

Chapter 8

Crime and Criminal Justice

1. The Problem of Crime

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

Section Outline

- **Public Concern about Crime:** Two-thirds of the public said in a 2011 Gallup poll that crime had risen from the previous year. 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 thinks the crime rate has been rising, this rate has actually been declining since the early 1990s.
- **Media Myths:** The news media, in fact, distort the amount and nature of crime in several ways. They over dramatize crime by reporting it in many news stories. Crime dominates news coverage in many newspapers and television newscasts, and 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.
- **Measuring Crime:** 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.

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 over dramatize 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 measured of crime by the FBI inaccurate?

Key Terms

- **Crime –Behavior** -- Considered so harmful or offensive that it is banned by the criminal law.
- **Deviance –Behavior** -- Violates norms and arouses negative social reactions.

- **Uniform Crime Reports (UCR)** -- The FBI's regular compilation of crime statistics, most of them on Part I crimes.
- **Part I Crimes** -- The FBI's term for the major crimes included in the Uniform Crime Reports, including homicide, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, and arson.
- **Dark Figure of Crime** -- The large number of crimes that do not come to the attention of the police and thus also not to the public.
- **National Crime Victimization Survey (NCVS)** -- An annual survey conducted by the US Department of Justice that asks a representative sample of the American public about crimes they have suffered.
- **Self-Report Survey** -- A survey given to individuals, usually adolescents, that asks them about offenses they have committed and usually about their families and other aspects of their lives.

2. Types of Crime

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

Section Outline

- **Violent Crime:** 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. Some observers believe rising imprisonment rates also made a difference.

- **Property Crime:** 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 millions occur annually in this country. 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.
- **White-Collar Crime:** The most famous definition comes from Edwin 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.” 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*).
- **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.”

- **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 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*.

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?

Key Terms

- **Intraracial** -- In criminology, the commission of crime by offenders against members of their own race or ethnicity.
- **White-Collar Crime** -- Crime committed by people in the course of their occupations; Edwin Sutherland's definition emphasized crime by people of high social status.
- **Corporate Violence** -- Actions by corporations that cause death, injury, or illness.
- **Organized Crime** -- Criminal activity by groups or organizations whose major purpose for existing is to commit such crime.
- **Consensual Crime** -- Illegal behavior in which people participate voluntarily, including drug use, prostitution, and gambling.

3. Who Commits Crime?

- Explain why males commit more crime than females.

- Discuss whether social class differences exist in crime rates.
- Discuss whether racial/ethnic differences exist in crime rates.

Section Outline

- **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. When it comes to breaking the law, crime is a man's world.
- **Age:** 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.
- **Social Class:** 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”
- **Urban versus Rural Residence:** 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.

- **Race and Ethnicity:** 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.

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.

4. Explaining Crime

- Understand social structure theories of crime.

- Explain the social bonding theory of crime.
- Describe the general assumptions of conflict theories of crime.

Section Outline

- **Social Disorganization Theory:** 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.
- **Anomie Theory:** 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.
- **Differential Association Theory:** 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. Crime and delinquency, then, result from a very normal social process, social interaction. Adolescents or more or less at risk for delinquency partly depending on who their friends are and what their friends do or don't do.
- **Social Bonding Theory:** 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.

- **Labeling Theory:** Labeling theory 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.
- **The Conflict Perspective:** 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. The second branch of the conflict perspective is called radical theory which 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. Feminist approaches comprise the third branch. It 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. 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 social class.

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?

Key Terms

- **Social Disorganization Theory** -- The view that the weakening of social bonds and conventional social institutions in a community raises its crime rates.
- **Anomie Theory** -- Robert Merton's view that deviance is caused by a failure to achieve the American goal of financial success through the conventional means of working.
- **Differential Association Theory** -- Edwin Sutherland's view that deviance stems from interacting with primary group members who commit deviance and have values conducive to deviance.
- **Social Bonding Theory** -- Travis Hirschi's view that deviance results from weak bonds to conventional social institutions such as the family and schools.
- **Labeling Theory** -- The view that being labeled deviant increases the chances of future deviance.
- **Group Conflict Theory** -- The assumption 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.
- **Radical Theory** -- A view that highlights the importance of (economic) social classes more than the importance of religion, ethnicity, and other social group characteristics in shaping the creation and operation of

criminal law.

5. The Criminal Justice System

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

Section Outline

- **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.
- **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. A basic problem is the lack of adequate counsel for the poor
- **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. 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.

- **Focus on the Death Penalty:** 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.

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.

Key Term

- **Plea Bargaining** -- An agreement between the prosecution and defense that a criminal defendant will plead guilty, usually in return for a reduced sentence.

6. Reducing Crime

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

Section Outline

- 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.

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.

Key Terms

- **Get-tough Approach** -- The use of longer prison terms and other law enforcement measures to reduce crime.
- **Public Health Approach** -- A strategy that highlights the need to prevent

illness or disease; in criminology, a strategy that highlights the need to address the factors that lead to criminal behavior.