
Chapter 8: Crime and Criminal Justice

Social Problems in the News

“Wilson St. Residents Stunned by Shooting,” the headline said. A shooting of a toddler in Chattanooga, TN, left a neighbor afraid. At 9:45 p.m. on a Friday night, someone walked up to an apartment and fired a gun through a window. One bullet struck the toddler in the leg, and another bullet struck a 20-year-old male with him in the hand. A neighbor across the hallway heard the shots and later told a reporter, “It scared me, my heart was beating, my hands were shaking. I was nervous and scared, is the baby going to survive. I was stuck on my bed and I was like what am I supposed to do, go see who is at my door or if I open it I might get shot at. I’m worrying about the baby, that’s all I’m worrying about.” Because the 20-year-old victim was a known gang member, police suspected that the incident was related to a drive-by gang shooting that occurred earlier in the evening.

Source: Boatwright, 2011

As this poignant account reminds us, many people across the nation live in fear of crime, and you may know several people, perhaps including yourself, who have been victims of a crime. The study of crime bears directly on this book’s theme of continuity and change: Crime seems to have always been with us, yet sound social science research points to many programs and policies with great promise for reducing crime if only our nation would undertake them. We begin with some conceptual issues in understanding crime before turning to the types of crime, explanations for crime, and some aspects of the criminal justice system.

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Boatwright, M. (2011, March 5). Wilson St. residents stunned by shooting. *WRCB-TV*. Retrieved from <http://www.wrcbtv.com/Global/story.asp?S=14194540>.

8.1 The Problem of Crime

Learning Objectives

1. Understand the extent of public concern about crime.
2. Explain how the news media contribute to myths about crime.
3. Describe how crime in the United States is measured.

Put most simply, crime is behavior that is prohibited by the criminal law because it is considered especially harmful or offensive. This simple definition, however, raises many questions:

- Who decides what is offensive or harmful?
- Are some harmful behaviors not considered crimes, and are some crimes not that harmful?
- Are some people more likely than others to be considered criminals because of their gender, race and ethnicity, social class, age, or other aspect of their social backgrounds?

These questions lie at the heart of the sociological study of deviance, of which crime is a special type. Deviance is behavior that violates social norms and arouses strong social disapproval. This definition reflects the common sociological view that deviance is not a quality of a behavior itself but rather the result of what other people think about the behavior. This view is reflected in an often-cited quote from sociologist Howard S. Becker (1963, p. 9), who wrote several decades ago that “deviance is not a quality of the act the person commits, but rather a consequence of the application by others of rules or sanctions to an ‘offender.’ The deviant is one to whom that label has been successfully applied; deviant behavior is behavior that people so label.”

This definition reminds us that some harmful behaviors, such as white-collar crime, may not be considered deviant and fail to result in severe legal punishment, perhaps because wealthy individuals perform them. It also reminds us that some less harmful behaviors, such as prostitution, may be considered very deviant because the public deems the behavior immoral and because poor people engage in them. As these possibilities suggest, the application of a criminal label to an offender is *problematic*: People arrested and/or convicted of a crime may not have engaged in a very harmful behavior or even in the behavior of which they are suspected, and people with no criminal record have in fact engaged in harmful and even criminal behavior.

Public Concern about Crime

The American public is clearly concerned about crime. Two-thirds of the public said in a 2011 Gallup poll that crime had risen from the previous year. More than a third, 38 percent, said they would be “afraid to walk alone at night” within one mile of their residence; this figure translates to more than 86 million adults. In the same poll,

47 percent (or about 114 million adults) said they worry about their homes being burglarized, and 44 percent said they worry about thefts of or from their motor vehicles. Corresponding figures for other crimes were: experiencing identity theft, 67 percent; getting mugged, 34 percent; getting attacked while driving your car, 19 percent; being sexually assaulted, 22 percent (including 37 percent of women); and getting murdered, 20 percent (among the lowest figures in this list, but one that still amounts to 42 million adults worrying about being murdered).

Although the public is concerned about crime, at least some of this concern might exceed what the facts about crime would justify. For example, although most of the public, as we just noted, thinks the crime rate has been rising, this rate has actually been declining since the early 1990s. And although one-fifth of the public worries about getting murdered, homicides comprise less than one-tenth of 1 percent of all violent and property crime (*street crime*); only about 7 of every 100,000 Americans, or 0.007 percent, are murdered every year; homicide does not rank among the top ten causes of death (which include heart disease and cancer); and the number of homicides is much lower than the number of deaths from harmful behavior by corporations (such as pollution or unsafe products and workplaces). Crime is indeed a real problem, but public concern about crime may be higher than the facts warrant.

Media Myths

To the extent this is true, news media coverage of crime may be partly responsible (Robinson, 2011). For example, if the television news and newspapers suddenly have several stories about a few sensational crimes, public concern about crime may jump, even though crime in general has not risen at all. Similarly, the news media have increased their crime coverage even when crime is falling, as happened during the early 1990s when the major US television networks more than doubled their nightly news stories about crime even though crime had been declining (Freeman, 1994).

The news media, in fact, distort the amount and nature of crime in several ways (Surette, 2011). First, they overdramatize crime by reporting it in many news stories. Crime dominates news coverage in many newspapers and television newscasts, and, as just noted, the media may devote much coverage to a few sensational crimes and create the false impression that a “crime wave” is occurring when the crime rate may even be declining.

Second, the media devote particularly heavy coverage to violent crime, reflecting the common saying that “if it bleeds, it leads.” For example, more than 25 percent of the crime stories on evening newscasts and in newspapers concern homicide, even though homicide comprises less than 1 percent of all crime (Feld, 2003). Similarly, the vast majority of crime stories feature violent crime, even though violent crime comprises only about 12–14 percent of all street crimes combined. Media attention to violent crime thus gives the public the false impression that most crime is violent when in fact most crime involves a theft of some sort (*property crime*).



The news media feature violent crime, even though violent crime comprises only a small portion of all crime.

Darla Hueske – did not cross – CC BY-ND 2.0.

Third, the media tend to highlight crimes committed by African Americans or other people of color and crimes with white victims. A greater percentage of crime stories involve people of color as offenders than is true in arrest statistics. A greater percentage of crime stories also involve whites as victims than is actually true, and newspaper stories of white-victim crimes are longer than those of black-victim crimes. Crimes in which African Americans are the offenders and whites are the victims also receive disproportionate media coverage even though most crimes involve offenders and victims of the same race. In all these ways, the news media exaggerate the extent to which people of color commit crimes and the extent to which whites are victims of crimes.

Fourth, the media also tend to highlight crimes committed by youths. In one study of thousands of local newscast stories, about two-thirds of the stories about violence depicted youthful offenders, even though teenagers commit only about 14–16 percent of violent crime (Jackson, 1997). In a related problem, media stories involving teenagers are much more likely to show them committing crime or other antisocial acts than committing good deeds or other positive behavior. In these ways, the news media convey a false impression that leads the public to believe both that youths commit much of our violent crime and that youth violence has been rising even though it has actually declined since the early 1990s.

Measuring Crime

It is surprisingly difficult to know how much crime occurs. Crime is not like the weather, when we all can see whether it is raining, snowing, or sunny. Usually when crime occurs, only the criminal and the victim, and sometimes an occasional witness, know about it. We thus have an incomplete picture of the crime problem, but

because of various data sources we still have a pretty good understanding of how much crime exists and of who is most likely to commit it and be victimized by it.

The government's primary source of crime data is the Uniform Crime Reports (UCR), published annually by the Federal Bureau of Investigation. The FBI gathers its data from police departments around the country who tell the FBI about crimes that have come to their attention. The police also tell the FBI whether someone is arrested for the crime and, if so, the person's age, gender, and race. The FBI gathers all these UCR data and reports them in an annual volume called *Crime in the United States* (Federal Bureau of Investigation, 2011).

Most UCR data concern the so-called Part I Crimes, eight felonies that the FBI considers the most serious. Four of these are violent crimes—homicide, rape, aggravated assault, and robbery—and four are property crimes—burglary, larceny (e.g., shoplifting, pick-pocketing, purse-snatching), motor vehicle theft, and arson.

According to the FBI, 1,246,248 violent crimes and 9,082,887 property crimes occurred in 2010, for a total of about 10.3 million. This is the nation's official crime count, and by any standard it is a lot of crime. However, this number is much lower than it should be because *more than half of all crime victims do not report their crimes to the police*, and the police thus do not know about them. These unreported crimes represent “hidden” crimes or, as they are often called, the dark figure of crime. Thus the true crime problem is much greater than suggested by the UCR.

This underreporting of crime represents a major problem for the UCR's validity. Several other problems exist. First, the UCR excludes white-collar crimes and thus diverts attention away from their harm. Second, police practices affect the number of crimes listed in the UCR. For example, the police do not record every report they hear from a citizen as a crime. Sometimes they do not have the time to do so, and sometimes they do not believe the citizen. If they do not record the report, the FBI does not count it as a crime. If the police start recording more reports or fail to record even more reports, the official crime rate will rise or fall, respectively, even though the actual number of crimes has not changed. This fact has led to crime-reporting scandals during the past two decades, as police departments in several major cities failed to record many crimes or downgraded others (e.g., calling a rape a simple assault) in an apparent effort to make it appear as if the crime rate were falling (Hart, 2004). In a third problem, if crime victims become more or less likely to report their crimes to the police (e.g., the advent of the 911 emergency number may have increased calls to the police), the official crime rate will again change, even if the actual number of crimes has not.

To get a more accurate picture of crime, the federal government began in the early 1970s to administer a survey, now called the National Crime Victimization Survey (NCVS), to tens of thousands of randomly selected US households. People in the households are asked whether they or their residence has been the victim of several different types of crimes in the past half year. Their responses are then extrapolated to the entire US population to yield fairly accurate estimates of the actual number of crimes occurring in the nation. These estimates are thought to be more accurate than the UCR's figures, even if it is true that victims sometimes might not want to tell NCVS interviewers what happened to them (Catalano, 2006).

Table 8.1 “Number of Crimes: Uniform Crime Reports (UCR) and National Crime Victimization Survey (NCVS), 2010” lists the number of street crimes as reported by the UCR and estimated by NCVS. Note that these two crime sources do not measure exactly the crimes. For example, the NCVS excludes commercial crimes such as shoplifting, while the UCR includes them. The NCVS also includes simple assaults (where someone receives only

a minor injury), while the UCR excludes them. These differences notwithstanding, we can still see that the NCVS estimates about 1.8 times as many crimes as the UCR reports to us. The *dark figure* of crime is large indeed.

Table 8.1 Number of Crimes: Uniform Crime Reports (UCR) and National Crime Victimization Survey (NCVS), 2010

	UCR	NCVS
Violent crime	1,246,248	3,817,380
Property crime	9,082,887	14,908,330
Total	10,329,135	18,725,710

Source: Maguire, K. (Ed.). (2011). *Sourcebook of criminal justice statistics*. Retrieved from http://www.albany.edu/sourcebook/toc_3.html.

A third source of crime information is the self-report survey. Here subjects, usually adolescents, indicate on an anonymous questionnaire whether and how often they committed various offenses in, say, the past year. Typically, they also answer questions about their family relationships, school performance, and other aspects of their backgrounds. Self-report studies have yielded valuable information about delinquency and explanations of crime. Like the NCVS, they underscore how much crime is committed that does not come to the attention of the police.

Key Takeaways

- Much of the American public is concerned about crime, and many people worry about becoming a victim of various types of crime.
- The news media overdramatize the nature and amount of crime, and they give more attention to crimes involving African Americans and Latinos as offenders and whites as victims.
- The nation's major source of crime data is the Uniform Crime Reports (UCR). However, many people do not report their crimes to the police, and police practices affect the number of "official" crimes reported by the UCR.

For Your Review

1. Why do you think so many Americans are afraid of crime even though the crime rate has greatly declined since the early 1990s?
2. Why is it difficult to measure crime accurately? Why is the measurement of crime by the FBI inaccurate?

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8.2 Types of Crime

Learning Objectives

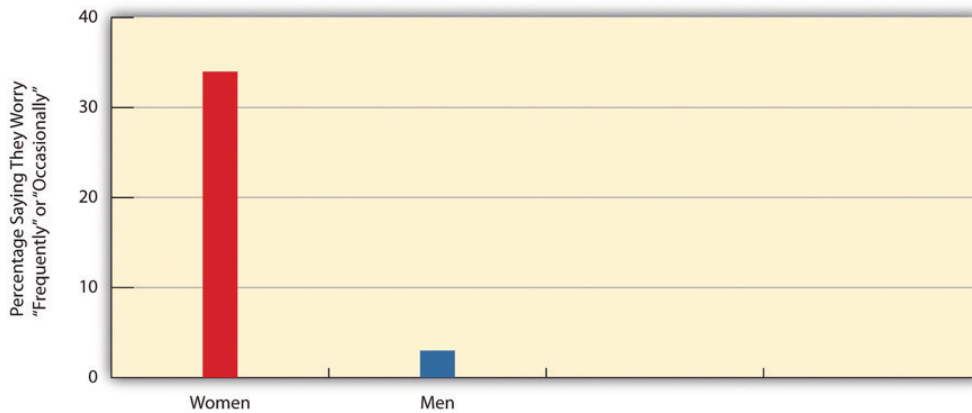
1. Describe the major aspects of homicide.
2. Discuss evidence indicating that white-collar crime is more serious than street crime.
3. Explain the major issues raised by the concept of consensual crime.

Many types of crime exist. Criminologists commonly group crimes into several major categories: (1) violent crime; (2) property crime; (3) white-collar crime; (4) organized crime; and (5) consensual or victimless crime. Within each category, many more specific crimes exist. For example, violent crime includes homicide, aggravated and simple assault, rape and sexual assault, and robbery, while property crime includes burglary, larceny, motor vehicle theft, and arson. Because a full discussion of the many types of crime would take several chapters or even an entire book or more, we highlight here the most important dimensions of the major categories of crime and the issues they raise for public safety and crime control.

Violent Crime

Even if, as our earlier discussion indicated, the news media exaggerate the problem of violent crime, it remains true that violent crime plagues many communities around the country and is the type of crime that most concerns Americans. The news story that began this chapter reminds us that violent crime is all too real for too many people; it traps some people inside their homes and makes others afraid to let their children play outside or even to walk to school. Rape and sexual assault are a common concern for many women and leads them to be more fearful of being victimized than men: In the 2011 Gallup poll mentioned earlier, 37 percent of women said they worried about being sexually assaulted, compared to only 6 percent of men (see Figure 8.1 “Gender and Worry about Being Sexually Assaulted (Percentage Saying They Worry “Frequently” or “Occasionally”)”).

Figure 8.1 Gender and Worry about Being Sexually Assaulted (Percentage Saying They Worry “Frequently” or “Occasionally”)



Source: Data from Maguire, K. (Ed.). (2011). *Sourcebook of criminal justice statistics*. Retrieved from <http://www.albany.edu/sourcebook>.

Research on violent crime tends to focus on homicide and on rape and sexual assault. Homicide, of course, is considered the most serious crime because it involves the taking of a human life. As well, homicide data are considered more accurate than those for other crimes because most homicides come to the attention of the police and are more likely than other crimes to lead to an arrest. For its part, the focus on rape and sexual assault reflects the contemporary women's movement's interest in these related crimes beginning in the 1970s and the corresponding interest of criminologists, both female and male, in the criminal victimization of women.

Certain aspects of homicide are worth noting. First, although some homicides are premeditated, most in fact are relatively spontaneous and the result of intense emotions like anger, hatred, or jealousy (Fox, Levin, & Quinet, 2012). Two people may begin arguing for any number of reasons, and things escalate. A fight may then ensue that results in a fatal injury, but one of the antagonists may also pick up a weapon and use it. About 25–50 percent of all homicides are victim-precipitated, meaning that the eventual victim is the one who starts the argument or the first one to escalate it once it has begun.

Second, and related to the first aspect, most homicide offenders and victims knew each other before the homicide occurred. Indeed, about three-fourths of all homicides involve nonstrangers, and only one-fourth involve strangers. Intimate partners (spouses, ex-spouses, and current and former partners) and other relatives commit almost 30 percent of all homicides (Messner, Deane, & Beaulieu, 2002). Thus although fear of a deadly attack by a stranger dominates the American consciousness, we in fact are much more likely on average to be killed by someone we know than by someone we do not know.



About two-thirds of homicides involve firearms, and half involve a handgun.

Geoffery Fairchild – The Robbery – CC BY 2.0.

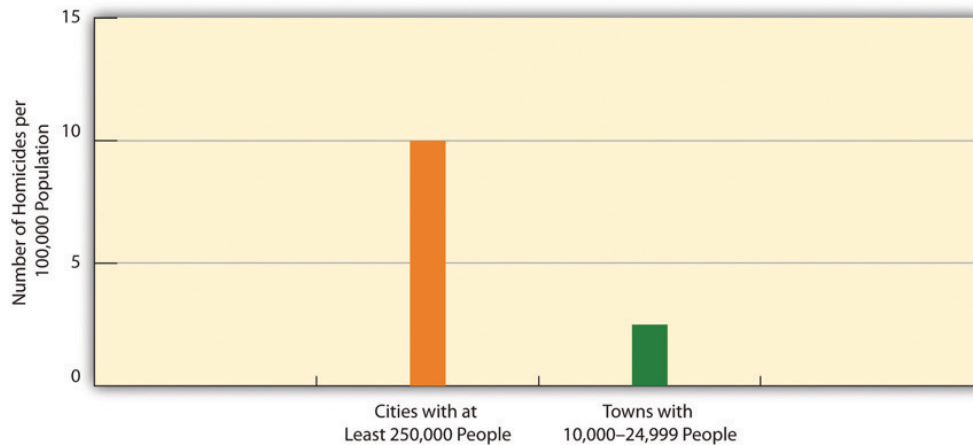
Third, about two-thirds of homicides involve firearms. To be a bit more precise, just over half involve a handgun, and the remaining firearm-related homicides involve a shotgun, rifle, or another undetermined firearm. Combining these first three aspects, then, the most typical homicide involves nonstrangers who have an argument that escalates and then results in the use of deadly force when one of the antagonists uses a handgun.

Fourth, most homicides (as most violent crime in general) are intraracial, meaning that they occur within the same race; the offender *and* victim are of the same race. For single offender/single victim homicides where the race of both parties is known, about 90 percent of African American victims are killed by African American offenders, and about 83 percent of white victims are killed by white offenders (Federal Bureau of Investigation, 2011). Although whites fear victimization by African Americans more than by whites, whites in fact are much more likely to be killed by other whites than by African Americans. While African Americans do commit about half of all homicides, most of their victims are also African American.

Fifth, males commit about 90 percent of all homicides and females commit only 10 percent. As we discuss in Section 3.1 “Racial and Ethnic Inequality: A Historical Prelude”, males are much more likely than women to commit most forms of crime, and this is especially true for homicide and other violent crime.

Sixth, the homicide rate is much higher in large cities than in small towns. In 2010, the homicide rate (number of homicides per 100,000 population) in cities with a population at or over 250,000 was 10.0 percent, compared to only 2.5 percent in towns with a population between 10,000 and 24,999 (see Figure 8.2 “Population Size and Homicide Rate, 2010”). Thus the risk for homicide is four times greater in large cities than in small towns. While most people in large cities certainly do *not* die from homicide, where we live still makes a difference in our chances of being victimized by homicide and other crime.

Figure 8.2 Population Size and Homicide Rate, 2010



Source: Data from Federal Bureau of Investigation. (2011). *Crime in the United States, 2010*. Washington, DC: Author.

Finally, the homicide rate rose in the late 1980s and peaked during the early 1990s before declining sharply until the early 2000s and then leveling off and declining a bit further since then. Although debate continues over why the homicide rate declined during the 1990s, many criminologists attribute the decline to a strong economy, an ebbing of gang wars over drug trafficking, and a decline of people in the 15–25 age group that commits a disproportionate amount of crime (Blumstein & Wallman, 2006). Some observers believe rising imprisonment rates also made a difference, and we return to this issue later in this chapter.

Rape and sexual assault were included in Chapter 4 “Gender Inequality”’s discussion of violence against women as a serious manifestation of gender inequality. As that chapter noted, it is estimated that one-third of women on the planet have been raped or sexually assaulted, beaten, or physically abused in some other way (Heise, Ellsberg, & Gottemoeller, 1999). While it is tempting to conclude that such violence is much more common in poor nations than in a wealthy nation like the United States, we saw in Chapter 4 “Gender Inequality” that violence against women is common in this nation as well. Like homicide, about three-fourths of all rapes and sexual assaults involve individuals who know each other, not strangers.

Property Crime

As noted earlier, the major property crimes are burglary, larceny, motor vehicle theft, and arson. These crimes are quite common in the United States and other nations and, as Table 8.1 “Number of Crimes: Uniform Crime Reports (UCR) and National Crime Victimization Survey (NCVS), 2010” indicated, millions occur annually in this country. Many Americans have installed burglar alarms and other security measures in their homes and similar devices in their cars and SUVs. While property crime by definition does not involve physical harm, it still makes us concerned, in part because it touches so many of us. Although property crime has in fact declined along with violent crime since the early 1990s, it still is considered a major component of the crime problem, because it is so common and produces losses of billions of dollars annually.

Much property crime can be understood in terms of the roles and social networks of property criminals. In this regard, many scholars distinguish between *amateur theft* and *professional theft*. Most property offenders are amateur offenders: They are young and unskilled in the ways of crime, and the amount they gain from any single

theft is relatively small. They also do not plan their crimes and instead commit them when they see an opportunity for quick illegal gain. In contrast, professional property offenders tend to be older and quite skilled in the ways of crime, and the amount they gain from any single theft is relatively large. Not surprisingly, they often plan their crimes well in advance. The so-called *cat burglar*, someone who scales tall buildings to steal jewels, expensive artwork, or large sums of money, is perhaps the prototypical example of the professional property criminals. Many professional thieves learn how to do their crimes from other professional thieves, and in this sense they are mentored by the latter just as students are mentored by professors, and young workers by older workers.

White-Collar Crime

If you were asked to picture a criminal in your mind, what image would you be likely to think of first: a scruffy young male with a scowl or sneer on his face, or a handsome, middle-aged man dressed in a three-piece business suit? No doubt the former image would come to mind first, if only because violent crime and property crime dominate newspaper headlines and television newscasts and because many of us have been victims of violent or property crime. Yet white-collar crime is arguably much more harmful than street crime, both in terms of economic loss and of physical injury, illness, and even death.

What exactly is white-collar crime? The most famous definition comes from Edwin Sutherland (1949, p. 9), a sociologist who coined the term in the 1940s and defined it as “a crime committed by a person of respectability and high social status in the course of his occupation.” Sutherland examined the behavior of the seventy largest US corporations and found that they had violated the law hundreds of times among them. Several had engaged in crimes during either World War I or II; they provided defective weapons and spoiled food to US troops and even sold weapons to Germany and other nations the United States was fighting.

Although white-collar crime as studied today includes auto shop repair fraud and employee theft by cashiers, bookkeepers, and other employees of relatively low status, most research follows Sutherland’s definition in focusing on crime committed by people of “respectability and high social status.” Thus much of the study of white-collar crime today focuses on fraud by physicians, attorneys, and other professionals and on illegal behavior by executives of corporations designed to protect or improve corporate profits (*corporate crime*).

In the study of professional fraud, health-care fraud stands out for its extent and cost (Rosoff, Pontell, & Tillman, 2010). Health-care fraud is thought to amount to more than \$100 billion per year, compared to less than \$20 billion for all property crime combined. For example, some physicians bill Medicare and private insurance for services that patients do not really need and may never receive. Medical supply companies sometimes furnish substandard equipment. To compensate for the economic loss it incurs, health-care fraud drives up medical expenses and insurance costs. In this sense, it steals from the public even though no one ever breaks into your house or robs you at gunpoint.

Although health-care and other professional fraud are serious, corporate crime dwarfs all other forms of white-collar crime in the economic loss it incurs and in the death, injury, and illness it causes. Corporate financial crime involves such activities as fraud, price fixing, and false advertising. The Enron scandal in 2001 involved an energy corporation whose chief executives exaggerated profits. After their fraud and Enron’s more dire financial state were finally revealed, the company’s stock plummeted and it finally went bankrupt. Its thousands of workers lost

their jobs and pensions, and investors in its stock lost billions of dollars. Several other major corporations engaged in (or strongly suspected of doing so) accounting fraud during the late 1990s and early 2000s, but Enron was merely the most notorious example of widespread scandal that marked this period.

While corporate financial crime and corruption have cost the nation untold billions of dollars in this and earlier decades, corporate violence—actions by corporations that kill or maim people or leave them ill—is even more scandalous. The victims of corporate violence include corporate employees, consumers of corporate goods, and the public as a whole. Annual deaths from corporate violence exceed the number of deaths from homicide, and illness and injury from corporate violence affect an untold number of people every year.



The asbestos industry learned in the 1930s that asbestos was a major health hazard, but it kept this discovery a secret for more than three decades.

Aaron Suggs – Asbestos – CC BY 2.0.

Employees of corporations suffer from unsafe workplaces in which workers are exposed to hazardous conditions and chemicals because their companies fail to take adequate measures to reduce or eliminate this exposure. Such exposure may result in illness, and exposure over many years can result in death. According to a recent estimate, more than 50,000 people die each year from workplace exposure (American Federation of Labor and Congress of Industrial Organizations [AFL-CIO], 2010), a figure about three times greater than the number of annual homicides. About 1,500 coal miners die each year from black lung disease, which results from the breathing of coal dust; many and perhaps most of these deaths would be preventable if coal mining companies took adequate safety measures (G. Harris, 1998). In another example, the asbestos industry learned during the 1930s that exposure to asbestos could cause fatal lung disease and cancer. Despite this knowledge, asbestos companies hid evidence of this hazard for more than three decades: They allowed their workers to continue to work with asbestos and marketed asbestos as a fire retardant that was widely installed in schools and other buildings. More than

200,000 asbestos workers and members of the public either have already died or are expected to die from asbestos exposure; most or all of these deaths could have been prevented if the asbestos industry had acted responsibly when it first discovered it was manufacturing a dangerous product (Lilienfeld, 1991).

Unsafe products also kill or maim consumers. One of the most notorious examples of deaths from an unsafe product involved the Ford Pinto, a car first sold in the early 1970s that was vulnerable to fire and explosion when hit from behind in a minor rear-end collision (Cullen, Maakestad, & Cavender, 2006). Ford knew before the Pinto went on the market that its gas tank was unusually vulnerable in a rear-end collision and determined it would take about \$11 per car to fix the problem. It then did a cost-benefit analysis to determine whether it would cost more to fix the problem or instead to settle lawsuits after Pinto drivers and passengers died or were burned and injured in rear-end collisions. This analysis indicated that Ford would save about \$87 million if it did *not* fix the problem and instead paid out compensation after Pinto drivers and passengers died or got burned. Because Ford made this decision, about five hundred people eventually died in Pinto rear-end collisions and many others were burned.

The toll of white-collar crime, both financial and violent, is difficult to estimate, but by all accounts it exceeds the economic loss and death and injury from all street crime combined. White-collar crime is thought to involve an annual economic loss of more than \$700 billion annually from corporate fraud, professional fraud, employee theft, and tax evasion and an annual toll of at least 100,000 deaths from workplace-related illness or injury, unsafe products, and preventable environmental pollution. These figures compare to an economic loss of less than \$20 billion from property crime and a death toll of about 17,000 from homicide (Barkan, 2012). By any measure, the toll of white-collar crime dwarfs the toll of street crime, even though the latter worries us much more than white-collar crime. Despite the harm that white-collar crime causes, the typical corporate criminal receives much more lenient punishment, if any, than the typical street criminal (Rosoff et al., 2010).

Organized Crime

Organized crime refers to criminal activity by groups or organizations whose major purpose for existing is to commit such crime. When we hear the term “organized crime,” we almost automatically think of the so-called Mafia, vividly portrayed in the *Godfather* movies and other films, that comprises several highly organized and hierarchical Italian American “families.” Although Italian Americans have certainly been involved in organized crime in the United States, so have Irish Americans, Jews, African Americans, and other ethnicities over the years. The emphasis on Italian domination of organized crime overlooks these other involvements and diverts attention from the actual roots of organized crime.

What are these roots? Simply put, organized crime exists and even thrives because it provides goods and/or services that the public demands. Organized crime flourished during the 1920s because it was all too ready and willing to provide an illegal product, alcohol, that the public continued to demand even after Prohibition began. Today, organized crime earns its considerable money from products and services such as illegal drugs, prostitution, pornography, loan sharking, and gambling. It also began long ago to branch out into legal activities such as trash hauling and the vending industry.

Government efforts against organized crime since the 1920s have focused on arrest, prosecution, and other law-enforcement strategies. Organized crime has certainly continued despite these efforts. This fact leads some

scholars to emphasize the need to reduce public demand for the goods and services that organized crime provides. However, other scholars say that reducing this demand is probably a futile or mostly futile task, and they instead urge consideration of legalizing at least some of the illegal products and services (e.g., drugs and prostitution) that organized crime provides. Doing so, they argue, would weaken the influence of organized crime.

Consensual Crime

Consensual crime (also called *victimless crime*) refers to behaviors in which people engage voluntarily and willingly even though these behaviors violate the law. Illegal drug use, discussed in Chapter 7 “Alcohol and Other Drugs”, is a major form of consensual crime; other forms include prostitution, gambling, and pornography. People who use illegal drugs, who hire themselves out as prostitutes or employ the services of a prostitute, who gamble illegally, and who use pornography are all doing so because they want to. These behaviors are not entirely victimless, as illegal drug users, for example, may harm themselves and others, and that is why the term *consensual crime* is often preferred over *victimless crime*. As just discussed, organized crime provides some of the illegal products and services that compose consensual crime, but these products and services certainly come from sources other than organized crime.

This issue aside, the existence of consensual crime raises two related questions that we first encountered in Chapter 7 “Alcohol and Other Drugs”. First, to what degree should the government ban behaviors that people willingly commit and that generally do not have unwilling victims? Second, do government attempts to ban such behaviors do more good than harm or more harm than good? Chapter 7 “Alcohol and Other Drugs”’s discussion of these questions focused on illegal drugs, and in particular on the problems caused by laws against certain drugs, but similar problems arise from laws against other types of consensual crime. For example, laws against prostitution enable pimps to control prostitutes and help ensure the transmission of sexual diseases because condoms are not regularly used.

Critics of consensual crime laws say we are now in a new prohibition and that our laws against illegal drugs, prostitution, and certain forms of gambling are causing the same problems now that the ban on alcohol did during the 1920s and, more generally, cause more harm than good. Proponents of these laws respond that the laws are still necessary as an expression of society’s moral values and as a means, however imperfect, of reducing involvement in harmful behaviors.

Key Takeaways

- Most homicides are committed for relatively emotional, spontaneous reasons and between people who knew each other beforehand.
- White-collar crime involves more death, injury, and economic loss than street crime, but the punishment of white-collar crime is relatively weak.
- Consensual crime raises two related issues: (a) To what extent should the government prohibit people from engaging in behavior in which there are no unwilling victims, and (b) do laws against consensual crime do more good than harm or more harm than good?

For Your Review

1. If homicide is a relatively emotional, spontaneous crime, what does that imply for efforts to use harsh legal punishment, including the death penalty, to deter people from committing homicide?
2. Do you think consensual crimes should be made legal? Why or why not?

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8.3 Who Commits Crime?

Learning Objectives

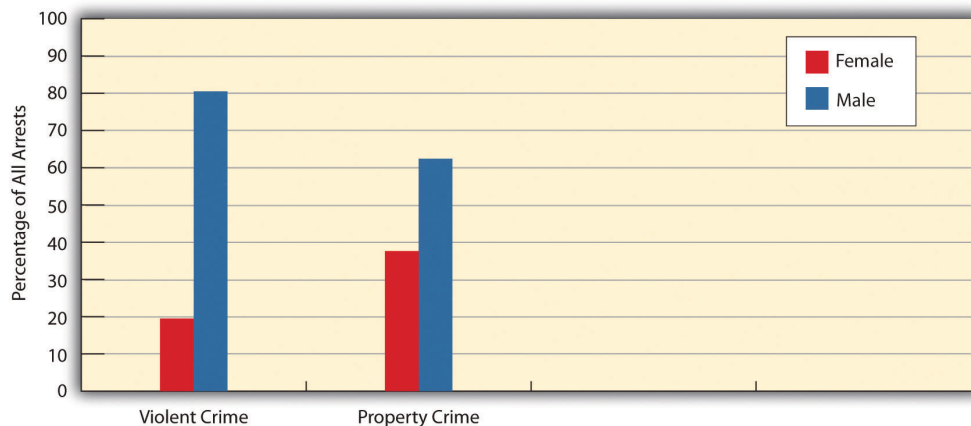
1. Explain why males commit more crime than females.
2. Discuss whether social class differences exist in crime rates.
3. Discuss whether racial/ethnic differences exist in crime rates.

While people from all walks of life commit street crime, some people are still more likely than others to break the law because of their social backgrounds. These social backgrounds include their gender, age, social class, urban/rural residence, and race and ethnicity. Despite their inaccuracies, the three data sources discussed in the first section of this chapter all provide a similar picture of what kinds of people, in terms of their social backgrounds, are more or less likely to commit street crime. We briefly discuss each background in turn.

Gender

Simply put, males commit much more crime than females. In UCR data, men comprise about 81 percent of all arrests for violent crime and about 63 percent of all arrests for property crime. (See Figure 8.3 “Gender and Arrest (Percentage of All Arrests)”.) In the NCVS, victims report that males commit most of the violent crimes they experienced, and self-report studies find that males far outpace females in the commission of serious street offenses. When it comes to breaking the law, crime is a man’s world.

Figure 8.3 Gender and Arrest (Percentage of All Arrests)



Source: Data from Federal Bureau of Investigation. (2011). *Crime in the United States, 2010*. Washington, DC: Author.

The key question is why such a large gender difference exists. Some scholars attribute this difference to biological differences between the sexes, but most criminologists attribute it to sociological factors. One of these is gender role socialization: Despite greater recognition of gender roles, we continue to raise our boys to be assertive and aggressive, while we raise our girls to be gentle and nurturing (Lindsey, 2011). Such gender socialization has many effects, and one of these is a large gender difference in criminal behavior. A second factor is opportunity. Studies find that parents watch their daughters more closely than they watch their sons, who are allowed to stay out later at night and thus have more opportunity to break the law.



Males have higher crime rates than females. An important reason for this gender difference is that boys are socialized to be assertive and aggressive, while girls are socialized to be gentle and nurturing.

Philippe Put – Fight – CC BY 2.0.

Age

Age also makes a difference in criminal behavior: Offending rates are highest in the late teens and early twenties and decline thereafter. Accordingly, people in the 15–24 age range account for about 40 percent of all arrests even though they comprise only about 14 percent of the population.

Several factors again seem to account for this pattern (Shoemaker, 2010). First, peer relationships matter more during this time of one's life than later, and peers are also more likely during this period than later to be offenders themselves. For both reasons, our peer relationships during our teens and early twenties are more likely than those in our later years to draw us into crime. Second, adolescents and young adults are more likely than older adults to lack full-time jobs; for this reason, they are more likely to need money and thus to commit offenses to obtain money and other possessions. Third, as we age out of our early twenties, our ties to conventional society increase: Many people marry, have children, and begin full-time employment, though not necessarily in that order. These events and bonds increase our stakes in conformity, to use some social science jargon, and thus reduce our desire to break the law (Laub, Sampson, & Sweeten, 2006).

Social Class

Findings on social class differences in crime are less clear than they are for gender or age differences. Arrests statistics and much research indicate that poor people are much more likely than wealthier people to commit street crime. However, some scholars attribute the greater arrests of poor people to social class bias against them. Despite this possibility, most criminologists would probably agree that social class differences in criminal offending are “unmistakable” (Harris & Shaw, 2000, p. 138). Reflecting this conclusion, one sociologist has even noted, with tongue only partly in cheek, that social scientists know they should not “stroll the streets at night in certain parts of town or even to park there” and that areas of cities that frighten them are “not upper-income neighborhoods” (Stark, 1987, p. 894). Thus social class does seem to be associated with street crime, with poor individuals doing more than their fair share.

Explanations of this relationship center on the effects of poverty, which, as the next section will discuss further, is said to produce anger, frustration, and economic need and to be associated with a need for respect and with poor parenting skills and other problems that make children more likely to commit antisocial behavior when they reach adolescence and beyond. These effects combine to lead poor people to be more likely than wealthier people to commit street crime, even if it is true that most poor people do not commit street crime at all.

Although the poor are more likely than the wealthy to commit street crime, it is also true that the wealthy are much more likely than the poor to commit white-collar crime, which, as argued earlier, can be much more harmful than street crime. If we consider both street crime and white-collar crime, then there does not appear to be a social class-crime relationship, since the poor have higher rates of the former and the wealthy have higher rates of the latter.

Urban versus Rural Residence

Where we live also makes a difference for our likelihood of committing crime. We saw earlier that big cities have a much higher homicide rate than small towns. This trend exists for violent crime and property crime more generally. Urban areas have high crime rates in part because they are poor, but poverty by itself does not completely explain the urban-rural difference in crime, since many rural areas are poor as well. A key factor that explains the higher crime rates of urban areas is their greater population density (Stark 1987). When many people

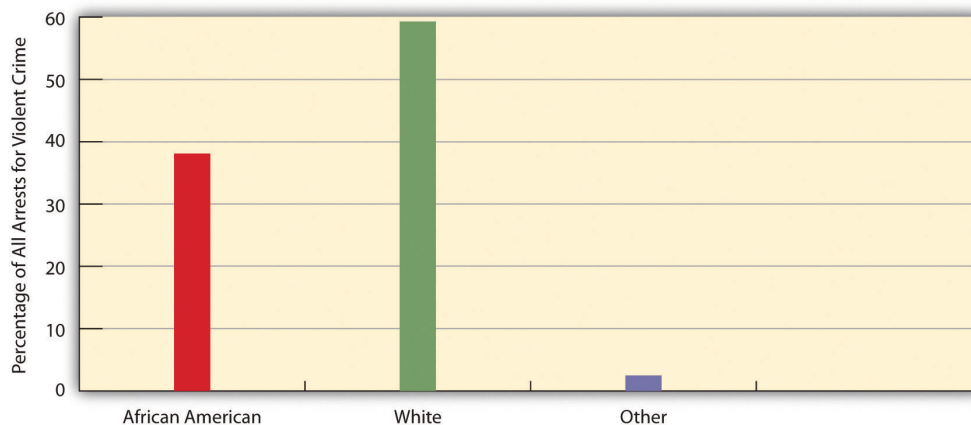
live close together, they come into contact with one another more often. This fact means that teenagers and young adults have more peers to influence them to commit crime, and it also means that potential criminals have more targets (people and homes) for their criminal activity. Urban areas also have many bars, convenience stores, and other businesses that can become targets for potential criminals, and bars, taverns, and other settings for drinking can obviously become settings where tempers flare and violence ensues.

Race and Ethnicity

In discussing who commits crime, any discussion of race and ethnicity is bound to arouse controversy because of the possibility of racial and ethnic stereotyping. But if we can say that men and younger people have relatively high crime rates without necessarily sounding biased against individuals who are male or younger, then it should be possible to acknowledge that certain racial and ethnic groups have higher crime rates without sounding biased against them.

Keeping this in mind, race and ethnicity do seem to be related to criminal offending. In particular, much research finds that African Americans and Latinos have higher rates of street crime than non-Latino whites. For example, although African Americans comprise about 13 percent of the US population, they account for about 39 percent of all arrests for violent crime (see Figure 8.4 “Race and Arrest for Violent Crime (Percentage of All Violent Crime Arrests)”).

Figure 8.4 Race and Arrest for Violent Crime (Percentage of All Violent Crime Arrests)



Source: Data from Federal Bureau of Investigation. (2011). *Crime in the United States, 2010*. Washington, DC: Author.

Latinos also have higher crime rates than non-Latino whites, but lower rates than those for African Americans. Although racial and ethnic bias by the criminal justice system may account for some of these racial/ethnic differences in offending, most criminologists agree that such differences do in fact exist for serious street crimes (Walker, Spohn, & DeLone, 2012).

Why do these differences exist? A racist explanation would attribute them to biological inferiority of the groups, African Americans and Latinos, with the relatively high rates of offending. Such explanations were popular several generations ago but fortunately lost favor as time passed and attitudes changed. Today, scholars attribute racial/ethnic differences in offending to several sociological factors (Unnever & Gabbidon, 2011). First, African

Americans and Latinos are much poorer than whites on the average, and poverty contributes to higher crime rates. Second, they are also more likely to live in urban areas, which, as we have seen, also contribute to higher crime rates. Third, the racial and ethnic discrimination they experience leads to anger and frustration that in turn can promote criminal behavior. Although there is less research on Native Americans' criminality, they, too, appear to have higher crime rates than whites because of their much greater poverty and experience of racial discrimination (McCarthy & Hagan, 2003).

In appreciating racial/ethnic differences in street crime rates, it is important to keep in mind that whites commit most white-collar crime, and especially corporate crime, as it is white people who lead and manage our many corporations. Just as social class affects the type of crime that people do, so do race and ethnicity. Wealthy, white people commit much crime, but it is white-collar crime they tend to commit, not street crime.

Key Takeaways

- Males commit more street crime than females, in part because of gender role socialization that helps make males more assertive and aggressive.
- Young people commit a disproportionate amount of street crime, in part because of the influence of their peers and their lack of stakes in conformity.
- The disproportionate involvement of African Americans and Latinos in street crime arises largely from their poverty and urban residence.

For Your Review

1. If we say that males commit more crime than females, does that imply that we are prejudiced against males? Why or why not?
2. Write a brief essay that outlines social class and racial/ethnic differences in street crime and explains the reasons for these differences.

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8.4 Explaining Crime

Learning Objectives

1. Understand social structure theories of crime.
2. Explain the social bonding theory of crime.
3. Describe the general assumptions of conflict theories of crime.

If we want to be able to reduce crime, we must first understand why it occurs. Sociologists generally discount explanations rooted in the individual biology or psychology of criminal offenders. While a few offenders may suffer from biological defects or psychological problems that lead them to commit crime, most do not. Further, biological and psychological explanations cannot adequately explain the social patterning of crime discussed earlier: why higher crime rates are associated with certain locations and social backgrounds. For example, if California has a higher crime rate than Maine, and the United States has a higher crime rate than Canada, it would sound silly to say that Californians and Americans have more biological and psychological problems than Mainers and Canadians, respectively. Biological and psychological explanations also cannot easily explain why crime rates rise and fall, nor do they lend themselves to practical solutions for reducing crime.



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California has a higher crime rate than many other states, but it is difficult to argue that Californians have more biological or psychological problems than the residents of other states.

Ken Lund – Welcome to California, Nevada-California Border, U.S. 95 – CC BY-SA 2.0.

In contrast, sociological explanations do help understand the social patterning of crime and changes in crime rates, and they also lend themselves to possible solutions for reducing crime. A brief discussion of these explanations follows, and a summary appears in Table 8.2 “Sociological Explanations of Crime”.

Table 8.2 Sociological Explanations of Crime

Major perspective	Related explanation	Summary of explanation
Functional (social structure theories)	Social disorganization	Certain social characteristics of urban neighborhoods contribute to high crime rates. These characteristics include poverty, dilapidation, population density, and population turnover.
	Anomie	According to Robert Merton, crime by the poor results from a gap between the cultural emphasis on economic success and the inability to achieve such success through the legitimate means of working.
Interactionist (social process theories)	Differential association	Edwin H. Sutherland argued that criminal behavior is learned by interacting with close friends who teach us how to commit various crimes and also the values, motives, and rationalizations we need to adopt in order to justify breaking the law.
	Social bonding	Travis Hirschi wrote that delinquency results from weak bonds to conventional social institutions, such as families and schools.
	Labeling	Deviance and crime result from being officially labeled; arrest and imprisonment increase the likelihood of reoffending.
Conflict (conflict theories)	Group conflict	Criminal law is shaped by the conflict among the various social groups in society that exist because of differences in race and ethnicity, social class, religion, and other factors.
	Radical	The wealthy try to use the law and criminal justice system to reinforce their power and to keep the poor and people of color at the bottom of society.
	Feminist	Gender plays an important role in the following areas: (1) the reasons girls and women commit crime; (2) the reasons female crime is lower than male crime; (3) the victimization of girls and women by rape, sexual assault, and domestic violence; and (4) the experience of women professionals and offenders in the criminal justice system.

The Functional Perspective: Social Structure Theories

Social structure theories all stress that crime results from the breakdown of society’s norms and social organization and in this sense fall under the functional perspective outlined in Chapter 1 “Understanding Social Problems”. They trace the roots of crime to problems in the society itself rather than to biological or psychological problems inside individuals. By doing so, they suggest the need to address society’s social structure in order to reduce crime. Several social structure theories exist.

Social Disorganization Theory

A popular explanation is social disorganization theory. This approach originated primarily in the work of Clifford R. Shaw and Henry D. McKay (1942), two social scientists at the University of Chicago who studied that city's delinquency rates during the first three decades of the twentieth century. During this time, the ethnic composition of Chicago changed considerably, as the city's inner zones were first occupied by English, German, and Irish immigrants, and then by Eastern European immigrants, and then by African Americans who moved there from southern states. Shaw and McKay found that the inner zones of Chicago consistently had the highest delinquency rates regardless of which ethnic group lived there, and they also found that the ethnic groups' delinquency rates declined as they moved to outer areas of Chicago. To explain these related patterns, Shaw and McKay reasoned that the inner zones of Chicago suffered from *social disorganization*: A weakening of social institutions such as the family, school, and religion that in turn weakens the strength of social bonds and norms and the effectiveness of socialization. Research today confirms that crime rates are highest in neighborhoods with several kinds of structural problems, including high rates of residential mobility, population density, poverty, and single-parent families (Mazerolle, Wickes, & McBroom, 2010).

Anomie Theory

Another popular explanation is anomie theory, first formulated by Robert K. Merton (1938) in a classic article. Writing just after the Great Depression, Merton focused on the effects of poverty in a nation like the United States that places so much emphasis on economic success. With this strong cultural value, wrote Merton, the poor who do not achieve the American dream feel especially frustrated. They have several ways or adaptations of responding to their situation (see Table 8.3 "Anomie Theory").

Table 8.3 Anomie Theory

	Goal of economic success	
	<i>Accept</i>	<i>Reject</i>
Value of working		
<i>Accept</i>	Conformity	Ritualism
<i>Reject</i>	Innovation	Retreatism

First, said Merton, they may continue to accept the goal of economic success and also the value of working at a job to achieve such success; Merton labeled this adaptation *conformity*. Second, they may continue to favor economic success but reject the value of working and instead use new, illegitimate means, for example theft, of gaining money and possessions; Merton labeled this adaptation *innovation*. Third, they may abandon hope of economic success but continue to work anyway because work has become a habit. Merton labeled this adaptation *ritualism*. Finally, they may reject both the goal of economic success and the means of working to achieve such success and withdraw from society either by turning to drugs or by becoming hobos; Merton labeled this adaptation *retreatism*. He also listed a fifth adaptation, which he called *rebellion*, to characterize a response in which people

reject economic success and working and work to bring about a new society with new values and a new economic system.

Merton's theory was very influential for many years but eventually lost popularity, partly because many crimes, such as assault and rape, are not committed for the economic motive that his theory assumed, and partly because many people use drugs and alcohol without dropping out of society, as his retreatism category assumed. In recent years, however, scholars have rediscovered and adapted his theory, and it has regained favor as new attention is being paid to the frustration resulting from poverty and other strains in one's life that in turn may produce criminal behavior (Miller, Schreck, & Tewksbury, 2011).

The Interactionist Perspective: Social Process Theories

Social process theories all stress that crime results from the social interaction of individuals with other people, particularly their friends and family, and thus fall under the interactionist perspective outlined in Chapter 1 "Understanding Social Problems". They trace the roots of crime to the influence that our friends and family have on us and to the meanings and perceptions we derive from their views and expectations. By doing so, they indicate the need to address the peer and family context as a promising way to reduce crime.



Social process theories stress that crime results from social interaction. In particular, our friends influence our likelihood of committing crime or not committing crime.

Sam.Weiss. – what happens in the guys bathroom, stays in the guys bathroom – CC BY-ND 2.0.

Differential Association Theory

One of the most famous criminological theories is differential association theory, first formulated at about the same time as Merton's anomie theory by Edwin H. Sutherland and published in its final form in an edition of a criminology text he wrote (Sutherland, 1947). Sutherland rejected the idea, fashionable at the time, that crime had strong biological roots and instead said it grew out of interaction with others. Specifically, he wrote that adolescents and other individuals learn that it is acceptable to commit crime and also how to commit crime from their interaction with their close friends. Adolescents become delinquent if they acquire more and stronger attitudes in favor of breaking the law than attitudes opposed to breaking the law. As Sutherland put it, "A person becomes delinquent because of an excess of definitions favorable to the violation of law over definitions unfavorable to the violation of law." Crime and delinquency, then, result from a very normal social process, social interaction. Adolescents are more or less at risk for delinquency partly depending on who their friends are and what their friends do or don't do.

Many scholars today consider peer influences to be among the most important contributors to delinquency and other misbehavior (Akers & Sellers, 2009). One problem with differential association theory is that it does not explain behavior, like rape, that is usually committed by a lone offender and that is generally the result of attitudes learned from one's close friends.

Social Bonding Theory

In a 1969 book, *Causes of Delinquency*, Travis Hirschi (1969) asked not what prompts people to commit crime, but rather what *keeps them from* committing crime. This question was prompted by his view that human nature is basically selfish and that it is society's task to tame this selfishness. He wrote that an adolescent's bonds to society, and specifically the bonds to family and school, help keep the adolescent from breaking the law.

Hirschi identified several types of social bonds, but generally thought that the closer adolescents feel to their family and teachers, the more they value their parents' beliefs and school values, and the more time they spend with their families and on school activities, the less likely they are to be delinquent. Turning that around, they are more likely to be delinquent if they feel more distant from their parents and teachers, if they place less value on their family's and school's values, and if they spend less time with these two very important social institutions in their lives.

Hirschi's social bonding theory attracted immediate attention and is one of the most popular and influential theories in criminology today. It highlighted the importance of families and schools for delinquency and stimulated much research on their influence. Much of this research has focused on the relationship between parents and children. When this relationship is warm and harmonious and when children respect their parents' values and parents treat their children firmly but fairly, children are less likely to commit antisocial behavior during childhood and delinquency during adolescence. Schools also matter: Students who do well in school and are very involved in extracurricular activities are less likely than other students to engage in delinquency (Bohm & Vogel, 2011).

Children and Our Future

Saving Children from a Life of Crime

Millions of children around the nation live in circumstances that put them at risk for a childhood, adolescence, and adulthood filled with antisocial behavior, delinquency, and crime, respectively. Although most of these children in fact will not suffer this fate, many of their peers will experience these outcomes. These circumstances thus must be addressed to save these children from a life of crime. As social scientists Brandon C. Welsh and David P. Farrington observe, “Convincing research evidence exists to support a policy of saving children from a life of crime by intervening early in childhood to tackle key risk factors.”

What are these risk factors? They include being born to a teenaged, single mother; living in poverty or near poverty; attending poor, dilapidated schools; and living in high-crime urban areas. As should be evident, these risk factors are all related, as most children born to teenaged, single mothers live in poverty or near poverty, and many such children live in high-crime urban areas.

What can be done to help save such children from a life of crime? Ideally, our nation would lift them and their families entirely out of poverty with employment and social payment policies. Although this sort of national policy will not occur in the foreseeable future, a growing amount of rigorous social science evaluation evidence points to several effective programs and policies that can still help at-risk children. These include (1) at the individual level, certain types of preschool programs and social skills training programs; (2) at the family level, home visiting by trained professionals and parenting training programs; and (3) at the school and community levels, certain types of after-school and community-mentoring programs in which local adults spend time with children at risk for delinquency and other problems.

As Welsh and Farrington note, “Early prevention is by no means a panacea. But it does represent an integral part of any plan to reduce the nation’s crime rate.” They add that several other Western democracies have national agencies devoted to improving behavioral and other outcomes among those nations’ children, and they call for the United States to establish a similar national agency, the National Council on Early Prevention, as part of a nationwide strategy to prevent delinquency and other antisocial behaviors among American youth.

Sources: Piquero, Farrington, Welsh, Tremblay, & Jennings, 2009; Welsh & Farrington, 2007

Another social institution, religion, has also been the subject of research. An increasing number of studies are finding that religious involvement seemingly helps keep adolescents from using alcohol and other drugs (see Chapter 7 “Alcohol and Other Drugs”), from engaging in frequent sexual activity, and from engaging in delinquency generally (Desmond, Soper, & Purpura, 2009). Fewer studies of religiosity and criminality during adulthood exist, but one investigation found an association between greater religiosity and fewer sexual partners among never-married adults (Barkan, 2006).

Labeling Theory

Our criminal justice system is based on the idea that the prospect of quick arrest and harsh punishment should deter criminal behavior. Labeling theory has the opposite idea, as it assumes that labeling someone as a criminal or deviant, which arrest and imprisonment certainly do, makes the person more likely to continue to offend. This result occurs, argues the theory, because the labeling process gives someone a negative self-image, reduces the potential for employment, and makes it difficult to have friendships with law-abiding individuals.



When this man is released from prison, he will probably face difficulties in finding a job and starting friendships with law-abiding people. These difficulties will make him more likely to commit new crimes.

Derek Key – Jailbirds – CC BY 2.0.

Suppose, for example, that you were just released from prison after serving a five-year term for armed robbery. When you apply for a job and list your prison term on the application, how likely are you to get hired? If you are at a bar and meet someone who interests you and then tell the person where you were for the previous five years, what are the chances that the conversation will continue? Faced with bleak job prospects and a dearth of people who want to spend time with you, what are your alternatives? Might you not succumb to the temptation to hang out with other offenders and even to commit new crime yourself?

Although research findings are not unanimous, several studies do find that arrest and imprisonment increase future offending, as labeling theory assumes (Nagin, Cullen, & Jonson, 2009). To the extent this undesired consequence occurs, efforts to stem juvenile and adult crime through harsher punishment may sometimes have the opposite result from their intention.

The Conflict Perspective

Several related theories fall under the conflict perspective outlined in Chapter 1 “Understanding Social Problems”. Although they all have something to say about why people commit crime, their major focus is on the use and misuse of the criminal law and criminal justice system to deal with crime. Three branches of the conflict perspective exist in the study of crime and criminal justice.

The first branch is called group conflict theory, which assumes that criminal law is shaped by the conflict among the various social groups in society that exist because of differences in race and ethnicity, social class, religion, and other factors. Given that these groups compete for power and influence, the groups with more power and influence try to pass laws that ban behaviors in which subordinate groups tend to engage, and they try to use the criminal justice system to suppress subordinate group members. A widely cited historical example of this view is Prohibition, which was the result of years of effort by temperance advocates, most of them from white, Anglo-Saxon, rural, and Protestant backgrounds, to ban the manufacture, sale, and use of alcohol. Although these advocates thought alcohol use was a sin and incurred great social costs, their hostility toward alcohol was also motivated by their hostility toward the types of people back then who tended to use alcohol: poor, urban, Catholic immigrants. Temperance advocates' use of legal means to ban alcohol was, in effect, a "symbolic crusade" against people toward whom these advocates held prejudicial attitudes (Gusfield, 1963).

The second branch of the conflict perspective is called radical theory. Radical theory makes the same general assumptions as group conflict theory about the use of criminal law and criminal justice, but with one key difference: It highlights the importance of (economic) social class more than the importance of religion, ethnicity, and other social group characteristics. In this way, radical theory evokes the basic views of Karl Marx on the exploitation and oppression of the poor and working class by the ruling class (Lynch & Michalowski, 2006).

An early but still influential radical explanation of crime was presented by Dutch criminologist Willem Bongers (1916). Bongers blamed the high US crime rate on its economic system, capitalism. As an economic system, he said, capitalism emphasizes the pursuit of profit. Yet, if someone gains profit, someone else is losing it. This emphasis on self-gain, he said, creates an egoistic culture in which people look out for themselves and are ready and even willing to act in a way that disadvantages other people. Amid such a culture, he said, crime is an inevitable outcome. Bongers thought crime would be lower in socialist societies because they place more emphasis on the welfare of one's group than on individual success.

Feminist approaches comprise the third branch of the conflict perspective on the study of crime and criminal justice. Several such approaches exist, but they generally focus on at least one of four areas: (1) the reasons girls and women commit crime; (2) the reasons female crime is lower than male crime; (3) the victimization of girls and women by rape, sexual assault, and domestic violence; and (4) the experience of women professionals and offenders in the criminal justice system.

Regarding the first area, the research generally finds that girls and women commit crime for the same reasons that boys and men commit crime: poverty, parental upbringing, and so forth. But it also finds that both women and men "do gender" when they commit crime. That is, they commit crime according to gender roles, at least to some extent. Thus one study found that women robbers tend to rob other women and not to use a gun when they do so (J. Miller & Brunson, 2000).

In addressing the second area, on why female crime is less common than male crime, scholars often cite two reasons discussed earlier: gender role socialization and gender-based differences in parental supervision. One additional reason derives from social bonding theory: Girls feel closer to their parents than boys do, and thus are less delinquent (Lanctôt & Blanc, 2002).



One important area of feminist-inspired work on crime and criminal justice involves studies of women police officers.

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We have already commented on the victimization of women from rape, sexual assault, and domestic violence, but the study of this topic began with work by feminist criminologists during the 1970s. Since that time, innumerable works have addressed this type of victimization, which is also thought to contribute to girls' delinquency and, more generally, female drug and alcohol abuse (Chesney-Lind & Jones, 2010).

The final area for feminist work addresses women professionals and offenders in the criminal justice system. This body of research certainly goes beyond the scope of this book, but it documents the many blatant and subtle forms of discrimination that women face as police, attorneys, judges, prison guards, and other professionals (Muraskin, 2012). A primary task of research on women offenders is to determine how they fare in the criminal justice system compared to male offenders. Studies tend to find that females receive somewhat more lenient treatment than males for serious offenses and somewhat harsher treatment for minor offenses, although some studies conclude that gender does not make too much of a difference one way or the other (Chesney-Lind & Pasko, 2004).

Key Takeaways

- Social structure theories stress that crime results from economic and other problems in how society is structured and from poverty and other problems in neighborhoods.
- Interactionist theories stress that crime results from our interaction with family members, peers, and other people, and from labeling by the criminal justice system.
- Conflict theories stress that social groups with power and influence try to use the law and criminal justice system to maintain their power and to keep other groups at the bottom of society.

For Your Review

1. What are any two criminogenic (crime-causing) social or physical characteristics of urban neighborhoods?
2. According to labeling theory, why are arrest and imprisonment sometimes counterproductive?

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8.5 The Criminal Justice System

Learning Objectives

1. Describe what is meant by the “working personality” of the police.
2. Discuss the quality of legal representation of criminal defendants.
3. Explain whether incarceration reduces crime in an effective and cost-efficient manner.

The criminal justice system in a democracy like the United States faces two major tasks: (1) keeping the public safe by apprehending criminals and, ideally, reducing crime; and (2) doing so while protecting individual freedom from the abuse of power by law enforcement agents and other government officials. Having a criminal justice system that protects individual rights and liberties is a key feature that distinguishes a democracy from a dictatorship.

How well does the US criminal justice system work in both respects? How well does it control and reduce crime, and how well does it observe individual rights and not treat people differently based on their social class, race and ethnicity, gender, and other social characteristics? What are other problems in our criminal justice system? Once again, whole books have been written about these topics, and we have space here to discuss only some of this rich literature.

Police

The police are our first line of defense against crime and criminals and for that reason are often called “the thin blue line.” Police officers realize that their lives may be in danger at any time, and they also often interact with suspects and other citizens whose hostility toward the police is quite evident. For these reasons, officers typically develop a *working personality* that, in response to the danger and hostility police face, tends to be authoritarian and suspicious (Skolnick, 1994). Indeed, it is not too far-fetched to say that police-citizen relations are characterized by mutual hostility and suspicion (Dempsey & Forst, 2012).

Two aspects of police behavior are especially relevant for a textbook on social problems. The first is police *corruption*. No one knows for sure how much police corruption occurs, but low-level corruption (e.g., accepting small bribes and stealing things from stores while on patrol) is thought to be fairly common, while high-level corruption (e.g., accepting large bribes and confiscating and then selling illegal drugs) is thought to be far from rare. In one study involving trained researchers who rode around in police cars, more than one-fifth of the officers being observed committed some corruption (Reiss, 1980). Several notorious police scandals have called attention to rampant corruption amid some police forces. One scandal more than three decades ago involved New York City officer Frank Serpico, whose story was later documented in a best-selling book (Maas, 1973) and in a tension-

filled film starring Al Pacino. After Serpico reported high-level corruption to his superiors, other officers plotted to have him murdered and almost succeeded. A more recent scandal involved the so-called Rampart Division in Los Angeles and involved dozens of officers who beat and shot suspects, stole drugs and money, and lied at the trials of the people they arrested (Glover & Lait, 2000).

The other relevant behavior is *police brutality* or, to use a less provocative term, the *use of undue* (also called *unjustified* or *excessive*) force by police. Police, of course, are permitted and even expected to use physical force when necessary to subdue suspects. Given the context of police work noted earlier (feelings of danger and suspicion) and the strong emotions at work in any encounter between police and suspects, it is inevitable that some police will go beyond the bounds of appropriate force and commit brutality. An important question is how much police brutality occurs. In a recent national survey, about 1 percent of US residents who had had an encounter with the police in 2008 believed that excessive force was used against them (Eith & Durose, 2011). This is a low figure in percentage terms, but still translates to 417,000 people who may have been victims of police brutality in one year.

How well do the police prevent crime? To answer this question, let us be clear what it is asking. The relevant question is not whether having the police we do have keeps us safer than having no police at all. Rather, the relevant question is whether hiring more police or making some specific change in police practice would lower the crime rate. The evidence on this issue is complex, but certain conclusions are in order.



In terms of crime reduction, the ways in which police are deployed matter more than the actual number of police.

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First, simply adding more officers to a city's existing police force will probably not reduce crime, or will reduce it only to a very small degree and at great expense (Walker, 2011). Several reasons may explain why additional police produce small or no reductions in crime. Much violence takes place indoors or in other locations far from police purview, and practical increases in police numbers still would not yield numbers high enough to guarantee

a police presence in every public location where crime might happen. Because criminals typically think they can commit a crime with impunity if no police are around, the hiring of additional police is not likely to deter them.

Additional police may not matter, but how police are deployed *does* matter. In this regard, a second conclusion from the policing and crime literature is that *directed patrol* involving the consistent deployment of large numbers of police in high-crime areas (“hot spots”) can reduce crime significantly (Mastrofski, Weisburd, & Braga, 2010). *Crackdowns*—in which the police flood a high crime and drug neighborhood, make a lot of arrests, and then leave—have at most a short-term effect, with crime and drug use eventually returning to their previous levels or simply becoming displaced to other neighborhoods.

Criminal Courts

In the US legal system, suspects and defendants enjoy certain rights and protections guaranteed by the Constitution and Bill of Rights and provided in various Supreme Court rulings since these documents were written some 220 years ago. Although these rights and protections do exist and again help distinguish our democratic government from authoritarian regimes, in reality the criminal courts often fail to achieve the high standards by which they should be judged. *Justice Denied* (Downie, 1972) and *Injustice for All* (Strick, 1978) were the titles of two popular critiques of the courts written about four decades ago, and these titles continue to apply to the criminal courts today.

A basic problem is the lack of adequate counsel for the poor. Wealthy defendants can afford the best attorneys and get what they pay for: excellent legal defense. An oft-cited example here is O. J. Simpson, the former football star and television and film celebrity who was arrested and tried during the mid-1990s for allegedly killing his ex-wife and one of her friends (Barkan, 1996). Simpson hired a “dream team” of nationally famous attorneys and other experts, including private investigators, to defend him at an eventual cost of some \$10 million. A jury acquitted him, but a poor defendant in similar circumstances almost undoubtedly would have been found guilty and perhaps received a death sentence.

Almost all criminal defendants are poor or near poor. Although they enjoy the right to free legal counsel, in practice they receive ineffective counsel or virtually no counsel at all. The poor are defended by public defenders or by court-appointed private counsel, and either type of attorney simply has far too many cases in any time period to handle adequately. Many poor defendants see their attorneys for the first time just moments before a hearing before the judge. Because of their heavy caseloads, the defense attorneys do not have the time to consider the complexities of any one case, and most defendants end up pleading guilty.

A 2006 report by a New York state judicial commission reflected these problems (Hakim, 2006, p. B1). The report concluded that “local governments were falling well short of constitutional requirements in providing legal representation to the poor,” according to a news story. Some New York attorneys, the report found, had an average yearly caseload of 1,000 misdemeanors and 175 felonies. The report also found that many poor defendants in 1,300 towns and villages throughout the state received no legal representation at all. The judge who headed the commission called the situation “a serious crisis.”

Another problem is plea bargaining, in which a defendant agrees to plead guilty, usually in return for a reduced sentence. Under our system of justice, criminal defendants are entitled to a trial by jury if they want one. In reality,

however, most defendants plead guilty, and criminal trials are very rare: Fewer than 3 percent of felony cases go to trial. Prosecutors favor plea bargains because they help ensure convictions while saving the time and expense of jury trials, while defendants favor plea bargains because they help ensure a lower sentence than they might receive if they exercised their right to have a jury trial and then were found guilty. However, this practice in effect means that defendants are punished if they do exercise their right to have a trial. Critics of this aspect say that defendants are being coerced into pleading guilty even when they have a good chance of winning a not guilty verdict if their case went to trial (Oppel, 2011).

The Problem of Prisons

The United States now houses more than 1.5 million people in state and federal prisons and more than 750,000 in local jails. This total of about 2.3 million people behind bars is about double the 1990 number and yields an incarceration rate that is by far the highest rate of any Western democracy. This high rate is troubling, and so is the racial composition of American prisoners. More than 60 percent of all state and federal prisoners are African American or Latino, even though these two groups comprise only about 30 percent of the national population. As Chapter 7 “Alcohol and Other Drugs” noted, African Americans and Latinos have been arrested and imprisoned for drug offenses far out of proportion to their actual use of illegal drugs. This racial/ethnic disparity has contributed to what law professor Michelle Alexander (2010) terms the “new Jim Crow” of mass incarceration. Reflecting her concern, about one of every three young African American males are under correctional supervision (in jail or prison or on probation or parole).

The corrections system costs the nation more than \$75 billion annually. What does the expenditure of this huge sum accomplish? It would be reassuring to know that the high US incarceration rate keeps the nation safe and even helps reduce the crime rate, and it is certainly true that the crime rate would be much higher if we had no prisons at all. However, many criminologists think the surge in imprisonment during the last few decades has not helped reduce the crime rate at all or at least in a cost-efficient manner (Durlauf & Nagin, 2011). Greater crime declines would be produced, many criminologists say, if equivalent funds were instead spent on crime prevention programs instead of on incarceration (Welsh & Farrington, 2007), a point returned to in Section 8.6 “Reducing Crime”.

Criminologists also worry that prison may be a breeding ground for crime because rehabilitation programs such as vocational training and drug and alcohol counseling are lacking and because prison conditions are substandard. They note that more than 700,000 inmates are released from prison every year and come back into their communities ill equipped to resume a normal life. There they face a lack of job opportunities (how many employers want to hire an ex-con?) and a lack of friendships with law-abiding individuals, as our earlier discussion of labeling theory indicated. Partly for these reasons, imprisonment ironically may increase the likelihood of future offending (Durlauf & Nagin, 2011).

Living conditions behind bars merit further discussion. A common belief of Americans is that many prisons and jails are like country clubs, with exercise rooms and expensive video and audio equipment abounding. However, this belief is a myth. Although some minimum-security federal prisons may have clean, adequate facilities, state prisons and local jails are typically squalid places. As one critique summarized the situation, “Behind the walls, prisoners are likely to find cramped living conditions, poor ventilation, poor plumbing, substandard heating

and cooling, unsanitary conditions, limited private possessions, restricted visitation rights, constant noise, and a complete lack of privacy” (Kappeler & Potter, 2005, p. 293).

Some Americans probably feel that criminals deserve to live amid overcrowding and squalid living conditions, while many Americans are probably at least not very bothered by this situation. But this situation increases the odds that inmates will leave prison and jail as *more* of a threat to public safety than when they were first incarcerated. Treating inmates humanely would be an important step toward successful reentry into mainstream society.

People Making a Difference

Making a Difference in the Lives of Ex-Cons

The text notes that more than 600,000 inmates are released from prison every year. Many of them are burdened with drug, alcohol, and other problems and face bleak prospects for employment, friendships, and stable lives, in general. Since 1967, The Fortune Society has been making a difference in the lives of ex-convicts in and near New York City.

The Fortune Society’s website (<http://www.fortunesociety.org>) describes the group’s mission: “The Fortune Society is a nonprofit social service and advocacy, founded in 1967, whose mission is to support successful reentry from prison and promote alternatives to incarceration, thus strengthening the fabric of our communities.” About 70 percent of its more than 190 employees are ex-prisoners and/or have histories of substance abuse or homelessness. It is fair to say that The Fortune Society was working on prisoner reentry long before scholars discovered the problem in the late 1990s and early 2000s.

The group’s president, JoAnne Page, described its halfway house where inmates stay for up to two months after their release from prisons: “This is what we do. We bring people home safely. There’s a point when the crime happened. The sentence was served, and the rehabilitation must begin. We look at a human being as much more than the worst they ever did.” Recalling that many of her relatives died in the Holocaust, Page added, “What my family experience did was to make me want to be somebody who fights institutions that damage people and who makes the world a little safer. Prisons are savage institutions.”

In addition to its halfway house, the Fortune Society provides many other services for inmates, ex-inmates, and offenders who are put on probation in lieu of incarceration. It regularly offers drug and alcohol counseling, family services, adult education and career development programs, and classes in anger management, parenting skills, and health care. One of its most novel programs is Miss Betty’s Practical Cooking and Nutrition Class, an eight-week course for ex-inmates who are young fathers. While a first reaction might be to scoff at such a class, a Fortune counselor pointed to its benefits after conceding her own immediate reaction. “When I found out about the cooking classes, I thought, ‘So they’re going to learn to cook, so what?’ What’s that going to do? But it’s building self-esteem. For most of these guys, they’re in a city, they’ve grown up on Kool-Aid and a bag of chips. This is building structure. They’re at the point where they have really accomplished something...They’re learning manners. You really can change patterns.”

One ex-convict that Fortune helped was 22-year-old Candice Ellison, who spent more than two years in prison for assault. After not finding a job despite applying to several dozen jobs over a six-month span, she turned in desperation to The Fortune Society for help. Fortune bought her interview clothes and advised her on how to talk about her prison record with potential employers. Commending the help she received, she noted, “Some of my high school friends say it’s not that hard to get a job, but for people like me with a criminal background, it’s like 20 times harder.”

The Fortune Society has received national recognition for its efforts. Two federal agencies, the Department of Justice and the Department of Housing and Urban Development, have featured The Fortune Society as a model program for helping ex-inmates. The Urban Institute featured this model in a video it developed about prisoner reentry programs. And in 2005, the American Society of Criminology presented the Society its President’s Award for “Distinguished Contributions to the Cause of Justice.” These and other examples of the national recognition won by The Fortune Society indicate that for more than four decades it has indeed been making a difference.

Sources: Bellafante, 2005; Greenhouse, 2011; Richardson, 2004

Focus on the Death Penalty

The death penalty is perhaps the most controversial issue in the criminal justice system today. The United States is the only Western democracy that sentences common criminals to death, as other democracies decided decades ago that civilized nations should not execute anyone, even if the person took a human life. About two-thirds of Americans in national surveys favor the death penalty, with their reasons including the need for retribution (“an eye for an eye”), deterrence of potential murderers, and lower expenditure of public funds compared to a lifetime sentence. Social science evidence is irrelevant to the retribution argument, which is a matter for philosophy and theology, but it is relevant to many other aspects of the death debate. Taken together, the evidence on all these aspects yields a powerful case *against* the death penalty (Death Penalty Information Center, 2011).

First, capital punishment does not deter homicide: Almost all studies on this issue fail to find a deterrent effect. An important reason for this stems from the nature of homicide. As discussed earlier, it is a relatively spontaneous, emotional crime. Most people who murder do not sit down beforehand to calculate their chances of being arrested, convicted, and executed. Instead they lash out. Premeditated murders do exist, but the people who commit them do not think they will get caught and so, once again, are not deterred by the potential for execution.

Second, the death penalty is racially discriminatory. While some studies find that African Americans are more likely than whites who commit similar homicides to receive the death penalty, the clearest evidence for racial discrimination involves the race of the victim: Homicides with white victims are more likely than those with African American victims to result in a death sentence (Paternoster & Brame, 2008). Although this difference is not intended, it suggests that the criminal justice system values white lives more than African American lives.



The death penalty is racially discriminatory and does not deter homicide.

Third, many people have been mistakenly convicted of capital offenses, raising the possibility of *wrongful executions*. Sometimes defendants are convicted out of honest errors, and sometimes they are convicted because the police and/or prosecution fabricated evidence or engaged in other legal misconduct. Whatever their source, wrongful convictions of capital offenses raise the ugly possibility that a defendant will be executed even though he was actually innocent of any capital crime. During the past four decades, more than 130 people have been released from death row after DNA or other evidence cast serious doubt on their guilt. In March 2011, Illinois abolished capital punishment, partly because of concern over the possibility of wrongful executions. As the Illinois governor summarized his reasons for signing the legislative bill to abolish the death penalty, “Since our experience has shown that there is no way to design a perfect death penalty system, free from the numerous flaws that can lead to wrongful convictions or discriminatory treatment, I have concluded that the proper course of action is to abolish it” (Schwartz & Fitzsimmons, 2011:A18).

Fourth, executions are expensive. Keeping a murderer in prison for life costs about \$1 million in current dollars (say 40 years at \$25,000 per year), while the average death sentence costs the state about \$2 million to \$3 million in legal expenses.

This diverse body of evidence leads most criminologists to oppose the death penalty. In 1989, the American Society of Criminology adopted this official policy position on capital punishment: “Be it resolved that because social science research has demonstrated the death penalty to be racist in application and social science research has found no consistent evidence of crime deterrence through execution, The American Society of Criminology publicly condemns this form of punishment, and urges its members to use their professional skills in legislatures and courts to seek a speedy abolition of this form of punishment.”

Key Takeaways

- Partly because the police often fear for their lives, they tend to have a “working personality” that is authoritarian and suspicious. Police corruption and use of undue force remain significant problems in many police departments.
- Although criminal defendants have the right to counsel, the legal representation of such defendants, most of whom are poor or near poor, is very inadequate.
- Prisons are squalid places, and incarceration has not been shown to reduce crime in an effective or cost-efficient manner.
- Most criminologists agree that capital punishment does not deter homicide, and they worry about racial discrimination in the use of the death penalty and about the possibility of wrongful executions.

For Your Review

1. Have you ever had an encounter with a police officer? If so, how would you describe the officer’s personality? Was it similar to what is described in the text?
2. The text argues that improvement in prison conditions would help reduce the probability of reoffending after inmates leave prison. Do you agree or disagree with this statement? Explain your answer.

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8.6 Reducing Crime

Learning Objective

1. Describe five strategies that criminologists have proposed to reduce crime.

During the last few decades, the United States has used a get-tough approach to fight crime. This approach has involved longer prison terms and the building of many more prisons and jails. As noted earlier, scholars doubt that this surge in imprisonment has achieved significant crime reduction at an affordable cost, and they worry that it may be leading to greater problems in the future as hundreds of thousands of prison inmates are released back into their communities every year.

Many of these scholars favor an approach to crime borrowed from the field of public health. In the areas of health and medicine, a public health approach tries to treat people who are already ill, but it especially focuses on preventing disease and illness before they begin. While physicians try to help people who already have cancer, medical researchers constantly search for the causes of cancer so that they can try to prevent it before it affects anyone. This model is increasingly being applied to criminal behavior, and criminologists have advanced several ideas that, if implemented with sufficient funds and serious purpose, hold great potential for achieving significant, cost-effective reductions in crime (Barlow & Decker, 2010; Frost, Freilich, & Clear, 2010; Lab, 2010). Many of their strategies rest on the huge body of theory and research on the factors underlying crime in the United States, which we had space only to touch on earlier, while other proposals call for criminal justice reforms. We highlight some of these many strategies here.

Applying Social Research

“Three Strikes” Laws Strike Out

The *get-tough* approach highlighted in the text has involved, among other things, mandatory minimum sentencing, in which judges are required to give convicted offenders a minimum prison term, often several years long, rather than a shorter sentence or probation.

Beginning in the 1990s, one of the most publicized types of mandatory sentencing has been the “three strikes and you’re out” policy that mandates an extremely long sentence—at least twenty-five years—and sometimes life imprisonment for offenders convicted of a third (or, in some states, a second) felony. The intent of these laws, enacted by about half the states and the federal government, is to reduce crime by keeping dangerous offenders behind bars for many years and by deterring potential offenders from committing crime (*general deterrence*). Sufficient time since the first three strikes laws were passed has elapsed to enable criminologists to assess whether they have, in fact, reduced crime.

Studies of this issue find that three strikes laws do not reduce serious crime and, in fact, may even *increase* the number of homicides. Several studies have focused on California, where tens of thousands of offenders have been sentenced under the state’s three strikes law passed in 1994. Almost all these studies conclude that California’s law did not reduce subsequent crime or did so by only a negligible amount. A few studies also have examined nationwide samples of city

and state crime rates in the states that adopted three strikes laws and in the states that did not do so. These studies also fail to find that three strikes laws have reduced crime. As one of these studies, by three criminologists from the University of Alabama at Birmingham, concludes, “Consistent with other studies, ours finds no credible statistical evidence that passage of three strikes laws reduces crime by deterring potential criminals or incapacitating repeat offenders.” The national studies even find that three strikes laws have *increased* the number of homicides. This latter finding is certainly an unintended consequence of these laws and may stem from decisions by felons facing a third strike to kill witnesses so as to avoid life imprisonment.

In retrospect, it is not very surprising that three strikes laws do not work as intended. Many criminals simply do not think they will get caught and thus are not likely to be deterred by increased penalties. Many are also under the influence of drugs and/or alcohol at the time of their offense, making it even less likely they will worry about being caught. In addition, many three strikes offenders tend to be older (because they are being sentenced for their third felony, not just their first) and thus are already “aging out” beyond the high-crime age group, 15–25. Thus three strikes laws target offenders whose criminality is already declining because they are getting older.

In addition to the increase in homicides, research has identified other problems produced by three strikes laws. Because three strikes defendants do not want a life term, some choose a jury trial instead of pleading guilty. Jury trials are expensive and slow compared to guilty pleas and thus cost the prosecution both money and time. In another problem, the additional years that three strikes offenders spend in prison are costing the states millions of dollars in yearly imprisonment costs and in health-care costs as these offenders reach their elderly years.

As should be clear, the body of three strikes research has important policy implications, as noted by the University of Alabama at Birmingham scholars: “(P)olicy makers should reconsider the costs and benefits associated with three strikes laws” (p. 235). Three strikes laws do not lower crime and in fact increase homicides, and they have forced the states to spend large sums of money on courts and prisons. The three strikes research strongly suggests that three strikes laws should be eliminated.

Sources: Kovandzic, Sloan, & Vieraitis, 2004; Walker, 2011

A first strategy involves serious national efforts to reduce poverty and to improve neighborhood living conditions. It is true that most poor people do not commit crime, but it is also true that most street crime is committed by the poor or near poor for reasons discussed earlier. Efforts that create decent-paying jobs for the poor, enhance their vocational and educational opportunities, and improve their neighborhood living conditions should all help reduce poverty and its attendant problems and thus to reduce crime (Currie, 2011).

A second strategy involves changes in how American parents raise their boys. To the extent that the large gender difference in serious crime stems from male socialization patterns, changes in male socialization should help reduce crime (Collier, 2004). This will certainly not happen any time soon, but if American parents can begin to raise their boys to be less aggressive and less dominating, they will help reduce the nation’s crime rate. As two feminist criminologists have noted, “A large price is paid for structures of male domination and for the very qualities that drive men to be successful, to control others, and to wield uncompromising power....Gender differences in crime suggest that crime may not be so normal after all. Such differences challenge us to see that in the lives of women, men have a great deal more to learn” (Daly & Chesney-Lind, 1988, p. 527).

Lessons from Other Societies

Preventing Crime and Treating Prisoners in Western Europe

The text suggests the get-tough approach that the United States has been using to reduce crime has not worked in a cost-effective manner and has led to other problems, including a flood of inmates returning to their communities every year.

In fighting crime, the United States has much to learn from Western Europe. In contrast to the US get-tough approach, Western European nations tend to use a public health model that comprises two components. The first is a focus on crime prevention that uses early childhood intervention programs and other preventive measures to address the roots of crime and other childhood and family problems. The second is a criminal justice policy that involves sentencing defendants and treating prisoners in a manner more likely to rehabilitate offenders and reduce their repeat offending than the more punitive approach in the United States.

The overall Western European approach to offenders is guided by the belief that imprisonment should be reserved for the most dangerous violent offenders, and that probation, community service, and other forms of community corrections should be used for other offenders. Because violent offenders comprise only a small proportion of all offenders, the Western European approach saves a great deal of money while still protecting public safety.

The experience of Denmark and the Netherlands is illustrative. Like the United States, Denmark had to deal with rapidly growing crime rates during the 1960s. Whereas the United States responded with the get-tough approach involving longer and more certain prison terms and the construction of more and more prisons, Denmark took the opposite approach: It adopted shorter prison terms for violent offenders and used the funds saved from the reduced prison costs to expand community corrections for property offenders. Finland and the Netherlands have also adopted a similar approach that favors community corrections and relatively short prison terms for violent offenders over the get-tough approach the United States adopted.

All these nations save great sums of money in prison costs and other criminal justice expenses because they chose not to adopt the US get-tough approach, yet their rates of serious violent crime lag behind the US rates. Although these nations obviously differ from the United States, the advantages of their approach should be kept in mind as the United States evaluates its get-tough policies. There may be much to learn from their less punitive approach to crime: While the United States got tough, perhaps they got sensible.

Sources: Dammer & Albanese, 2011; Waller & Welsh, 2007

A third and very important strategy involves expansion of early childhood intervention (ECI) programs and nutrition services for poor mothers and their children, as the Note 8.28 “Children and Our Future” box discussed earlier. ECI programs generally involve visits by social workers, nurses, or other professionals to young, poor mothers shortly after they give birth, as these mother’s children are often at high risk for later behavioral problems (Welsh & Farrington, 2007). These visits may be daily or weekly and last for several months, and they involve parenting instruction and training in other life skills. These programs have been shown to be very successful in reducing childhood and adolescent misbehavior in a cost-effective manner (Greenwood, 2006). In the same vein, nutrition services would also reduce the risk of neurological impairment among newborns and young children and thus their likelihood of developing later behavioral problems.

A fourth strategy calls for a national effort to improve the nation’s schools and schooling. This effort would involve replacing large, older, and dilapidated schoolhouses with smaller, nicer, and better equipped ones. For many reasons, this effort should help improve student academic achievement and school commitment and thus lower delinquent and later criminal behavior.

A final set of strategies involves changes in the criminal justice system that should help reduce repeat offending and save much money that could be used to fund the ECI programs and other efforts just outlined. Placing nonviolent property and drug offenders in community corrections (e.g., probation, daytime supervision) would reduce the number of prison and jail inmates by hundreds of thousands annually without endangering Americans’ safety and save billions of dollars in prison costs (Jacobson, 2006). These funds could also be used to improve prison and jail vocational and educational programming and drug and alcohol services, all of which are seriously underfunded. If properly funded, such programs and services hold great promise for rehabilitating many inmates

(Cullen, 2007). Elimination of the death penalty would also save much money while also eliminating the possibility of wrongful executions.

This is not a complete list of strategies, but it does suggest the kinds of efforts that would help address the roots of crime and, in the long run, help to reduce it. Although the United States may not be interested in pursuing this crime-prevention approach, strategies like the ones just mentioned would in the long run be more likely than our current get-tough approach to create a safer society and at the same time save us billions of dollars annually.

Note that none of these proposals addresses white-collar crime, which should not be neglected in a discussion of reducing the nation's crime problem. One reason white-collar crime is so common is that the laws against it are weakly enforced; more consistent enforcement of these laws should help reduce white-collar crime, as would the greater use of imprisonment for convicted white-collar criminals (Rosoff et al., 2010).

Key Takeaways

- The get-tough approach has not been shown to reduce crime in an effective and cost-efficient manner. A sociological explanation of crime thus suggests the need to focus more resources on the social roots of crime in order to prevent crime from happening in the first place.
- Strategies suggested by criminologists to reduce crime include (a) reducing poverty and improving neighborhood living conditions, (b) changing male socialization patterns, (c) expanding early childhood intervention programs, (d) improving schools and schooling, and (e) reducing the use of incarceration for drug and property offenders.

For Your Review

1. The text notes that social science research has not shown the get-tough approach to be effective or cost-efficient. If this is true, why do you think this approach has been so popular in the United States since the 1970s?
2. Of the five strategies outlined in the text to reduce crime, which one strategy do you think would be most effective if it were implemented with adequate funding? Explain your answer.

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8.7 End-of-Chapter Material

Summary

1. Crime is a major concern for many Americans. More than one-third fear walking alone at night in their neighborhoods, and even larger percentages worry about specific types of crimes. News media coverage of crime contributes to these fears. The media overdramatize crime by covering so much of it and by giving especially heavy attention to violent crime even though most crime is not violent. In other problems, the news media disproportionately depict young people and people of color as offenders and whites as victims.
2. The nation's major source of crime statistics is the FBI's Uniform Crime Reports (UCR). Because many people do not tell the police about crimes they have experienced, the UCR underestimates the actual level of crime in the United States. It is also subject to changes in police reporting practices and in particular to deliberate efforts by police to downplay the amount of crime. To help correct these problems, the National Crime Victimization Survey (NCVS) measures crime every year in a national survey that asks residents to report their criminal victimization. The NCVS is thought to yield a more accurate estimate of crime than the UCR, and it also provides much information on the circumstances under which victimization occurs. Self-report surveys, typically given to adolescents, are a final form of crime measurement and provide much information on the adolescents' social backgrounds and thus on the context of their offending.
3. The major categories of crime are violent crime, property crime, white-collar crime, and consensual crime. Much violent crime is relatively spontaneous and emotional, and a surprising amount involves victims and offenders who knew each other before the violent act occurred. Despite popular perceptions, most violent crime is also intraracial. A major distinction in the understanding of property crime is that between professional thieves, who are very skilled and steal valuable possessions or large sums of money, and amateur thieves, who are unskilled and whose theft is petty by comparison. Corporate crime and other kinds of white-collar crime arguably cost the nation more than street crime in economic loss, health problems, and death; corporate violence involves unsafe working conditions, unsafe products, and environmental pollution. Consensual crime, such as illegal drug use and prostitution, raises two important questions: (1) Which consensual but potentially harmful behaviors should the state ban and which should it not ban, and (2) does banning such behaviors do more harm than good or more good than harm?
4. Crime is socially patterned. Males commit more serious crimes than females. African Americans and Latinos have higher crime rates than whites, poor people have higher crime rates than the wealthy, and youths in their teens and early twenties have higher crime rates than older people. In addition, crime is higher in urban areas than in rural areas.
5. Many sociological theories of criminal behavior exist. Social structure theories highlight poverty and weakened social institutions as important factors underlying crime. Social process theories stress the importance of peer relationships, social bonding, and social reaction. Conflict theories call attention to the possible use of the legal system to punish behavior by subordinate groups, while feminist theories examine gender differences in criminality, the victimization of women by rape, sexual assault, and domestic violence, and the experiences of women professionals and offenders in the criminal justice system.
6. The criminal justice system costs tens of billions of dollars annually, yet scholars question the potential of this system to reduce crime. How police are deployed seems a more important factor regarding their potential for crime reduction than the actual numbers of police. The surge in imprisonment of the last few decades may have accounted for a relatively small drop in crime, but whatever reduction it has achieved has not been cost-effective, and hundreds of thousands of prison inmates are now returning every year to their communities. Several problems also exist in the criminal justice system itself. Police corruption and brutality remain serious concerns, while indigent defendants receive inadequate legal representation or none

at all. Despite public perceptions, prisons and jails are squalid places, and rape and other violence are daily concerns.

7. The United States is the only Western democracy to use the death penalty for common criminals. Social science evidence finds that the death penalty does not deter homicide, is racially discriminatory, may involve wrongful convictions, and costs considerably more than life imprisonment.
8. Many proposals for reducing crime derive from sociological evidence. These proposals aim to reduce poverty and improve neighborhood living conditions; to change male socialization patterns; to expand early childhood intervention programs and nutrition services; to improve the nation's schools and schooling; and to reduce the number of prison inmates by placing nonviolent property and drug offenders in community corrections. The funds saved by this last proposal could be used to improve prison and jail rehabilitation programming.

Using What You Know

Suppose you are the Democratic Party Governor of a midsized state and that you are up for reelection in two years. You were a political science major in college but had a sociology minor with a focus in criminal justice. The crime rate in your state has risen slightly since you took office, and there is growing sentiment in the state's major newspapers and from the Republican Party opposition in the state legislature to lengthen prison terms for serious crime and to build two more prisons for the greater number of prisoners that will be expected. Because of your studies in college, you are skeptical that this approach will reduce crime, and you recognize it will cost millions of dollars. But you also realize that your opponents and some members of the news media are beginning to say that you are soft on crime. What do you do?

What You Can Do

To help deal with the problem of crime, you may wish to do any of the following:

1. Volunteer at an agency that helps troubled teenagers.
2. Volunteer with an organization that helps ex-offenders.
3. Work for an organization that provides early childhood intervention services for at-risk children.