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American Indian Culture and Research Journal

Title

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Permalink

https://escholarship.org/uc/item/59g55334

Journal

American Indian Culture and Research Journal, 21(2)

ISSN

0161-6463

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Publication Date

1997-03-01

DOI

10.17953

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The Influence of Alcohol Use and Crime Stereotypicality on Culpability Assignment for Native Americans and European Americans

CYNTHIA WILLIS ESQUEDA AND KRISTIN SWANSON

INTRODUCTION

It has been argued that the media holds some responsibility for determining the public's notions about who commits crime and what crimes are committed.¹ Increasingly, the media reports on and portrays minority men in stereotyped criminal roles,² and research projects show an interest in identifying circumstances when racially biased culpability assignment will occur, particularly for African Americans and Hispanics in comparison to European Americans.³

There is a dearth of research on criminal culpability assignment for Native Americans;⁴ however, if educational programs are to dispel stereotypes of Native Americans, the identification of circumstances contributing to biases should be examined.⁵ Consequently, the purpose of this research is to investi-

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gate the influence of alcohol use and stereotyped crime commission on perceptions of culpability for Native American and European American males.

STEREOTYPES

Since early contact European Americans have held negative stereotypes about Native Americans' criminality, including the notion that Native peoples were savage, cruel, and incarnated by the devil. At the same time, early colonists also viewed Native Americans as kind, gentle, productive, and noble.⁶ European American stereotypes of the "good Indian"/"bad Indian" dichotomy were established early.

One of the first United States governmental policies toward Native Americans was extermination, based on the belief that Native Americans were savages, incapable of "civilized" behavior, symbolized in General Philip Sheridan's sentiment, "The only good Indian is a dead Indian."⁷ In popular vernacular, the term *Indian Giver* denotes Native Americans who will steal property that they don't own. Some argue that the stereotype of the "drunken, brawling, and (horse) stealing Indian" is still prevalent.⁸ The media appears to be the primary source of stereotypical impressions of Native Americans held by the majority of non-Natives.⁹ In 1993 a colleague from Great Britain inquired whether Nebraska still had "Indian uprisings." He reported he had formed his impressions of Native Americans from U.S. films and television.

The "bad Indian" and "good Indian" stereotypes are thus still present. The "bad Indian" is perceived to be savage, ignorant, distrustful, suspicious, unreliable, and lazy, whereas the "good Indian" is described as artistic, proud, faithful, noble, and generous.¹⁰ Social psychological research demonstrates that the assignment of people to social categories activates stereotypes and increases biased evaluations,¹¹ and since one of the salient features for social categorization and stereotyping is race, categorization by race results, for example, in different perceptions of behavior as aggressive.¹² Based upon commonly held negative stereotypes of Native Americans, it was hypothesized that European Americans would demonstrate biased criminal culpability assignment, with Native Americans receiving higher culpability ratings compared to European Americans. Indeed, in one study it was found that Native Americans were more likely to receive sentences involving incarceration and less likely to receive sentences that would attenuate the label of "convicted convict" in comparison to European Americans with similar offenses.¹³

ALCOHOL USE AND CRIME

Another pervasive and enduring aspect of the Native American stereotype is alcohol use and drunkenness. Joseph Trimble's assessment of the content of the Native American stereotype over several years pointed out that the term "drunkard" was listed consistently by both Native and non-Native Americans.¹⁴ In a survey of Navajos, Philip May and Matthew Smith found the "drunken Indian" stereotype to be widely accepted;¹⁵ in fact, the image of the chronic "drunken Indian" is integral to the negative Native American stereotype.¹⁶

According to recent statistics, the highest Native American arrest rates do occur for violations of "liquor laws" and "drunkenness."¹⁷ Alcohol use is more frequent in homicide incidents involving Native Americans in Canada than those involving European Americans.¹⁸ In the United States, R. Clyde McCone found that Native Americans in North and South Dakota were frequently arrested for alcohol-related offenses,¹⁹ and there are indications that Native American prison inmates are highly likely to have been intoxicated when committing crimes.²⁰ Over thirty years ago, Omer Stewart argued that if alcohol use among Native Americans were explained, then Native Americans' crime commission would also be understood, as he found that on reservations and in national statistics alcohol was connected to the majority of crimes.²¹

Native Americans' alcohol use fits the negative stereotype and should increase the likelihood of higher crime culpability ratings. Based on attribution theory, Barbara Critchlow has argued that when alcohol use is perceived as chronic, "drinking may come to be seen as focused within the person as a matter of personal choice and character."²² In this case, intoxicated persons will be held more accountable for their actions, and culpability will be attributed to the person rather than the situation. Critchlow failed to find this effect for European American targets; however, a Native American suspect is a member of a group in which chronic alcoholism is part of the negative stereotype, making drinking a perceived reflection of character.²³

In contrast, research indicates that alcohol use can attenuate perceptions of criminal culpability.²⁴ Alcohol use during crime commission can serve to mitigate the responsibility of the person, as the alcohol use is considered the cause of behavior. European Americans have successfully used intoxication as a mitigating circumstance leading to acquittal at trial,²⁵ and parole board members believe alcohol to be an important cause of criminal behavior, rather than inherent individual characteristics, which has led to offenders receiving more lenient sentences when alcohol was used during crime commission.²⁶ Thus, it was hypothesized that alcohol use would produce different culpability assignments for Native Americans as compared to European Americans. While European Americans may benefit from the evidence of alcohol use during crime commission with lowered ratings of culpability, Native Americans' alcohol use may enhance perceptions of culpability.

STEREOTYPES OF CRIME

The type of crime perceived to be committed by specific groups may also influence culpability attributions. Social psychological research has indicated that different crimes are stereotypically associated with different racial groups.²⁷ Racial stereotypes determine expectations of criminal activity, with increased culpability assignment when racial stereotypes of criminality are activated.²⁸ Moreover, increased culpability assignment has been found for African Americans and for Hispanics, when compared to European Americans.²⁹

Several studies have identified embezzlement, as well as white collar crimes in general, as a stereotypical crime for European Americans,³⁰ and European Americans are arrested for embezzlement more frequently than other groups.³¹ Few studies have examined social beliefs about Native Americans and crime commission; however, two studies have identified crime stereotypes for Native Americans, along with other racial or ethnic minorities. European American research participants stereotypically associated shoplifting with Native Americans.³²

Burglary is a nonstereotypical crime for both Native Americans and European Americans;³³ thus, the inclusion of burglary allowed for comparisons based on crime stereotypicality versus a more generalized bias against Native Americans and European Americans. If culpability assignment is more likely when criminality stereotypes are activated, both Native American and European American suspects should receive higher culpability assignment when shoplifting and embezzling, respectively, compared to burglarizing.

Thus, it was anticipated that commission of stereotypical crime while under the influence of alcohol would result in higher culpability ratings for a Native American suspect, due to the influence of a general negative stereotype which includes a chronic "drunken Indian" element, as well as an expectation that shoplifting will be committed. The activation of the negative stereotype may influence the perceived probability of culpability.³⁴ In contrast, it was hypothesized that the European American suspect using alcohol during crime commission would receive lower culpability ratings. When alcohol is used by a European American suspect, the alcohol should be perceived as more responsible for the suspect's crime commission, and culpability ratings will be attenuated. For European Americans, crime stereotypicality becomes irrelevant because alcohol use promotes an attribution that alcohol caused the behavior (external attribution), making the typicality of the crime less important in assigning culpability.

METHOD

Sample Information

Two hundred and eighty-six European American participants (106 males and 180 females) volunteered for the study at a large university. The mean age was nineteen, with a range from eighteen to forty years. The number of minority participants was too small (n = 9) to allow for comparative analyses; thus only European Americans' data were analyzed. The participants' ethnicity was determined by self-report on a demographic questionnaire, included with other materials.

The university is located in Nebraska with a visible Native American population. There are five reservations either within the state (Winnebago and Omaha) or partially within the state (Pine Ridge, Santee, and Ioway-Sauk/Fox). A citywide Indian Center and Indian Health Services are located near campus, although the number of Native American students on campus is small (less than 1 percent) compared to European Americans (87 percent).

Materials and Procedure

Participants were told that the purpose of the research was to assess perceptions of various crimes. Upon arrival for research participation, each participant was randomly provided with a packet containing a demographic questionnaire, an actual Standard Offense Report, and a questionnaire that assessed perceptions of culpability. The Standard Offense Report contained the suspect's demographic information. All suspects were portrayed as either Native American or European American, male, 25 years old, 5' 11" in height, weighing 165 pounds, and with the last name of Rivers. This information was typed in the appropriate sections. All other information (e.g., address, date of birth, case number, reporting officer) was blocked out, as if to protect the actual suspect's identity.

The Standard Offense Report also contained a Narrative Report with an offense description. Again, certain information was blocked out (e.g., case number, date of offense), but the crime label (shoplifting, embezzlement, or burglary) and a crime description was typed onto the report. All crimes reported an equal dollar amount (\$500), and the narratives were approximately equal in length.³⁵

In the shoplifting scenario, the complainant (a store manager) accused the suspect of shoplifting a coat valued at \$500 from a store. Although the manager did not actually witness the coat being taken, the coat was missing after the suspect left the store in a hurry. The suspect claimed to have left hurriedly because he was late for work. In one version, a store clerk reported that the suspect appeared intoxicated while browsing in the store, but in the other version the store clerk made no mention of intoxication.

In the embezzlement scenario, the complainant (a company manager) accused the suspect of misdirecting \$500 from a company into a personal bank account for the suspect's use, while the suspect claimed that the company manager instructed him to deposit the money for the company. In one version the bank teller remembered that the suspect appeared intoxicated when depositing the money, but in the other version the teller makes no mention of intoxication when describing the deposit. The burglary scenario depicts a complainant (a home owner) accusing the suspect of stealing \$500 from his home. The suspect had tried to sell the complainant encylopedias, but the complainant was leaving for a trip to Nevada and asked the suspect to return the following week. After returning from the trip, the complainant found \$500 missing from his home. The suspect claimed to have returned to the house to search for his tie pin after the complainant left. Neither the suspect nor the police found the tie pin. In one version a neighbor reported seeing the suspect—appearing to be intoxicated—looking around the house, while in the other version the neighbor made no mention of intoxication.

Thus, twelve versions of the Standard Offense Report were provided, resulting in a 2 (alcohol: present or absent) X 2 (race: Native American or European American) by 3 (type of crime: shoplifting, embezzlement, or burglary) between-participants design. As contained in versions of the Standard Offense Report, all conditions were represented within each research session.

After reading the offense report, participants completed the questionnaire, which assessed culpability perceptions for the crime. Items on the questionnaire are shown in Table 1. All items were answered on a 1 (*not at all likely*) to 7 (*very likely*) rating scale, except for guilt which was a dichotomous (0 = not guilty, 1 = guilty) measure. The recommended sentence could vary from no sentence being recommended (coded as 0) to incarceration from months (coded in percentages) to years (coded as whole numbers).

The questionnaire also included items that evaluated participants' identification of the correct race, type of crime, and the presence of alcohol use. The items served as manipulation checks for the independent variables, and participants correctly answered all the items.

It was hoped that the stated purpose of the research (perceptions of various crimes) and use of an actual offense report would allay suspicions about the purpose of the research and eliminate biased responding. Participants voiced no suspicions about the stated purpose and could not identify the actual hypotheses. After completion of the culpability questionnaire, participants were debriefed and excused.

FINDINGS

A series of three-way analyses of variance were conducted for each dependent measure, and follow-up tests were conducted using post hoc multiple comparisons of the means. All means, standard deviations, and analysis of variance statistics are contained in the tables.

Guilt/Confidence

In order to provide a more refined measure of guilt, the guilt and confidence in guilt ratings were combined, yielding a guilt/confidence measure that ranged from 1 (not guilty and very confident) to 14 (guilty and very confident).³⁶ As shown in Table 2, a significant main effect for alcohol use indicated that participants had higher guilt/confidence ratings with the presence of alcohol than without alcohol. However, this effect was qualified by an interaction between crime and alcohol. A post hoc comparison indicated that without the presence of alcohol guilt/confidence was higher for the crimes of shoplifting and embezzlement than for burglary, *F* (2, 140) = 3.38, *p* < .04, *MSE* = 14.49. However, there were no statistically significant differences in guilt/confidence between crimes when alcohol was present (*p* = .47).

Recommended Sentence

There was a main effect for type of crime on the recommended sentence (Table 2). Using post hoc multiple comparisons, a lower sentence was recommended for shoplifting than for embezzlement or burglary, but embezzlement and burglary did not differ from each other, F(2, 283) = 8.95, p < .001, MSE = 5.19.

Responsibility

Table 3 provides the significant findings for the responsibility of the suspect measure. As predicted, perceived responsibility of the suspect was higher when alcohol was present compared to when alcohol was not present. There was also an interaction between type of crime and race for perceived responsibility. Post hoc comparisons indicated that no differences in responsibility occurred between crimes when the suspect was European American (p = 57); however, when the suspect was Native American and had shoplifted or embezzled, perceived responsibility was higher than when burglary had been committed, F(2, 143) = 10.46, p < .001, MSE = 3.00.

Seriousness

As seen in Table 4, alcohol use resulted in more perceived seriousness than no alcohol use. No other effects occurred for perceived seriousness.

Likelihood to Recommit the Crime

Table 4 indicates that the type of crime affected the perceived likelihood for the suspect to recommit the crime. A post hoc multiple comparison showed the perceived likelihood to recommit the crime to be higher when the crime was shoplifting than when the crime was embezzlement or burglary, *F* (2, 283) = 4.29, p < .02, *MSE* = 2.40. However, this was qualified by an interaction between alcohol use, race, and type of crime. Means for the interaction are shown in Table 5. Post hoc comparisons indicated that with no alcohol use the European American suspect was thought more likely to recommit shoplifting than the Native American suspect, *F* (1, 46) = 4.63, *p* < .04. No differences emerged in perceptions of likelihood for recommission between Native American and European American suspects for embezzlement, *p* = .97, or burglary, *p* = .66.

A different pattern emerged when alcohol use was present. As predicted, the Native American suspect was perceived as more likely to recommit the stereotypical crime of shoplifting than the European American suspect, F(1, 45) = 5.82, p < .02. There were no differences in perceived likelihood to recommit embezzlement, p = .56, or burglary, p = .96, between the two groups.

Sympathy for the Suspect

As shown in Table 6, more sympathy was reported for the suspect with no alcohol use than with alcohol use. However, this was qualified by an interaction between race and alcohol use that approached significance, p < .08. No differences emerged for the amount of sympathy expressed for the European American suspect using or not using alcohol, p = .60. However, significantly less sympathy was expressed for the Native American suspect who had used alcohol than when he had not used alcohol, F(1, 140) = 7.98, p < .01.

Likelihood the Suspect Had Committed the Crime Before

Table 7 indicates a significant main effect of type of crime on the perceived likelihood that the suspect had committed the crime before. A post hoc comparison indicated that participants perceived the suspect to have been more likely to commit the crime before if the crime was shoplifting, rather than embezzlement or burglary, F (2, 283) = 3.54, p < .03, MSE 2.37. This was qualified by a three-way interaction between alcohol use, race, and type of crime. As shown in Table 7, post hoc comparisons indicated the same pattern as for perceived likelihood to recommit the crime when alcohol was not present. For shoplifting, the European American suspect was considered more likely to have committed the crime before than when the suspect was Native American, F(1, 46) = 18.91, p < .001. No differences emerged in perceptions of likelihood of prior commission between the groups when the crime was embezzlement, p = .20, or burglary, p = .78.

With alcohol present, a trend for the same pattern emerged as for perceived likelihood to recommit the crime. An examination of variability and extreme scores determined that three scores were outliers. These extreme outliers were removed from the post hoc analysis. As shown in Table 7, this resulted in a significant difference in perceived likelihood for prior commission of shoplifting, with Native Americans perceived as more likely to have committed shoplifting before than European Americans, F(1, 42) = 5.28, p < .03. There were no differences in perceived likelihood for prior commission between Native American and European Americans for embezzlement, p = .61, or burglary, p = .17.

Responsibility of Alcohol for Crime Commission

Finally, alcohol's perceived responsibility for the crime commission was measured. An analysis of variance on ratings from conditions with alcohol use (Table 8) indicated that alcohol was thought more responsible for crime commission for the European American suspect than for the Native American suspect.

DISCUSSION

The purpose of this research was to examine the influence of alcohol use and crime stereotypicality on culpability assignment for Native Americans and European Americans. When committing stereotypical crime, it was anticipated that alcohol use would bias culpability attributions for Native Americans, due to the influence of a negative stereotype which includes the chronic "drunken Indian" image. Results confirmed this prediction, in part.

Biased culpability assignment was demonstrated against the Native American suspect in terms of perceived responsibility and sympathy. The Native American suspect was held more responsible when he had committed the stereotypical shoplifting crime, and was also held more responsible for the stereotypical European American crime of embezzlement, compared to burglary. No such differences between crimes emerged for the European American suspect.

In addition, less sympathy was reported for the Native American suspect using alcohol than when not using alcohol. No such sympathy differences emerged for European American suspects based on alcohol use.

As predicted, alcohol use and type of of crime differentially influenced perceptions of the likelihood for prior and future crime commission for Native American and European American suspects. With no alcohol use, European Americans were perceived as more likely to have committed shoplifting in the past and to commit shoplifting in the future, compared to the Native American suspect. Thus, without alcohol use the cause of the European American suspect's shoplifting behavior was perceived to be an internally located feature ("He's done it in the past, he'll do it in the future"), compared to the Native American suspect. This result may be due to the efforts of European American research participants to provide responses that appeared unprejudiced and give the Native American suspect the "benefit of the doubt."³⁷ No such differences emerged for embezzlement or burglary.

As predicted, alcohol use and crime stereotypicality increased culpability ratings for the Native American suspect. Introduction of information about alcohol use reversed the perceptions that occurred with no such use. With alcohol, the Native American suspect was perceived more likely to have committed the stereotypical crime of shoplifting in the past and to commit shoplifting in future, compared to the European American suspect. In contrast to prior research, alcohol use resulted in increased internal attributions when the negative "drunken Indian" stereotype was included.

Alcohol use alone did increase ratings of guilt/confidence, responsibility of the suspect, and perceived seriousness of the crime. However, the use of alcohol benefited the European American suspect in terms of the perceived role that alcohol played in the crime commission. For the European American suspect, alcohol was thought more responsible for the crime commission than when the suspect was Native American. As in previous research, the European American participants were reluctant to assign culpability to internal characteristics of a European American suspect, perhaps due to an ingroup bias, and sought to salvage the character of an ingroup member.³⁸ Future research might examine whether the activation of a particular European American ethnic group's negative stereotype that includes chronic drinking would still result in external attributions for crime commission or produce biased assessments like that for the Native American suspect.

The present findings were based on responses from undergraduates at a Great Plains university; thus, it should be noted that there may be regional differences in the content of the stereotypic categories of and geocultural orientation to Native Americans, limiting the generalizability of the present results. Future research should examine this possibility. However, negative stereotypes of minority groups are based on consensual beliefs that are culturally shared by all members of a society.³⁹ Indeed, university undergraduates have been shown to rely less on negative stereotypes of minority groups than the general public.⁴⁰ Moreover, both Native and non-Native Americans have been shown to endorse the pervasive and enduring stereotype of the "drunken Indian."⁴¹ Native and non-Native Americans believe a number of myths concerning Indian drinking patterns and outcomes.⁴²

The implications of the present findings suggest that Native American suspects may experience biased processing throughout the United States' legal system.⁴³ Stereotypes of Native Americans as well as other minorities are culturally shared consensual beliefs, and therefore actors within the legal system system (i.e., law enforcement officers, attorneys, judges) may be prone to stereotyped perceptions. Since these actors were once university undergraduates, like the participant sample here, the result may suggest biased legal decision-making against Native Americans, particularly against those who are intoxicated.

In part, this might explain the arrest rates of Native Americans, which arguably are the highest of all racial/ethnic groups in the United States.⁴⁴ After arrest, Hall and Simkus suggest that activation of negative stereotypes may lead the courts to categorize Native Americans "as a certain type" and increase culpability attributions and punishment. As evidence of this possiblity, a perceived "bad attitude" has been reported to be an important factor in sentencing Native Americans. The result is biased sentencing of Native Americans in comparison to European Americans.⁴⁵

Finally, future research should determine whether Native Americans share in biased culpability assignment against Native American suspects, based on internalized negative stereotypes.⁴⁶ Westermeyer has posited the opposite—that Native Americans will blame alcohol for deviant behavior (i.e., an external attribution) by an intoxicated Native American.⁴⁷ It is hoped that further investigations into Native American criminal culpability assignment will work to dispel stereotyped expectations and identify other circumstances in which they are activated.

242 AMERICAN INDIAN CULTURE AND RESEARCH JOURNAL

TABLE 1

Questionnaire Items

- 1. In your opinion, was the suspect guilty or not guilty?
- 2. How confident are you of that decision?
- 3. How long a jail sentence would be appropriate for this situation?
- 4. How responsible was the suspect for the incident?
- 5. How serious was the incident?
- 6. How likely is it that the suspect will recommit a similar incident in the future?
- 7. How much sympathy do you have for the suspect?
- 8. How likely is it that a person of the same race and sex would commit this incident?
- 9. How likely is it that the suspect's behavior would only occur in the situation described in the police report?
- 10. How likely is it that the suspect committed acts like this before?
- To what extent was alcohol consumption responsible for the incident's outcome? [Only answered by participants who read the offense report with alcohol present.]

Guilt/Confidence

No Alcohol	Alcohol
7.42	8.80
(3.87)	(3.85)
F = (1, 274) 9.16,	<i>p</i> < .01.

	Shoplifting	Embezzlement	Burglary	
No Alcohol	8.17	7.83	6.27	
	(3.89)	(3.74)	(3.78)	
Alcohol	8.28	8.86	9.26	
	(3.79)	(4.08)	(3.65)	
F (2, 274) = 3	9.62, <i>p</i> < .03.			

Recommended Sentence

Shoplifting	Embezzlement	Burglary
1.12	2.51	1.97
(1.30)	(2.72)	(2.54)
F (2, 274) = 8.	80, <i>p</i> < .001.	

Responsibility

No Alcohol	Alcohol
4.54	5.03
(1.627)	(1.865)
F (1, 274) = 5.77,	р < .02.

	Shoplifting	Embezzlement	Burglary
NA	5.15	5.27	3.81
	(1.83)	(1.53)	(1.81)
EA	4.98	4.88	4.62
	(1.55)	(1.78)	(1.71)
F (2, 274) = 3	.22, <i>p</i> < .05.		

Note: NA = Native American suspect

EA = European American suspect

Seriousness

No Alcohol	Alcohol
4.38	4.78
(1.49)	(1.44)
F = (1, 274) 5.47,	p < .02.

Likelihood to Recommit the Crime

Shoplifting	Embezzlement	Burglary
4.92	4.28	4.45
(1.46)	(1.47)	(1.6 9)
F (2, 274) =4.3	32, <i>p</i> < .01.	

246 AMERICAN INDIAN CULTURE AND RESEARCH JOURNAL

TABLE 5

Likelihood to Recommit the Crime

	No A	o Alcohol Alcohol		hol		
Crime	NA	EA	NA	EA		
Shoplifting	4.33	5.21	5.57	4.58		
	(1.30)	(1.50)	(1.24)	(1.87)		
Embezzlement	4.29	4.30	4.13	4.40		
	(1.55)	(1.06)	(1.72)	(1.53)		
Burglary	4.57	4.32	4.46	4.48		
	(1.23)	(1.95)	(1.35)	(1.65)		
F (2, 274) = 3.73, p	< .03.					

Note: NA = Native American suspect

EA = European American suspect

Sympathy for the Suspect

No Alcohol	Alcohol
3.15	2.66
(1.82)	(1.67)

F = (1, 274) 5.77, p < .02.

	NA	EA
No Alcohol	3.38	2.93
	(1.83)	(1.80)
Alcohol	2.55	2.78
	(1.67)	(1.68)
F (1, 274) = 2.	96, <i>p</i> < .08.	

Note: NA = Native American suspect

EA = European American suspect

Likelihood the Suspect Had Committed the Crime Before

Shoplifting	Embezzlement	Burglary
4.79	4.20	4.53
(1.47)	(1.49)	(1.64)
	00 - 00	

F(2, 274) = 3.68, p < .03.

	No A	No Alcohol		Alcohoł	
Crime	NA	EA	NA	EA	
Shoplifting	3.92	5.42	5.60	4.63	
	(1.28)	(1.10)	(1.44)	(1.61)	
Embezzlement	4.17	4.65	3.88	4.12	
	(1.20)	(1.33)	(1.87)	(1.45)	
Burglary	4.26	4.40	4.42	5.04	
	(1.68)	(1.83)	(1.61)	(1.43)	
F(2, 274) = 4.63, p	< .01.				

Note: NA = Native American suspect

EA = European American suspect

Responsibility of Alcohol for Crime Commission

NA	EA
3.42	4.11
(1.67)	(1.44)

F = (1, 274) 5.92, p < .02.

Note: NA = Native American suspect

EA = European American suspect

NOTES

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