

Crime and Violence

- The nature of crime
- Criminal law and civil law
- Crime rate inaccuracies
- Types of crime and criminals
- Gangs, guns and violent death
- Explanations of crime
- Controlling crime
- Formal Controls
- Social Policy

Crime

- **Crime**-an act or omission of an act for which the state can apply sanctions
- Crime rates often correspond to the economic situation at the time, especially of poor and younger Americans
 - The early 1970s showed a rapid increase in crime, followed by a leveling off in the 1980s and substantial decrease in the 1990s.
 - 1997-1998: 6% drop in serious crimes
 - 14% lower than crime rate in 1994
 - 20% lower than crime rate in 1989
 - 2005-2006: 1.3 increase in serious crimes
- **Crime index**-a set of data on the most serious, frequently occurring crimes; murder and non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson

Criminal and Civil Law

- **Criminal law**-a subdivision of the rules governing society that prohibits certain acts and prescribes punishments to be meted out to violators
 - Officers in urban areas more likely to make an arrest, in suburban areas, more lenient
- **Civil law**-laws that deal with noncriminal acts in which one individual injures another
 - when one party sues the other for liability
- U.S. crime level high
 - Crimes reported to police only 1/3 of actual offenses and about 50% of violent crimes

Police Discretion in Crime

- Chambliss (1973)-Biases of local police can affect their treatment of middle and lower-class delinquents
 - “Saints” and “Roughnecks”
 - Saints-middle-class: had cars to escape their neighborhoods, truant almost everyday, drank, cheated on tests, but were apologetic, respectful of middle-class values
 - Twice stopped by police, nothing on their records
 - Were treated as harmless pranksters
 - Roughnecks-lower-class: confined to their neighborhood, developed a reputation as delinquent, unapologetic, hostile toward police
 - Were labeled by police as dangerous
- Rates of criminality in both groups virtually the same

Crime Rate Inaccuracies

- Because police are assigned to lower-income communities in greater numbers, there is a tendency for police records to show higher crime rates for lower-income areas and underestimate them in more affluent areas
- **Victimization report**-a Census Bureau survey that collects information from a representative sample of crime victims
- Self-reporting techniques indicate that whites and nonwhites have similar rates of criminal activity
- Uniform Crime Reports (UCR) only records crimes that are reported
- Many victims, through fear, ignorance or alienation, do not file police reports
 - Sex-related crimes like rape and child molestation underreported

Types of Crimes and Criminals

- Violent personal crimes-physical injury inflicted or threatened
 - Assault, robbery, homicide.
 - Murder often occurs between acquaintances
 - Guns involved in 70% of murders
 - Robbery usually occurs between strangers
- **Manslaughter**-unlawful killing of a human being without malice aforethought
- **Murder**-unlawful killing of a human being with malice aforethought
 - Most murderers do not have a previous criminal record
 - Most often occur in large cities
 - Most murderers are men, more violent socialization
 - Most murderers and victims of the same race
 - Victim usually family or a close friend
 - Mentally ill murder at same rate as general population
 - Mass murderers usually kill in a fit of spontaneous rage

Types of Crimes and Criminals

- Occasional Property Crimes-vandalism, check forgery, shoplifting
 - Unsophisticated
 - Do not consider themselves criminals
 - Rationalize because they usually steal from a large organization who can replace items easily
- White-collar Crimes-false advertising, price-fixing, violations of labor laws, black-market activities, insider trading
 - not the stereotypical criminal
- **Differential association**-an explanation of crime that holds that criminal behavior is a result of a learning process that occurs chiefly within small, intimate groups that value such behavior
 - Theory of Edwin Sutherland

Types of Crimes and Criminals

- White-collar crimes
- **Embezzlement**-theft from an employer by an employee with privileged access to company finances
 - 13,000 arrests a year
 - Occurs at all levels of business
 - Often not prosecuted
 - Must have a financial problem, opportunity to steal, and rationalization about the act
- **Fraud**-obtaining money or property under false pretenses
 - 200,000 arrests a year
 - All levels of business
 - Crimes through computer technology have increased

Types of Crimes and Criminals

- Corporate crimes-environmental crimes, illegal credit card manipulations
 - Savings and loan scandal of the 1980s, Enron scandal, Tyco, WorldCom
 - Difficult to convict executives of corporate crimes
 - Difficult for juries to understand, defendants can afford best defense
- Public-Order crimes-prostitution, gambling, use of illegal substances, disorderly conduct
 - “victimless crimes”
 - Prostitutes are targeted more often than those soliciting them

Types of Crimes and Criminals

- **Organized crime**-a system in which illegal activities are carried out as part of a rational plan devised by a large organization that is attempting to maximize its overall profit
 - Often involved in drug trafficking, extortion, prostitution, or gambling
 - Supplies goods or services that a large segment of the public wants but cannot obtain legally
 - The Mafia
 - *Loan sharking*-lending money at interest rates above the legal limit, usually to those who can't obtain credit from legitimate sources
- Conventional and Professional Crimes
 - Conventional offenders usually young adults, commit robbery, burglary
 - Criminal techniques not well-developed; think crime does pay
 - Professional offenders dedicated to crime
 - Come from higher social strata

Types of Crimes and Criminals

- Cybercrime-money laundering by organized crime or terrorist groups, identity theft
 - Involves the use of computers and the internet to defraud unsuspecting victims
 - Identity theft-cost American \$9.3 million in last year
- Juvenile delinquency-arrested teens often begin a career in detention centers, where they're introduced to professional crime
 - **Status offense**-an act that is illegal if it performed by a person under 18 years of age (running away)
 - 90,000 runaways were arrested in 2005, 59% females

Types of Crimes and Criminals

- Hate crimes-a crime in which the defendant intentionally selects a victims or property because of the actual or perceived race, color, gender, national origin, ethnicity, disability or sexual orientation of any person
 - Includes acts of intimidation, damage, vandalism, and assault
 - 61% based on race

Gangs, Guns, and Violent Death

- When people arm themselves out of fear or desire for protection, there's also an increased risk of fatalities from accidents
- Number of gang members is actually decreasing, as is the public's perception of gangs as a social problem
- Still, in urban areas of some cities, street gangs account for about half of all homicides
 - Stiffer penalties for gang members, resulting in increases in the prison population may only increase gang activity

Explanations of Crime

- Biological-generally discredited over time
- Lombroso's *criminal atavism*-postulated that criminality is associated with physical characteristics, like sloping forehead, long arms, primitive brain, etc...
- Believed that some people were "born criminals"
- Gender-males 2-5 times more likely to be arrested
- Age-more strongly correlated with criminal behavior than any other factor

Conflict Approach to Study of Crime

- Inequalities of wealth, status, and power the underlying conditions that produce criminal behavior
- Rapid increases in inequality produce increases in crime
 - Disproportionately high percentage of blacks in the lower classes
- Racial profiling is a real problem distinguishing the difference between who is committing crimes and who is questioned
- Equivalent numbers of blacks and whites say they use illegal substances
- Police disproportionately stop and search minorities

Functionalist Approach

- When some members of society accept the goals of society but don't have the means of obtaining them, their adherence to approved norms is likely to be weakened
- **Anomie**-a weakening of the norms that govern acceptable social behavior; a disparity between approved goals and the approved means of obtaining them
 - Achievement of goals vs. means of achievement
 - Robert Merton-anomie, rather than poverty, is a major cause of crime
 - Access to higher education and affordable housing could minimize problem

Interactionist Approach

- Focuses on the processes by which individuals actually internalize the norms that encourage criminality
- Differential Association-criminal behavior is learned from intimate groups, including techniques, values, and motives
 - “Excess of definitions” favorable to breaking the law
- Delinquent Subcultures-working-class gang members form a subculture whose standards they can meet
 - The delinquents consider something right by the standards of their own subculture because it is wrong by the norms of the larger culture

Controlling Crime

- **Social control**-the capacity of a society or social group to regulate itself according to a set of higher moral principles beyond those of self-interest
 - all the ways of teaching the young to conform to its values and norms (e.g.: The Ten Commandments)
 - All the processes by which people define and respond to deviant behavior
 - Ridicule, gossip, laws, police, courts, mental health system, juvenile court
 - Formal as well as informal social control
 - Formal controls include retribution-deterrence, rehabilitation, prevention, and reforms in the criminal-justice system

Formal Controls

- Retribution and deterrence-paying_back the guilty for their misdeeds has been the primary focus of efforts to control crime
 - Correctional system still largely punitive (longer sentences, support for the death penalty) pg. 170
 - Punishment serves to sustain the morale of those who conform
 - Stigma attached to crime, deviance
 - Research shows that death penalty does not deter murderers
 - Murder rate higher than average in states with death penalty (pg.170)
 - The greatest deterrent to crime is a high likelihood of arrest

Formal Controls

- Rehabilitation-usually includes education, training, counseling and work experience
 - Most successful programs are those that try to reintegrate criminals into the work world
 - Work release programs-prisoners are allowed to leave the institution for part of the day or week to work at an outside job
- **Recidivism**-the probability that a former inmate will break the law after release and be arrested again
- Prison system itself is a hindrance to rehabilitation
 - Removes inmates from society's norms and surrounds them with all kinds of criminals
- Rehabilitation is complicated by the large number of organizations and regulations surrounding, especially with juveniles

Formal Controls

- Rehabilitation
- The most common kind of rehabilitation in prisons is work training, including kitchen and janitor work
- The most successful kind of rehabilitative programs are *work release* programs, where prisoners are allowed to leave the institution for part of the day or week to work at an outside job
 - 1. Removes prisoners from the atmosphere of the prison
 - 2. Reimburse state for prisoner costs
 - 3. Prisoners can send money home
- Works toward reintegrating offenders into society

Formal Controls

- Prevention
- Like rehabilitation, hard to implement
- Prevention is defined in three ways:
 - 1. Sum total of all influences that contribute to the development of the non-deviant personality
 - Improved housing, job opportunities could help
 - Most positive results from JobCorps and other education programs
 - 2. Deal with conditions that contribute to delinquency and crime
 - Reduce children's exposure to antisocial/illegal activities (Sutherland)
 - 3. Programs designed to prevent further crime and delinquency
 - Parole, probation, training schools
- Effective community development programs need to approach crime control from within the community, not with outside policing

Arrest and Incarceration

- Because of rising prison populations, many people are questioning aspects of the criminal justice system, including the War on Drugs, three-strikes laws and mandatory sentencing
- **Plea bargaining**-arrangement in which an offender agrees to plead guilty to a lesser charge than that of which he or she was originally accused in return for a lighter sentence
 - Frees courts from costs of jury and trial
- As crime rates have decreased over the past few years, rates of imprisonment have increased
 - U.S. has highest incarceration rate, compared to other democracies
 - 6-8x the rates of some countries (pg. 175)

Social Problems

- Costs of imprisonment are soaring, and alternatives are being looked at
 - Alabama- \$26 a day per prisoner/ \$11 a day per prisoner to intermediate sanctions or community corrections programs
 - Majority of those under community supervision are on probation or parole
- **Probation**-supervision of offenders who have not been sent to prison
- **Parole**-supervision of people who have been released from prison
- Recidivism rates are quite high for those on probation
 - ½ to 1/3 are rearrested

Kinds of Crime and Penalties

- Organized crime-transactions rarely recorded and witnesses rarely come forward, making it hard to prosecute
 - Recently the FBI devoted $\frac{1}{4}$ of its force to combating org. crime
- Public-order and juvenile-accounts for 40% of caseload in courts
 - 200,000 minors a year are diverted to adult courts and prisons
 - Juvenile crime caused by breakdown of social controls (family/community)
- Gun control-Brady Act limited access of felons to handguns and assault rifles
 - Virginia Tech
 - Guns 5x more likely to kill than knives