLEGE CAMPUSES	_____	_____
IN CHURCHES AND OTHER RELIGIOUS INSTITUTIONS	_____	_____
IN PUBLIC LIBRARIES	_____	_____

34. IN YOUR OPINION, IF USING THIS NEW CONCEALED WEAPONS DETECTOR TECHNOLOGY DOES NOT VIOLATE THE PRIVACY RIGHTS OF INDIVIDUALS, WHO DO YOU BELIEVE SHOULD HAVE CONTROL OVER WHEN, WHERE, AND HOW IT IS USED? (PLEASE SELECT ONLY ONE.)

THE FEDERAL GOVERNMENT DECIDES IT USE _____
INDIVIDUAL STATES DECIDE ITS USE _____
INDIVIDUALS DECIDE BY VOTE, PER STATE _____
COURTS DECIDE ON A CASE-BY-CASE BASIS, IF THE ISSUE IS ADJUDICATED _____

FEAR OF CRIME

35. DO YOU FEAR BEING A VICTIM OF CRIME?

PROPERTY CRIME		PERSONAL CRIME	
YES	_____	YES	_____
NO	_____	NO	_____

IF NO, PLEASE GO TO QUESTION 42. IF YES:

36. HOW DO YOU RATE YOUR FEAR OF CRIME?

VERY FEARFUL _____
MODERATELY FEARFUL _____
HARDLY FEARFUL _____

37. WHAT AGE RANGE DO YOU MOST FEAR WILL VICTIMIZE YOU?

4 - 14 _____
15 - 25 _____
26 - 36 _____
37 - 47 _____
48 OR OLDER _____

38. WHAT AGE RANGE DO YOU MOST FEAR OF COMMITTING A PROPERTY CRIME?

4 - 14 _____
15 - 25 _____

26 - 36 _____
37 - 47 _____
48 OR OLDER _____

39. WHAT TIME OF DAY ARE YOU MOST FEARFUL?

MORNING _____
AFTERNOON _____
EVENING _____
AFTER MIDNIGHT _____

40. PLEASE RANK THE CRIME YOU FEAR FOR YOURSELF FROM 1 TO 13, WITH 1 BEING THE CRIME YOU FEAR THE MOST, AND 13 BEING THE CRIME YOU FEAR THE LEAST.

	RANKING
MURDER	_____
MURDER WITH A CONCEALED WEAPON	_____
ROBBERY	_____
ROBBERY WITH A CONCEALED WEAPON	_____
BURGLARY (PROPERTY CRIME)	_____
BURGLARY (PROPERTY CRIME) WITH A CONCEALED WEAPON	_____
RAPE	_____
RAPE WITH A CONCEALED WEAPON	_____
ASSAULT (BEING PHYSICALLY ATTACKED)	_____
ASSAULT WITH A CONCEALED WEAPON	_____
CARJACKING	_____
CARJACKING WITH A CONCEALED WEAPON	_____
DRIVE-BY SHOOTING	_____

41. WHERE ARE YOU FEARFUL?

	YES	**NO**
IN HIGH CRIME AREAS, ONLY	_____	_____
IN YOUR HOME	_____	_____
IN YOUR NEIGHBORHOOD	_____	_____
IN AIRPORTS	_____	_____
IN BUS DEPOTS	_____	_____
ON TRAVEL BUSES (AS OPPOSED TO CITY BUSES)	_____	_____
IN TRAIN STATIONS	_____	_____
ON TRAINS	_____	_____

IN SUBWAY STATIONS	_____	_____
ON SUBWAYS	_____	_____
IN YOUTH-ORIENTED PLACES	_____	_____
IN COURTHOUSES	_____	_____
IN MOVIE THEATERS	_____	_____
IN RESTAURANTS	_____	_____
IN BARS AND NIGHT CLUBS	_____	_____
IN ALL STORES	_____	_____
IN BANKS	_____	_____
IN HEALTH SPAS	_____	_____
IN ELEMENTARY SCHOOLS	_____	_____
IN HIGH SCHOOLS	_____	_____
ON COLLEGE CAMPUSES	_____	_____
IN CHURCHES AND OTHER RELIGIOUS INSTITUTIONS	_____	_____
IN PUBLIC LIBRARIES	_____	_____
ON YOUR JOB	_____	_____
IN PARKING LOTS	_____	_____

42. DO YOU FEAR A FAMILY MEMBER(S) BEING A VICTIM OF CRIME?

YES _____
NO _____

IF NO, PLEASE GO TO THE END OF THE SURVEY.

43. HOW DO YOU RATE YOUR FEAR OF CRIME FOR A FAMILY MEMBER?

VERY FEARFUL _____
MODERATELY FEARFUL _____
HARDLY FEARFUL _____

44. WHAT AGE RANGE DO YOU MOST FEAR WILL VICTIMIZE A FAMILY MEMBER(S)?

4 - 14 _____
15 - 25 _____
26 - 36 _____
37 - 47 _____
48 OR OLDER _____

45. WHAT TIME OF DAY ARE YOU MOST FEARFUL FOR YOUR FAMILY MEMBER(S)?

AFTER MIDNIGHT	_____
EVENING	_____
AFTERNOON	_____
MORNINGS	_____

46, PLEASE RANK THE CRIME YOU FEAR FOR YOUR FAMILY MEMBER(S) FROM 1 TO 13, WITH 1 BEING THE CRIME YOU FEAR THE MOST, AND 13 BEING THE CRIME YOU FEAR THE LEAST.

	RANKING
MURDER	_____
MURDER WITH A CONCEALED WEAPON	_____
ROBBERY	_____
ROBBERY WITH A CONCEALED WEAPON	_____
BURGLARY (PROPERTY CRIME)	_____
BURGLARY (PROPERTY CRIME) WITH A CONCEALED WEAPON	_____
RAPE	_____
RAPE WITH A CONCEALED WEAPON	_____
ASSAULT (BEING PHYSICALLY ATTACKED)	_____
ASSAULT WITH A CONCEALED WEAPON	_____
CARJACKING	_____
CARJACKING WITH A CONCEALED WEAPON	_____
DRIVE-BY SHOOTING	_____

47. WHERE ARE YOU FEARFUL OF YOUR FAMILY MEMBER(S) BEING A VICTIM OF CRIME?

	YES	**NO**
IN HIGH CRIME AREAS, ONLY	_____	_____
IN YOUR HOME	_____	_____
IN YOUR NEIGHBORHOOD	_____	_____
IN HIGH CRIME AREAS, ONLY	_____	_____
IN AIRPORTS	_____	_____
IN BUS DEPOTS	_____	_____
ON TRAVEL BUSES (AS OPPOSED TO CITY BUSES)	_____	_____
IN TRAIN STATIONS	_____	_____
ON TRAINS	_____	_____
IN SUBWAY STATIONS	_____	_____

ON SUBWAYS	_____	_____
IN YOUTH-ORIENTED PLACES	_____	_____
IN COURTHOUSES	_____	_____
IN MOVIE THEATERS	_____	_____
IN RESTAURANTS	_____	_____
IN BARS AND NIGHT CLUBS	_____	_____
IN ALL STORES	_____	_____
IN BANKS	_____	_____
IN HEALTH SPAS	_____	_____
IN ELEMENTARY SCHOOLS	_____	_____
IN HIGH SCHOOLS	_____	_____
ON COLLEGE CAMPUSES	_____	_____
IN CHURCHES AND OTHER RELIGIOUS INSTITUTIONS	_____	_____
IN PUBLIC LIBRARIES	_____	_____
IN PARKING LOTS	_____	_____
ON THEIR JOBS	_____	_____

48. HOW MANY FAMILY MEMBERS DO YOU FEAR MAY BE A CRIME VICTIM?

_____

49. WHICH FAMILY MEMBER(S) DO YOU FEAR BEING THE VICTIM OF A CRIME?

MALE	_____	HOW MANY?	_____
FEMALE	_____	HOW MANY?	_____

50. WHAT IS THE AGE OF THE FAMILY MEMBER(S) YOU FEAR BEING THE VICTIM OF A CRIME?

_____, _____, _____, _____, _____, _____, _____

51. WHAT IS THE RELATIONSHIP TO YOU OF THE FAMILY MEMBER(S) YOU FEAR BEING A VICTIM OF A CRIME?

HUSBAND	_____		
WIFE	_____		
CHILD			
MALE	_____	HOW MANY?	_____
FEMALE	_____	HOW MANY?	_____
MOTHER	_____		
FATHER	_____		
SIBLING			

BROTHER _____ HOW MANY? _____
SISTER _____ HOW MANY? _____
OTHER RELATIVE
MALE _____ HOW MANY? _____
FEMALE _____ HOW MANY? _____

52. IN WHAT AREA DO YOU LIVE?

INNER-CITY _____
SUBURBAN _____
RURAL _____

53. IN WHAT WARD OR DISTRICT DO YOU LIVE? _____

54. HOW SAFE DO YOU RATE YOUR NEIGHBORHOOD?

HIGH CRIME _____
MEDIUM CRIME _____
LOW CRIME _____

55. DO YOU BELIEVE IN CURFEWS FOR ALL MINORS?

YES _____
NO _____

56. IF NO, DO YOU BELIEVE IN CURFEWS FOR MINORS LIVING IN HIGH CRIME AREAS, ONLY?

YES _____
NO _____

IF NO TO BOTH QUESTION 55 AND QUESTION 56, PLEASE GO TO THE END OF THE SURVEY.

57. WHO DO YOU BELIEVE SHOULD BE RESPONSIBLE FOR SETTING CURFEWS?

FEDERAL GOVERNMENT _____
STATE GOVERNMENT _____
CITY GOVERNMENT _____
PARENTS _____

58. DO YOU BELIEVE THAT CURFEW FOR MINORS WOULD ALLEVIATE CRIME IN YOUR NEIGHBORHOOD?

YES _____
NO _____

59. DO YOU BELIEVE THAT CURFEW FOR MINORS WOULD ALLEVIATE CRIME IN YOUR CITY'S HIGH-CRIME AREA?

YES _____
NO _____

60. DO YOU BELIEVE THAT CURFEW FOR MINORS WOULD ALLEVIATE THE HIGH CRIME RATE IN THE NATION?

YES _____
NO _____

YOU HAVE REACHED THE END OF THE SURVEY

THANK YOU VERY MUCH FOR YOUR FULL COOPERATION AND HONESTY WHILE PARTICIPATING IN THIS IMPORTANT RESEARCH.

THE POSSIBILITY OF HOMES BEING WITHOUT TELEPHONES IN BOTH WASHINGTON, D. C. AND MADISON, WISCONSIN WILL BE TAKEN INTO CONSIDERATION AND NOTED IN THE ANALYSES.

A TELEPHONE HOT LINE OR CRISIS LINE WILL BE KEPT AT HAND DURING THE TAKING OF ALL SURVEYS TO PROVIDE FOR ANY RESPONDENT WHO MAY EXPERIENCE TRAUMA AFTER ACKNOWLEDGING VICTIMIZATION: MADISON (608) 251-2345; WASHINGTON, D. C. (202) 387-6775.

1. Passive Millimeter Wave Imaging: This project is under development by Millitech Corporation. This new technology offers the opportunity for rapid and remote detection at a distance of up to 12 feet without a direct physical search. This technology would detect metallic and nonmetallic weapons, plastic explosives, drugs, and other contraband concealed under multiple layers of clothing.

2. Low-Frequency Electromagnetic Radiation: The Raytheon Company is developing this project. This concealed weapons technology involves illuminating an individual with a low-intensity electromagnetic or "Heaviside" pulse and then measuring the time decay of the re-radiated energy from the metal objects carried by the person. The intensity and the time decay of the secondary radiation can be characterized and the "signatures" identified as a gun or non-threatening metal object.

3. Magnetic Gradient Measurements: This concealed weapons detection initiative is being explored by Idaho National Engineering Laboratory utilizing a proven, existing technology used in mineral exploration, environmental characterization, military navigation, and submarine detection. This is a new application of an existing technology--magnetometer sensors. This technology is attempting to construct a more reliable scanner than can be used as a stand-alone unit, much like an airport scanner system, incorporated directly into building doorways or hallways.

4. Low-Level Scattered X-Rays and Computer Image: This technology is under development by Nicolet Imaging Systems of San Diego, California. These technology uses extremely low doses of scattered x-rays, in conjunction with advanced computer image-processing techniques, to detect weapons, explosives, illegal chemicals, and other contraband concealed under a person's clothing.

5. Millimeter-Wave and Long-Wave Infrared Receivers: This technology is a passive approach, which is still

being developed by the Lockheed-Martin Corporation. This technology would use a millimeter-wave receiver and a long-wave infrared receiver, either individually or together to measure the difference in temperature between a concealed weapon and an individuals body. When the two types of receivers are used in tandem and linked with a computer imaging system, it is expected that the probability of detecting a concealed weapon will increase substantially.

6. Radar and Ultrasound: This development is considered an active approach that combines radar and ultrasound, which is being developed by JAYCOR. The system operator would have to be trained to interpret ultrasound images. It is expected that the radar component will be suitable for fixed-site operation, and that the ultrasound component will be suitable for either fixed-site or hand-held use.

7. Low-Frequency Magnetic-Imaging System: The Systems and Processes Engineering Corporation is developing an active-approach technology using a low-frequency magnetic imaging system suitable for fixed-site operation.

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