

October 7, 2013
CRM 1300
Lecture 9

Violent Crime: Violence and Society

Roots of Violence

- Personal traits
 - Brain injuries, mental illness, abnormal brain wave patterns, low intelligence, psychotic symptoms, etc.
- Family dysfunction (功能紊乱)
 - Family violence, physical and sexual abuse, physical punishment, inconsistent discipline.

Drugs

- Alcohol increases aggression.
- Trafficking creates disputes.
- Addiction creates need for money.

Firearms availability

- Explains U.S.- Canada differences.
- In Canada, 14,000 gun-related deaths over 10 years
- Mainly suicides (81%) and accidents.

Sexual Assault: Passion or Power?

- Historical Masculinity (男性; 男子气) Related Issues
 - Women were viewed as property of men.
 - Rape was an offense against the father or husband.
 - Rape diminished the value of wife or daughter.

Rape and the Military

- Canadian and American military
 - Complaints of sexual assault in 1990s.
- Rape has long been associated with warfare.
- Women were considered to be spoils of war.
 - Vietnam, Bosnia, Africa

Incidence (发生率) of Sexual Assault

- Only 1 in 10 are reported to police.
 - Embarrassment, self-blame, mistrust of police.
 - Greater willingness to report as a result of public attitudes.
- Most occur in summer and on weekends. (happens a lot on prom)
- 39% of women over 18 report having been sexually assaulted sometime in their lives.

Types of Rapists (Groth and Birnbaum, 1979)

- Anger rape
 - Means of expressing rage.
 - Excessive brutality.
- Power rape
 - Exert control over women
 - Less violence is used.
- Sadistic (虐待) rape
 - Abusive and degrading.
 - Involves ritual and torture.
- Gang rape
 - Peer Pressure

Types of Rapes

- Stranger Rapes
 - More violent.
 - More predominant in official statistics.
 - More likely to involve weapons.
- Acquaintance Rapes
 - Less likely to be reported.
 - Probably make up the majority of rapes.
 - About one-half of reported rapes.
 - Also family members.

Date Rape

- Canadian college women survey (1993)
 - 1/3 experienced physical, verbal or psychological coercion.
 - 25% in the previous year.
- Increased use of date rape drugs.
- Causes of gang rapes.
- Campaigns (参加战役) .
 - Fight back
 - No means No

University of Ottawa

- Sexual Harassment (骚扰) Annual Report 2005/2006
- 88% of cases (52), women alleged harassment by men.

Marital Rape

- Sexual assault is common as part of domestic violence.
- Marital (婚姻间的) exemption (免除) :
 - Sexual consent was seen as part of the marriage contract.
 - Abolished in Canada 1983.
 - Also in many other countries.

Explaining Rape

- Evolutionary/Biological Factors.
 - Aggression gives reproductive advantage.
- Male socialization.
 - Stereotypes of masculinity.
- Mental illness/personality disorder.
- Social learning and pornography.
- Sexual motivation.

Rape and the Law

- Legal barriers
 - Resulted in under-reporting, under-charging and reluctance to convict.
- 1983, rape was replaced by three degrees of sexual assault:
 - Common sexual assault
 - Assault with a weapon
 - Aggravated sexual assault

Law Reform

- Issue of consent.
 - 1992, "no means no" legislation.
- Rape shield laws.
 - 2000, limited access to counseling records.
- Corroboration.
 - No longer mandatory (someone had to actually see it happen)

Homicide

- First degree murder
 - Requires that the action be planned and deliberate
- Second degree murder
 - Involves malice (恶意) but no premeditation (预谋)
- Manslaughter (过失杀人)
 - The killing of another person through gross negligence
- Infanticide
 - Killing of an infant
- peaks in 1973, upswing in 1993, coming down since then.
- Homicides, by province (2010): Manitoba, Saskatchewan, Alberta and B.C are all above average, raising the crime rate in Canada
- American homicide rate is double the Canadian rate

Who are the Suspects?

- male
- between ages of 18 and 24

Homicide Trends in Canada: 2006

- 605 homicides reported, 58 fewer than the previous year
- Canadian homicides per 100,000 population 1.85

- Provinces High/low
 - Manitoba 3.31
 - B.C. 2.51
 - Saskatchewan 4.06
 - Newfoundland and Labrador 1.37
 - P.E.I 0.72
 - Nova Scotia 1.71
- CMA's High/low
 - Winnipeg (3.03) Vancouver (2.52)
 - Quebec (0.96) and Ottawa (1.81)

 - Saskatoon (3.27) and Gatineau (3.10)
 - Oshawa, (0.88) and St. John's (0.55)

Methods of Killing

- 35% stabbing (刺穿)
- 31% firearms
 - handguns still accounted for 57% of firearms used in homicide incidents
 - 816 firearm related deaths in 2002 80% were due to suicide, 15% homicide and 4% accidents
- 19% beaten
- 8% were strangled

Homicide Trends in Canada

- Who killed who in 2006
 - 83% of solved homicides committed by:
 - An acquaintance (34%)
 - Or a family member (37%)
 - 17% by a stranger
 - 52% of all female victims and 8% of male victims were killed by person they have had a intimate relationship with.

Who are the victims?

- Males
- 18-24 age range

Serial/Mass Murders

- Ken and Barbie (Paul Bernado and Karla Homolka) met in Toronto
 - Karla's sister
 - Catholic school girls locked in the basement of their house, mutilated and sexually assaulted... Cut them up, put them in concrete and put them in lake Ontario when they were done with them.
 - news and information on the case was blacked out from companies such as rogers, cogeco, etc.
- Son of Sam (David Berkowitz)
 - series of murders 1977 in New York City

- women who were brunette, caught having sex with guys were murdered
- women began dyeing their hair blonde in reaction to these killings
- known as the 44 caliber killer before he was known as the son of sam killer
- he was taking orders from the next door neighbor's dog
- though the neighbor's dog was the devil and was telling him to kill people.
- Marc Lepine
 - 1989
 - Finishing CJEP, applied to be an engineer, more women were allowed into the program than males that year to promote gender equality
 - Marc did not agree with this, went into class, separated the men from the women, sent the men out and killed all the women in that class
 - Sometimes referred to as femicide
 - discovered his home-life through investigation was extremely male-dominated and patriarchal. Both Mar and his father controlled his mother.
 - Was taught that males were dominant
 - When he was rejected from the program, he blamed the women.
- My Lai
 - American military slaughtered everyone
 - demonized and dehumanized Vietnamese
 - thought the village was the enemy
 - incorrect command structure and orders

(Halo Effect:

- pretty is nice
- pretty people cannot do bad things)

Oct 23rd

White Collar, Corporate and Organized Crime

Edwin Sutherland: 1st academic person focus on W.C.C.

White Collar Crime:

- are mainly hidden from criminologists;
- cause high financial cost;
- Damage social institutions and social relations.

What is W.C.C

-is committed by individuals who use the marketplace for their criminal activity.

W.C.C. Types

-Middle-Class deviance

E.G. evasion, credit card fraud, bankruptcy fraud;

-Professional (Elite déviance)

E.g. medical fraud, investment fraud;

-Business Fraud

E.g. Embezzlement (挪用)

-Occupational Crime

E.g. employee theft

-Corporate Crime

E.g. false advertising

How serious is it?

-Much higher cost than street crime;

-1997, 57% of companies claimed being cheated by their own employees.

-U.S

Over 20 mill serious injuries;

Over 30,000 deaths/ years

-Receive light penalties

-An international problem

Types of W.C.C

Moore (1980)

1. Stings and swindles

- Financial

- Religious

2. Chiselling

- Occupation chiselling

- Securities Fraud

- Professional Chiselling

3. Individual exploitation of position

- gov't-Bribes, kickbacks

- Industry-Kickbacks, soliciting bribes

4. Influence peddling and bribery

- gov't, crime justice system, business

5. Embezzlement and employee fraud

- Blue-Collar Fraud, management fraud;

6. Client Fraud

- Insurance fraud, credit card fraud, medical insurance fraud

7. Corporate Crime

- Price-fixing, illegal restraint of trade e.g.

- False advertising

-Environmental Crime e.g:

High Teach Crime

1. Internet Crimes

- Pornography
- Stalking
- Hate Crime
- Get rich quick scams

2. Computer Crimes

- Theft of services (using data)
- Fraud to obtain assets
- Theft (of software, downloading music)
- Viruses-over 56,000 in 2000

Corporate Culture Theory

- Co culture
 - Encourages excessively high goals while tolerant employee deviance
- Braithwaite (1987)
 - Corporate climate conducive to crime is the result of poor relations with gov't
- Shame of discovery
 - Provides definitions unfavorable to law-braking

-Internal (whistle-Blowing) or external (inspections).

Self-Control

1. **Hirschi and Gottfredson** (1987)

-White-collar crime is rare;

-People who get ahead in business have learned self-control, are not likely to engage in crime

-Similar to street crime in terms of who does it (gender, race and age etc.);

-Offenders are egocentric, of report offenders

2. **Benson and Moore** (1992)

3 types of W.C offenders:

-impulsive, low self-control

-calculating, high self-control

-opportunistic, medium self-control

Controlling W.C.C

Conflict theory;

-Prosecution is rare;

-Few are punished;

-Sentences are light;

-Small and medium sized business is major targets of enforcement;

-Judges don't see them as red criminals;

-Civil rather than criminal law

Oct 28th

Enforcement

-Largely dependent on gov't administrators/inspectors.
someone watches

- gov't cutbacks. (e.g. food safety)
- complaint-based rather than proactive.

-RCMP

-focuses more on "organized crime" (i.e. bikers), drug trafficking.

Corporate Policing

Traub (1996)

-Security measures

-Contract security personnel, closed circuit TV.

(斯诺登)

-Screening and education

-Background check, personality testing, seminars.

-Whistle-Blowing

-Anonymous hotlines.

Control Strategies

Compliance (顺从, 服从)

-Economic incentives to obey the law.

- Administrative agencies, legislation, and fines.
- Awarding gov't contracts based on compliance.

-Problems

- Ineffective with deregulation, pro-business gov't. (hands off)
- Penalties are seen as a business cost.
- Companies move to unregulated areas. (e.g. clothe made)

Deterrence

-Detect crimes, convict and punish offenders as a warning to others.

-U.S research indicates that public and judicial tolerance of white-collar crime may be decreasing.

-Long sentences are rare.

-White-collar offenders make up small per cent of all convictions.

Organized Crime

Structured organization, which systematically provides illegal goods and services:

- Prostitution
- Gambling
- Drugs
- Pornography

Characteristics

- Conspiratorial
 - coordinated specialties, hierarchical.
- Goals
 - Profits and power, monopoly on illegal goods and services
- Also involved in businesses that seem legitimate
 - Money laundering (clean money so that it is not illegal) and fraud, computer crimes, protection rackets.
- Predatory tactics:
 - Intimidation, violence, corruption
 - Control over their members (kill)
 - Violence, family members, demotion.
- Many different groups besides Mafia
- Does not include terrorists dedicated to social/political change.

Activities of Organized Crime

- Provide illegal goods and services
 - Drugs
 - Prostitution
 - Gambling
 - Pornography
- May infiltrate legitimate organizations
 - unions

Organized Crime and Legitimate Enterprise

- Involvement in legitimate business:
 - Providing a front or service (E.g. toxic waste removal).
 - Protection rackets
 - monopolies or cartels
 - Corruption of officials (bribing police).
 - Manipulation of legal products (stocks and bonds).

Alien Conspiracy Theory

- National syndicate of crime families.

-First groups

- Irish in New York slums (NY thieves).
- Replaced by Italians

-Initial profits made from alcohol during Prohibition.

(police officers do not interrupt)

(state is like an organization: citizens pay tax; protection)

Criticisms of the Mafia Myth

-Jenkins (1987)

Little evidence of Italian crime family control of organized crime.

-Crime is loosely organized, involving:

Professional criminal, law enforcers, politicians, businessmen

-Chaotic, many power struggles. (violence and business)

Organized Crime Groups

Asian-based

-Drugs, migrant smuggling, street gangs.

East European-based

-Sophisticated internet and financial frauds, phony credit card.

Italian-based

-Sicilian clans, primarily narcotics gambling, extortion and loansharking.

Outlaw motorcycle gangs

-Hell's Angles, Outlaws Rock Machine etc.

-Drugs, escort services, extortion, intimidation, murder, etc.

Native outlaw gangs

-Manitoba Warriors

-Indian Posses

each group has its own culture

Emerging trends

-Interweaving of ethnic criminal groups

-Use of cell rather than hierarchical structure

-Organization of groups is a response to law enforcement

-Organized crime generates over \$20 billion/year in Canada, mostly drugs.

-Moving into weapons sales, toxic wastes, etc.

Organized Crime Abroad

-Colombia

Drug cartels (Ampro: build school and drug dealer)

-Japan

- Yakuza gangs (domaine street crime)
- China
 - Smuggling of illegal migrants (human bodies part)
- Russia
 - Much gang activity since 1993 break up of USSR.

Oct 30

Policing in Canada

- the charter
- police facts
- roles and responsibilities
- function
- origins of policing
- history of the RCMP
- Community Policing

Caesar Augustus and the Praetorian Guard

Military control empire (Roman)

Democracy does not use military to police citizens

Police Facts

- there are over 62,400 police officers in Canada, do not include other peace officers (enforcement of law)
- the RCMP make up 26% (16,383) of all Canadian police officers per capita, and there are 192 office per 100,000 citizens, much lower than U.S (326 per 100,000 in 2002)

- Saskatchewan (205) has the most police officers; Quebec (198) Manitoba (196) Ontario (188).
- Among CMAS, Thunder Bay, Winnipeg and Montreal had the highest.

Police and Women

- In 2006, there were 11,211 female police officers;
- An increase of over 6% from 2005;
- Accounting for 18% of all officers
- There has been a steady increase of female officers since the early 1970s; (Second Feminism movement: occupation changed); More women entered, more men left; Nickname: “minermey”

Police Cost

- Canadian Gov’t spent \$9.3 Billion on policing in 2005;
- \$288 per Canadian
- Ontario \$252
- Quebec \$241
- P.C.I \$140

Money goes to: benefit, salary.

The Table

numbers of police officers have no correlation with population and numbers of crime.

Roles and Responsibilities:

- Identify criminal offenders and criminal activity and when appropriate, apprehend offenders and participate in subsequent court proceedings;
- Reduce chances for the commission of some crimes through preventive patrol (巡逻) and other measures;
- Aid individuals who are in danger of physical harm;
- Protect constitutional guarantees;
- Facilitate the movement of people and vehicles;
- Assist those who cannot care for themselves;
- Resolve conflict
- Identify problems that are potentially serious law enforcement or gov’t problems;
- Create and maintain a feeling of security in the community;
- Promote and preserve civil order (by professional e.g. no lying no stealing and no assault);
- Provide other services on emergency basis;

The Function of Police in Society

- liberty concept: who? safety, service and crime fight;
- Conservative concept: Riot control and other maintenance;
- Marxist Concept: Moral Enforcement and Class control

Origins of policing

-Sir Robert Peel:

Two traditions of policing

-Royal Irish Constabulary (1812)

Military Emphasis

Strong connection to Canada

-London Metropolitan Police (1828)

Civilian Emphasis

Development of Policing Principles

policing is as seen a harsh military agency; the power of the king; UK veto; Police Force in Irish; Industry brings up lots of crimes

Nov 4th

Royal Irish			London
we do not want to u to attach community — “barrack force”			Peel creating the legent police; bring sources from Irish; Uniform
Connect to Canada:police in Irish come to Canada also be policemen.			2. carry bags 3. police the community civilian influence
not civilian; not uniform			
armed men			

Organization of the RCMP

Commissioner 1

Deputy Commissioners 7

Assistant Commissioners 26

Chief superintendents 59

Superintendents 157

Inspectors 398

supervisor:

Corps Sergeant Major 0

Sergeant Major 7

Staff sergeants 762

Sergeants 1,707

Corporals 3,063

Constables 10,954

6 bring people jail to jail -peace officers

Special Constables 60

Civilian Members 3,078

public servants 5,129

Total 25,417

History of the RCMP

- Confederation and Nation Building

- 1873 NWMP: North Mountain Military; horses; 马 矛 2nd 狗; Mountain wear red: 3 hundred million rely on British wear red, not bleeding- aboriginal help

- Dominion Police: do not exist any more-become real Canadian Police;

- Early 20th Century

Strikes Breakers NS, QU, BC

1917-1950 assume provincial policing duties : every provincial has the officers:
Ottawa Newfoundland and Quebec

War Time Mounties: WWII first police military union.

- Mid-20th Century: cold war-spy util 1970s; RCMP broke in the Montreal; free association; RCMP no rights to break into court; RCMP should no longer

CEASERS

- Late 20th Century and Early 21st

why worry America

civil war comes to the end in America

Manifest 终点

-going west reaching Pacific Opening West to Anyone; dudley do right- youtube

model of RCMP: CM&C

model of test ranger:

Nov 6th

What do the Courts Do?

- Responsible for **determining the guilt or innocence** of accused and with imposing an appropriate sentence upon the convicted;
- Protection of rights of the individual and society;— rights of minority super majority, Gay Marriage
- Monitoring of other CJ agencies.— related with military or police for criminal issues and civil issues

Court System

- Proof prior to trial
Probable cause.
- Proof to convict
Beyond a reasonable doubt.
- Participants
Defendant, crown prosecutor, defense counsel, judge, jury (not always), victim (not always) e.g. prostitution, gunbling, witness(not always).
- Procedure- governed by laws traditions judicial autonomy

The plea

guilty (explanation)

- 90% of defendants plead guilty.
- Plea bargains are not necessarily accepted;
- Guilty plea must be free and voluntary. (are we really free?) no option- richer and richer but poor go to prison. sometimes, people plea guilty to protect others;

- Maybe Sentenced or remanded.

Not guilty

- Trial(审讯) date is set.
- Type of court depends on seriousness of offense.
- Some offenses may be tried immediately before a provincially appointed judge.

Jury Trial

- Limited to offenses with maximum sentence of 5 years or more.
- Usually at the request of the defendant but may be ordered by the judge. (political reasons or personal reasons)

Appeals (上诉)

1. Convicted

- may appeal verdict or sentence or criminal responsibility. Prosecution may also appeal. (argue not for 5 years for jail)
- May apply for release while under appeal.

2. Appeal court

- may order new trial or overturn conviction (a judge cannot cut off the BIANCI)
- may also overturn an acquittal (宣告无罪) and convict.

3. Supreme court

- Hears only cases involving important points of law. (challenge something in charter; free speech is limited)

4. Summary conviction appeals

- Are usually heard in superior courts.

What are the sentencing Options

- Free
- Suspended Sentence
- Probation (缓期) (not go to jail)

- Imprisonment (go to jail)
- New options towards RJ
- mediation (调节)

Community sentence

The role of corrections in Society

“To contribute to the maintenance of a just, peaceful and safe society” by

1. Carrying out the sentence of the court
2. Providing the degree of custody (关押, 拘留) necessary to contain the risk presented by the offender. (put people into right situation)
3. encouraging offenders to adopt acceptable behavior patterns and to participate in education, training, social development and work experiences.
4. Providing a safe and healthful environment to incarcerated offenders which is conducive to their personal reformation

Correctional Law Review: 1986

prison is not very health environment.

Effective Corrections means:

- Distinguishing between offenders who need to be separated from society and those who can be safely and better managed in the community; (some should go to prison some not)
- Preparing offenders for release into the community and assisting them in their reintegration into society. (no your own identity)
- Providing the programs and support that offenders need to get their life back on track— whether within the penitentiary or under supervision in the community. (not about the rehabilitation) violence issues cause fight cause action badly

Canada Correctional Fact (CSC: 2005/2006)

- 33.3 million people live in Canada
- 2.6 mill men and almost 700,000 women have criminal records
- during 2005/ 2006 there were 33,340 imprisoned adults
- during 2005/2006 there were 342, 349 convictions

33% of these convictions were custodial and only 5% of custodial convictions were federal sentences

in 2005/2006, the incarceration rate in Canada was 131 per 100,000 up from 129 in 2004/2005

Canada's incarceration rate is higher than most Western European countries but lower than the U.S.

Numbers of inmates per 100,000 population (2000)

New Zealand 2nd

Canada is the 4th

United States 699 most most

2003

United States 715 is still first

Russia is second

Nov 11

Annual cost of corrections in Canada (2005/2006)

Penitentiary males=\$87,665 per prisoner/year

Females=\$150,000 to \$250,000 per prisoner/year

1 billion dollars on court

Community Correctional Centre (Halfway House)= \$41,744

Parole =\$47,772

Total expenditures of CSC approximately \$3.0 Billion

Why spend so much on females? Community Scale: not cheaper;

Security Level	Atlantic	Quebec	Ontario	Prairie	Pacific	Total
Max						
Med		5				
Mini					7	
Multi-level community correctional		6 (most)				

centres

Total per region 10(least) 19(most)

majority are mini

max is least total

Quebec has the majority of community correctional centers

Characteristics of the average offender (male)

-25-36 years

-caucasian

- single

-first time serving federal sentence

-served time in a provincial institution

-sentence is less than 5 years

- poor job history and education

- history of alcohol and drug abuse

How was the inmate population classified, according to security level (chart)

majority men in prison

aboriginals % is in medium is higher than men and women

minimum of women % is higher than men and aboriginal

Aboriginal (20%) of prisoners in prison 5% of aboriginal people live in Canada

In U.S.A African-American represent most; Aboriginal represents most in Canada.

Minority over presents in prison system.

Canada does not keep ratio data, but only keep aboriginal.

1. risk (track data) offend difficult to identify which part of the world.

2. incorrectly (track data)

Correctional Programs

A correctional program is a structured intervention that addresses the factors directly linked to offenders' criminal behavior

- most were accredited by independent panels and research shows program completions lead to decrease in new convictions: (all in prisons)

1. substance abuse programs=(26%-45%).

2. violence prevention program=(41%)

3. family violence=(36%)
4. living skills programs=12.1% e.g. cooking (people do not know cook may steal from others)s
5. sexual offender programs=31%+
6. aboriginal-specific programs
7. women-specific programs e.g pregnant jail.
8. integrated correctional program e.g back to community

criminal code of Canada— murder years 15 years

Types of Conditional Release

- Temporary Absence: granted for medical, administrative, community service, family contact and personal development reasons (Escorted-Unescorted)
- Work Release: e.g. funeral to do paid or voluntary work in the community under supervision.
- Day parole: eligible six months before full parole. Inmate required to return to institution or halfway house each night.
- Full Parole: normally eligible after serving 1/3 of sentence or 7 years (whichever is less)
- Statutory Release: most offenders released by law after serving 2/3 of sentence. Does not apply to offenders serving life or indeterminate sentences.

Community and Criminology

What does the concept of Community Mean?

people live in your town; you belongs to e.g. voluntary; sports; family;work; culture; online community; political group