

## Theories of Crime and Criminality

What is Theory

Individualistic Theories of Crime

Sociological Theories of Crime

Theory and our Everyday Life

- What is it?
  - A theory is a set of interrelated propositions, constructed and fitting together logically, which claims to explain one or more aspects of the world around us
- Why is it important?
  - Explanations can be described as the stories we tell e/o in attempts to produce some order in our lives
  - Theories outline paths that lead to particular outcomes. They allow us to feel that we know why something happened, and whether or not what condition, it is likely to occur again

Aspects of a Good Theory

- Logically sound (internally correct)
- Does it make sense of Conflicting positions
  - Does the theory make sense of the positions
- Does it have a Sensitizing ability
  - What has been ignored
- Popularity
  - Popularity does not mean validity

How do we Evaluate Theory

- Scope
  - The range of phenomena that a theory can explain
- Accuracy
  - Does the theory match empirical reality
- Parsimony
  - Simplest explanation is the most correct explanation (law of parsimony)
- Can the theory be falsified

Cesare Lombroso (1835-1909)

- Italian Prison Doctor
- Known as the “father of criminology”
- “Born criminal” theory: “Biological Determinism”
- Charles Darwin during this time
- He says criminals have inherited defects
- Called this *Atavistic anomalies* - evolutionary throwbacks

### Sociobiology: The Selfish Gene

- Social patterns reflect biological imperatives
- Edmund O Wilson's *Sociobiology* (1975)
  - "Selfish gene" controls all human destiny
  - Everyone has the innate need to pass on one's own genetic material through reproduction and elimination of competitors
- Accounts for racism, sexism, nepotism, "double standard" of sexuality

### Research on Genetics

- XYY theory
  - Hyper-masculinity, rare condition
- Scandinavian adoptions studies (Mednick)
  - Children are more similar to biological parents than to adoptive parents
- Family lines
  - The Jukes (family in New York)

### Theory leads into policy

### Crime and Intelligence

- Theories of IQ-crime link based on
  - Early comparison of IQ differences b/w kids in reform schools and kids in regular schools
- In Canada
  - Alberta's Sexual Sterilization Act and Provincial Eugenics Board
    - Started to sterilize ppl b/c below average intelligence level

### Supernatural Explanations

- Demonic Possession
  - Control of an individual by a supernatural spirit or power, typically identified as the cause of deviant or criminal behaviour

### Early Psychological and Intrapysic Approaches to Crime

- Psychiatric Aspects of Crime
  - Henry Maudsley, an English medical doctor described as brilliant, believed that criminals were "morally degenerate" - lacking in moral development. He played an instrumental role in laying the legal framework for diminished responsibility as a result of mental disease
  - Isaac Ray wrote extensively on the subject of "moral insanity" and considered it a "disease...never established by a single diagnostic symptom"
  - Gustav Aschaffenburg, a German pioneer of psychiatric criminology, argues that we are influenced less by heredity than by our social environment

- Criminal personality
  - A personality type characterized by such traits as anti social behaviour, social immaturity, and nervous systems that do not condition well, believed by some to be typical of criminals but also capable of being corrected
- Freud's Intrapsychic Approach: Psychodynamics
  - Psychodynamic theory
    - Sigmund Freud's theory that behaviour-including criminal behaviour- is an expression of internal conflict stemming from unresolved, often unconscious experiences during childhood
      - The id represents primitive, instinctual urges
      - The ego is the rational, conscious dimension that mediates b/w the id and the superego
      - The superego is the moral and ethical dimension of personality
- Freudian explanations
  - Criminal behaviour is the product of an uncontrolled id. It is a form of neurosis - an unconscious, internal conflict that is expressed through an overt act
  - Criminal activity may be an alternative way of satisfying needs that were not fulfilled by the criminal's family
  - Some criminal and delinquent behaviour is the result of traumatic (non-pleasurable) experiences, the memories of which the offender has repressed
  - Some forms of delinquent behaviour may be the result of displaced hostility and/or an unconscious desire for punishment
  - Criminals have an unconscious need to alleviate their sense of guilt and anxiety
  - Psychoanalysis
    - Freud's approach to treating internal conflict and tension that results from certain unresolved, often unconscious childhood experiences

#### Learning Theories

- Cognitive Explanations
  - In psychology the term cognition refers to the mental processes - including attention, perception, memory, and language - through which we organize our thoughts and make sense of the world around us including attention, perception, memory, and language
  - Frustration - Aggression Theory
    - Antisocial behaviour is often attributed to aggression resulting from frustration. When people perceive that they are being prevented from achieving their goals, their frustration is likely to turn to aggression
- Moral Development Explanations
  - Moral Development theory
    - The theory that morality develops in stages
- Behavioural explanations
  - Behavioural learning theory is a psychological theory maintaining that all behaviour is learned through some type of external stimulus (negative or positive)

- Classical Conditioning
  - A process of behaviour modification in which a subject comes to respond in a particular manner to a previously neutral stimulus that has been repeatedly presented along with an unconditioned stimulus that elicits the desire response
  - Avoidance learning is a form of behavioural learning in which the individual learns to associate an undesirable behaviour with punishment and therefore to avoid it
  - Psychopathy is a personality disorder characterized by lack of empathy and remorse, an inability to learn from experience, low arousal levels, and antisocial behaviour; a growing body of literature suggests that many chronic criminal offenders suffer from some degree of psychopathy
  - Low arousal is a condition in which an individual experiences lower than normal arousal to external stimuli, often to restlessness impulsivity, and sensation-seeking
  - Paraphilia is a condition characterized by abnormal sexual desires, typically involving activities, situations, or objects that most people do not consider sexually arousing
  - Pedophilia is a psychological disorder in which an adult (or older adolescent) is sexually aroused primarily by underage (usually prepubescent) children
    - Discovered very often. Becoming more popular
- Operant or Instrumental Learning
  - B.F. Skinner believed that human behaviour is not the product of free will: rather, it is situational determined only by stimuli to which we simply react. Even the simplest decision - say, what to eat for breakfast - is not a matter of free choice, but a response to a stimulus of some kind
  - Behaviour modification refers to a psychological theory and treatment that focuses on changing not personality (i.e. trying to make people “good”) but behaviour, relying on a system of rewards and punishments
  - Token economy is a strategy used by behavioural therapists to reinforce a desired behaviour by rewarding the participant with poker chips, gold stars, or other “tokens”

#### The Place of Psychology in Criminology Today

- Problems with psychological theories
  - Theories of criminal and delinquent behaviour rooted in psychology tend to have little regard for the contexts within which people act
  - The assessment tools used for evaluation tend not to take into account factors such as age, social class, culture, gender, or race
  - They focus on “defective” or “abnormal” personalities or personality traits
- Benefits of psychological explanations

- Psychological explanations have been able to explain geographical or temporal variations in crime rates
- They have also provided insight into the various arousal mechanisms that are, or can be, influenced by the social environment
- Psychological perspective also pay an important role in the criminal justice system's efforts to determine the criminal responsibility of defendants

### Summary

- Criminology can be explained by individual differences
  - Both biological and psychological
  - May be genetic, neurological or chemical
- Focus on basic human drives, not legal definitions
  - Eg. aggression, impulsivity
- Traits work in combination with environmental and social factors

### Durkheim's Theory of Anomie

- Concept of Society of Saints
  - Always have deviant people in a society
- humans are egoistic individuals
  - Need social control to regulate their wants and behaviours
- Anomie (coined this phrase)
  - Condition of normlessness
  - Results from rapid social change, eg, industrialization
- Rapid change
  - Creates anomie
  - Increases deviance

### Merton's Typology of Adaptation to Anomie

<u>Response</u>	<u>Success Goals</u>	<u>Legitimate Means</u>
Conformity	Accept	Accept
Innovation	Accept	Reject
Ritualism (eg senior profs)	Reject	Accept
Retreatism (drug addicts)	Reject	Reject
Rebellion(left-wing subculture)	Reject and Replace	Reject and Replace

### Cohen's Delinquent subculture

- Status frustration: delinquent boys engage in non utilitarian behaviour
  - Can't measure up in middle-class school
  - Get attention by breaking rules
  - Develop their own rules

### Walter Miller (1958) and a lower point of view

- Lower class culture has a unique value system with the following focal concerns:
  - Value getting in trouble.
  - Toughness
  - Smartness
  - Excitement
  - Fate
  - Autonomy

### Relative Deprivation Theory

- Judith and Peter Blau
  - Sense of injustice based on comparison
    - Rich and poor live in close proximity
    - Causes discontent
    - Violence and crime escalate
    - Rich retreat to gated communities
  - Explains
    - Middle - and upper - class deviance
    - Why crime rates go up during times of affluence

### Social Control Theories

- Key issue
  - All people are tempted to be deviant
  - Why do they NOT commit deviant acts
- Emphasis
  - Self-concept, self-esteem
- Research
  - Self report surveys to identify “good boys” in bad neighbourhoods

### Hirschi's Social Bond (1969)

- In order to not commit crimes you need four bonds:
  - Attachment
  - Commitment
  - Involvement
  - Belief

### Social Constructionism

- If men define situations as real, they are real in their consequences (W.I. Thomas, 1928:572)
- Labelling theory
  - Frank Tannenbaum (1938) Crime and Community
  - Dramatization of evil
- Edward Lemert (1951) Social Pathology

- Primary Deviation-rule breaking
- Secondary Deviation-Agreement with society's reaction

#### Howard Becker (1973): Outsiders

- Stigma
  - Degradation ceremonies such as court proceedings
- Retrospective reading
  - Reassesses past behaviour in light of deviant status
- Labels
  - Master status (eg. master status is being a student)
  - Basis of personal identity
  - Self-fulfilling prophecy

#### Contemporary Theories

- Braithwaite: reintegrative shaming (1989)
  - Disintegrative Vs. Reintegrative
  - Highly influential in restorative justice
- Ulrich Beck: Risk Society
  - Risk is the central organizing principle in society
  - Influence on criminology and criminal justice
  - Crime prevention

#### Phenomenological Theory

- Phenomenology: the descriptive study of experience
- Ethnomethodology: an examination of methods people commonly use to sustain some kind of consensus of the world and solve problems characterized by highly irrational features
- Harold Garfinkel: breaching experiments
- Jack Katz (1988): seductions of crime
  - The superior morality of the deviant

### **Violent Crime**

#### Violence and Society

Pretty people can do bad things (eg. school teachers with sexual assault charges)

#### Roots of Violence

- Personal Traits
  - Brain injuries, mental illness, abnormal brain wave patterns, low intelligence, psychotic symptoms, etc
- Family Disfunction

- 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, 14000 gun related deaths over 10 years
- Mainly suicides (81%) and accidents

### **Sexual assault**

#### Historical Masculinity Related Issues

- Women were viewed as property of men
- Rape was an offence against the father or husband
- Rape diminished the value of wife or daughter

#### Rape and the Military

- Canadian and American military
  - Complaint of sexual assault in 1990's
- Rape has long been associated with warfare
- Women were considered to be spoils of war
  - Vietnam, Bosnia, Africa
    - Ethnic cleansing "go into a place and rape all women in that town"

#### Incidents of sexual assault

- General decline of 25000 cases per year to about 22000 cases per year
- Only 1 in 10 are reported to police
  - Embarrassment, self-blame, mistrust of police
  - Greater willingness to report as a result of public attitudes
  - You have to tell the story over and over and over again
- Most occur in summer and on weekends
- 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
- Leveraging power to get victim to do what you want them to do
- Sadistic rape
  - Abusive and degrading
  - Involves ritual and torture
  - Male on female is most predominant
- Gang rape
  - Peer pressure

#### Types of rapes

- Stranger rapes
  - More violent
  - More predominant in official statistics
  - More likely to involve weapons
- Acquaintance rape
  - 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)
  - $\frac{1}{3}$  experienced physical, verbal, or psychological coercion
  - 25% in the previous year
- Increased use of date rape
- Cases of gang rape
- Campaigns
  - Fight back
  - No means no

In 67% of cases, women alleged harassment by men

#### Marital Rape

- Sexual assault is common as part of domestic violence
- Marital exemption
  - Sexual consent was seen as part of the marriage contract
  - Abolished in Canada in 1983
  - Also in many other countries

#### Explaining Rape

- evolutionary /Biological Factors
  - Aggression gives reproduction advantage
- Male socialization

- Stereotypes of masculinity
- Mental illness/personality disorder
- Social learning and pornography
- Sexual motivation
- Feminist theory says that rape is about power

#### Rape and the Law

- Legal barriers
  - Used to have these which resulted in underreporting, 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 counselling records
  - Protect sex trade workers
- Corroboration
  - No longer mandatory
  - Had to have someone watch it happen before it was considered sexual assault

#### **Homicide**

- First degree murder
  - Requires that the action be planned and deliberate
- Second degree murder
  - Involves malice but no premeditation
- Manslaughter
  - The killing of another person through gross negligence
- Infanticide
  - Killing an infant

#### Nature and extent of homicide

- Gone down
- 1984-2014

#### Homicides

- 5th most

### Who are the suspects

- Mostly males
- 18-24 most

### Homicide rates

- Homicide rates: 1.45 per 100,000 population
- Gatineau (1.23) Ottawa (0.71)
  - Ottawa so low because Ottawa kills in Gatineau

### Methods of killing

- 36.6% stabbing
- 30.2% firearms
  - Handguns accounted for 67% of the firearms used in homicide incidents
  - Firearm-related deaths in 2013: 74% were due to suicide, 21% homicide, and 5% accidents
- 18.4% beaten
- 6.0% were strangled
- 4.3% by other methods (fire, poisoning, vehicular, shaken baby, exposure)

### Homicide trends in Canada

- Who killed who in 2014?
  - 88.3% of solved homicides committed by:
    - An acquaintance (37%)
    - A family member (34.1%)
      - Includes spouse, common-law, separated parent, child, sibling, extended family)
    - A stranger (17.2%)
  - 83 intimate-partner homicides:
    - Includes current and former spouses/partners
    - 81% of victims were female

### Who are the victims?

- 18-24 years most
- Males

### Victims and suspects by gender

- Males make up the majority of victims and suspects.
  - Homicides victims (71%)
  - Homicide suspects (87%)
- Women
  - Victims (29%)
  - Suspects (13%)

## Serial/Mass Murders

- Ken and Barbie
- Son of Sam
  - Summer 1977 New York
  - .44 caliber killer
  - Shot women in cars who were brunettes who were engaged in some sort of sexual intimacy
  - No one knew who this guy was
  - "Summer of Sam" movie
  - Mental illness caused him to have hallucinations
  - Dog lived next door to him and caused him to take orders from the dog
- Marc Lepine
  - Late 1980's
  - Ecole Polytechnique
  - More women into some programs
  - This dude applied and didn't get in b/c they needed to let more women in
  - Walked into a classroom, separated men and women and then killed 14 women
- My Lai
  - Village in Vietnam
  - War Americans engaged in
  - Killed hundreds of men, women, and children who weren't in the army

## **Corporate and White Collar Crime**

### Introduction

- White collar and corporate crime are much more costly in dollar terms than street crime
- They are also dangerous
  - Many occupational deaths and injuries are the result of unsafe and illegal working conditions
- The concept of white-collar crime has led criminologists to reconsider some very basic assumptions
  - No longer can we assume that the poor are necessarily more criminal than the rich

### The extent of corporate and WC crime

- Violations of criminal laws, securities regulations, etc., have become common
- Financial cost to victims and society is in the billions of dollars annually, far outstripping street crime
- US banks, including Citigroup, were fined billions of dollars for their role in the 2008 economic crisis
- Deaths and injuries also frequent from corporate irresponsibility and crime
- Sport scandals are also common, such as those involving use of banned drugs
- Corporate and white-collar crime is a major problem

- Many stories have become front page news
- The public is becoming aware of the harm being done by corporate and white-collar criminals

#### The nature of corporate and WC crime

- Crimes against the public
  - Corporate and business crime
  - Crimes by individual and professional practitioners
- Crimes within organizations
  - Offences against the organization
  - Offences against employees

#### Occupation, Organization and Crime

- White collar crimes are often committed through and on behalf of corporations
- Corporate involvement in crime has been recognized for over 100 years
- In 1940, Sutherland coined the term white-collar crime
  - Defined as “as a crime committed by a person of respectability and high social status in the course of his occupation
- Occupational crime
  - White collar crime committed by an individual or group of individuals exclusively for personal gain
- Organizational crime (aka corporate crime)
  - Crimes committed with the support and encouragement of a formal organization and intended in part to advance the goals of the organization
- Locating white collar offenders in authority positions in occupational and organizational structures is a key part of the class analysis of white collar crime
- Sutherland
  - Emphasized the role of class position in any understanding of white collar crime
  - If the acts are socially injurious (regardless if they are prosecuted as criminal or regulatory infractions), they should be defined as crime
- Workplace accidents and occupational deaths often the result of employer carelessness or unsafe conditions, but penalties are very light
- Swartz (1978): deaths of employees due to corporate negligence deemed “corporate homicide”
- (illegal) migrant workers are particularly vulnerable to workplace injury and abuse because they are reluctant to object to unsafe working conditions

#### Social Class And Crime

- Small number of industries account for a large proportion of corporate crime
- Social class and WC crime are positively related
- Shover and Hochstetler (2006): three components of middle /upper class lifestyle that contribute to criminal behaviour
  1. Competitive spirit (winning is the only thing)

2. Arrogance (the rules don't apply to them)
3. A sense of entitlement (they deserve what they stole)

#### White-collar Crime and the Social Organization of work

- Why is white collar crime positively related to class position
  - Ownership and authority positions within a corporation provide power and freedom from control that may be criminogenic
    - I.e., powerful people have the power to be free from the kinds of constraints that may normally inhibit crime
  - The modern corporation facilitates this kind of freedom

#### Crime and the corporation: executive disengagement

- The organization of the corporation is crucial to understanding most corporate crime
- For white collar criminals, the corporation is a tool for obtaining money from victims
  - Just like the gun is the tool for the street criminal
- The law treats corporations as a juristic person
  - This is a legal fiction in terms of liability
  - There is no collective corporate conscience
  - Corporate power remains unchecked and thus is criminogenic
- There is an absence of cultural beliefs that discourage corporate criminality
- Boards of directors have ultimate responsibility, but courts do not require directors to uncover wrongdoing
- Executive disengagement: employees do not inform superiors of certain actions, so superiors cannot be held responsible
- Executives and directors are rarely prosecuted, so there is no incentive for them to act honestly

#### Class, crime, and corporations

- The criminogenic market structure
  - Competitive market pressures companies, managers, and employees to break the law
- The large scale of corporations
  - Access to corporate resources makes it possible to commit very large scale crimes
  - Advantages exist for those who use formal organizations in their crimes
  - Corporate form can be used to commit bigger crimes than can be achieved by individuals acting alone

#### Corporate accounting Scandals

- What has caused the "scandalous" rot of corporate crime in recent years?
  - How corporate executives are paid
    - Executives' compensation in stock options is an incentive to cheat in the short run to push up stock prices

- Huge compensation packages paid to some CEOs
- Greed of senior executives led directly to two of the largest US bankruptcies: Enron and WorldCom

#### Corporate accounting scandal

- The collapse of Enron
  - Executives hid debt and used fraudulent transactions to inflate stock price
  - Senior Enron employees profited personally from financial schemes they organize
  - As the company slid into bankruptcy, Enron paid huge bonuses to its executives
  - Creditors, stockholders, and employees suffered huge losses when the financial arrangements fell apart
  - Arthur Andersen accounting firm, other corporations, and a Canadian bank were accused of helping Enron with its fraudulent financial dealings
- WorldCom
  - Accounting fraud made profits look higher than they actually were
  - Arthur Andersen again found guilty of accounting fraud and covering up WorldCom's fraud
- Canada's Nortel
  - Financial statements greatly overstated company's revenues
  - Stock collapsed, Nortel went bankrupt
  - Shareholders lost a fortune while CEO and executives cashed in stocks and received bonuses before collapse
- The financial collapse of 2008
  - US financial institution resisted increased regulation
    - Thus, they took on excessive risk and engaged in reckless lending practices
  - A culture of greed ensued
    - Extractive capitalism: corporations focused on making profits rather than social responsibilities
  - Ratings agencies defaulted on their responsibility
  - Global economy collapsed, trillions in capital were wiped out, millions were affected, gov't (taxpayer) bailouts ensued
    - Yet no corporate executive was punished

#### Consumer safety issues

- Consumer movement established in 1960's
  - Prompted by Nader's investigation into deaths and injuries caused by faulty car designs
  - This led to tougher gov't safety regulations
- However, product safety problems and corporate negligence still cause consumer injury and death

- Current consumer safety issues related to chinese products; part of a criminogenic global market structure
  - Large companies buy from China b/c of low cost
  - Low cost is due to low wages, absence of workplace regulations, which result in little quality control

### **Organized Crime**

Organized crime is illegal activity conducted by individuals or groups acting in consort, typically involving extortion, fraud, theft, smuggling or the sale of illicit products.

History of OC tv show- black sales

- Piracy is among the earliest examples of OC. Some of the ancient Phoenicians (c.1200-146 BCE) roamed the mediterranean Sea and plundered ships. From the close of the eight century, The Vikings of Scandinavia were known to practice acts of piracy throughout France, Scotland, England and Ireland.

Defining OC

- *Non-ideological*- most OC groups have no political affiliation with goals that are not directly motivated by political concerns.
- *Hierarchical*- they feature a chain of command, with three or more permanent positions of authority typically existing within the group.
- Defined by limited or exclusive in membership- sometimes based on ethnic, racial or kinship ties or shared criminal history
- Perpetuous- these grips constitute an ongoing v=criminal conspiracy designed to persist over time.
- Organized through specialization or division of labour- members have specific areas of responsibility and defined roles (e.g. enforcers, soldiers, money movers.)
- Monopolistic- organized crime groups strive for hegemony (dominance) over a geographic area, thereby restraining competition and increasing their own profit.
- Governed by rules and regulations- virtually all organized crime groups require their members to take an oath of secrecy. Some gangs require new members to undergo hazing or beatings by fellow members, wile others require a criminal act of their initiation.
- Activities include:
  - Alien Smuggling
  - Armed assault
  - Car theft
  - Drug dealing
  - Fraud
  - Trafficking in humans. radioactive material and weapons.
  - Robbery and smuggling of precious and antique goods
  - Exploitation through prostitution

- Chemical terrorism
- Gambling
- Embezzling from industries and financial institutions
- Infiltration and control of private and commercial banks
- Control of black markets physical and online

## OC Groups in Canada

- *Aboriginal Crime Groups*

OC groups started or operated in Canada by Aboriginal people involved in crimes ranging from cigarette smuggling to illegal gambling. Examples of aboriginal gangs include the Indian Posses, Redd Alert, Alberta Warriors and Native Syndicate.

- *Cartels*

A cartel is an association of manufacturers or suppliers who have entered into an informal agreement to fix prices, to limit supply and minimize competition by various means, some which may be illegal and may involve violence.

Illicit market refers to the market for illegal goods and services (e.g. prostitution, illicit drugs contraband computer software, off market cigarettes) typically made up of otherwise law abiding)

- *Ethnic Groups*
  - Some of these groups come from war-torn areas where violence corruption and extortion have become a way of life and due to these reasons as well as significant cultural and ethnic differences, they may not assimilate as readily as other groups.
  - includes Irish, Italians, Jamaican posse
- *Outlaw Motorcycle Gangs*
  - these gangs engage in drug trafficking, prostitution, prison breakouts, contract killing, and (more recently) the cultivation and distribution of hydroponic marijuana. They also own bars and strip clubs primarily for laundering the proceeds) and are involved in extortion and intimidation of rival bar owners
- *Italian Mafia*
  - The mafia grew into a strong organization that used extortion intimidation and other forms of crimes to advance its cause when mafia members did not get their way they resorted to violence to force compliance. Soon families began to compete for power and territory leading to the emergence of OC families

- in recent years, the mafia has formed alliances with Colombian drug cartels and outlaw motorcycle gangs as a means of facilitating international drug trafficking
- *protection racket*: a criminal arrangement associated especially with the mafia. In which a business is provided w/ protection from sabotage, vandalism, robbery and other crime in exchange for a regular fee , typically paid to someone who has threatened violence or other retribution if the “client” rejects the service and refuses to make the payment.

### Explaining OC

- Hackler (2007,p. 308) argues that organized crime groups should be seen as “cancers that invade and destroy healthy societies.” Because of economic consequences of most organized criminal activity both on gov’t and on private business, the cancer analogy has become a popular interpretation.
- Criminologists have also used a functionalist approach that sees organized crime as a normal adaptive response to the structural organization of society
- Consensual Crimes
  - Unlawful activities involving willing participants who have given consent to their involvement.

### Comparing OC Groups to Other Organizations

- When we consider hierarchical administrative structure of some larger criminal organizations their sophisticated bureaucracy and their internal regulations it is easy to draw comparisons b/w OC groups and governments.
- It is also worth considering terrorist organizations in the context of OC. While the principle aims of terrorist organizations are political they are sustained by funds that may be raised using illegal methods characteristics of OC groups.
- Transnational Crime involves activities or transactions that violate the laws of more than one country.
- Corporate crime is illegal activity conducted by employees or officers of a business to benefit the financial performance or reputation of the company
- WC crime refers to illegal activities as fraud and embezzlement conducted by employees and officers of a company using their professional status for personal/or corporate gain.

- Victimless crime refers to unlawful activity in which there is no identifiable victim, either because the activity is consensual (e.g. gambling) or because the activity is directed against a corporate entity rather than an individual (e.g. WC crime)

#### Corporate crime Con't

- Organized and corporate crime: cut from the same cloth?
  - The primary difference b/w the two is that most organized crime involves participants from the middle and lower classes, while corporate criminals often come from the upper class, where they are both socially and politically powerful as well as wealthy.

### **Globalization and Crime**

#### Outline

- Terrorism
- Trafficking and smuggling
- Intellectual property crime
- Money laundering
- Cybercrime

#### Intro: how globalization contributes to crime

- Cybercrime
  - Illegal activity that involves the use of computer technology or the internet the target or the instrument of the crime
- Non-conventional crimes
  - Illegal acts that most people tend not to associate with crime and that are often not pursued by the criminal justice system, such as organized crime, political crime, and computer crime
- Transnational crime
  - Criminal activity that violates the laws of more than one country, such as drug trafficking terrorism, and human trafficking
- Terrorism
  - The use of propaganda, violence, or dangerous acts against an organization, an agency, or a state for the purpose of obtaining concessions or rewards for a deeply held personal or political cause

#### Intro to transnational crime con't

- Defining terrorism
  - (b) an act or omission, in or outside Canada
  - (i) that is committed
    - (a) in whole or in part for a political, religious, or ideological purpose, objective or cause, and

- (b) in whole or in part with the intention of intimidating the public, or a segment of the public, with regard to its security, including its economic security, or compelling a person, a gov't or a domestic or an international organization to do or to refrain from doing any act...and
- (ii) that intentionally
  - (A) causes death or serious bodily harm to a person by the use of violence
  - (B) endangers a person's life
  - © causes a serious risk to the health or safety of the public or any segment of the public
  - (D) causes substantial property damage...if causing such damage is likely to result in the conduct or harm referred to in any of clauses (A) to ©, or
  - (E) causes serious interference with or serious disruption of an essential service, facility or system...
- Varieties of terrorist crime
  - Kidnapping and hostage takings
    - The motive for kidnapping is to elicit publicity and to establish a position of bargaining power in the negotiation for political or financial concessions (i.e. a ransom)
  - Hijacking and skyjacking
    - Skyjacking involves taking control of an aircraft in a bid to gain publicity, risk lives for a cause, and use hostages as human shields. Hijacking can also involve the forceful takeover of a land transportation vehicle, such as a truck, car, boat, or train
  - Bombings
    - Bombings are the most common type of terrorist act. Bombing typically involves the use of improvised explosive devices (or IEDs), which are relatively easy and inexpensive to make
- Terrorism: Future trends
  - How to handle terrorism without overreacting
    - National security agencies should focus strategically on limited preventative and protective measures
    - Political leaders should attempt to limit erratic. "Knee jerk," and ill-informed responses to security threats and breaches
    - Policymakers should seek to control their instincts to overreact (Mueller, 2006)

## Human Trafficking and Smuggling

- Human trafficking
  - The trade in human beings, carried out through force or deception, for the purpose of sexual exploitation or forced labour
  - Transit countries: countries through which victims are sometimes transported or smuggles in order to facilitate entry into the destination country

- Destination countries: where considerable profits can be made for the perpetrators. They may also be countries where the risk of apprehension and/or prosecution is low
- There are three basic elements of human trafficking
  - *The act.* This refers to the harbouring or receipt of a victim, as well as the recruitment, transportation, and/or illegal transfer of the person
  - *The means.* Human trafficking can involve the abuse of power or the exploitation of a position of vulnerability to abduct a person; it can also involve the use coercion, deception, the threat or use of force, or the giving of payments or benefits to gain control over another person
  - *The purpose of exploitation.* People, mostly women and children, are trafficked primarily for the purpose of commercial sex, including prostitution, stripping pornography and live sex shows; as noted above, other motives for trafficking include forced labour, forced marriage, and the sale of illegally harvested organs.
- Smuggling
  - Smuggling is an activity that often involves organized crime groups. This person doing the smuggling may be a low-level member of the group or else a “mule”: an individual, sometimes a tourist, who agrees to conceal an illegal product in a suitcase or carry on bag and bring it to a destination in exchange for a fee or the cost of transportation.
  - Types of smuggling and smugglers
    - Drugs and migrants are the most recognized objects of smuggling operations, but other common objects include weapons, nuclear waste, contraband cigarettes, and even endangered animals, as well as any number of other hard-to-get items for which there is a demand and therefore an illegal, or black, market

#### Intellectual Property

- Intellectual property (IP) occurs when someone infringes on the copyright or trademark on a product to produce and illegal cope for profit

#### Money Laundering

- The illegal act of converting money or goods obtained through crime into a less suspicious form in order to conceal their origins and provide a legitimate way to account for this revenue

#### Cybercrime: a new form of corporate crime

- Cybercrime is a crime that involves the use of computer technology or the internet
- Hackers fall into 4 general categories
  - Black hats are hackers with good computer skills and desire to cause harm whether for profit, revenge or sport

- White hats are hackers with good intentions such as the desire to expose vulnerabilities in secure network so that they can be patches; for this reason, white hats are sometimes hired as security analysts
- Grey hats perform both defensive and offensive activities
- Suicide hackers are intent on causing harm without any concern about being caught
- A trojan horse is a computer program designed to damage to a coca computer system when the software is activated by an unsuspecting user while performing another non threatening task
- Cybercrime is transnational and knows no borders, lie organized crime and corporate crime
- Once associates with the renegade hacker operating alone, cybercrime today is just as likely to be sophisticated
- Like corporate crime especially, cybercrime can be high profit and low risk and far more costly to society than conventional crimes like motor vehicle theft and robbery
- Like some forms of organized crime discussed earlier this chapter, cybercrime can be motivated by political or activist agents
- The scope and complexity of cybercriminal network make cybercrime very difficult for authorities to control and prosecute

#### Cybercrime

- 76% of people accused of cybercrime in canada in 2012 were men
- 69% of people identified by police as victims of violent cybercrime in 2012 were women
- 28% of those accused of computer related intimidation/bullying incidents were under the age of 18
- People under 28 made up 96% of sex related cybercrime reported to police and 42% of victims of cybercrime overall

#### Insights from cybersecurity continued

- "Foreign companies and governments are increasingly setting up virtual bases in canada to dive corporate espionage attacks"
- b/w 2012 and 2013 "malware hosting on canadian websites increased 25%" in the first three months of 2013" canada claimed to tenth positions for all countries hosting malware
- The # of canadian command and control servers, which are used to control malware, increased by 83 percent from 2012 to 2013 placing canada among the top 8 in the world for this type of cybercrime

### **Policing**

#### *Evolution of Policing*

#### Policing through antiquity

- Kin policing
- The code of hammurabi
- If any one bring an accusation of any crime before the elders, and does not prove what he has charged, he shall, if it be a capital offense charged, be put to death
- If a judge try a case, reach a decision, and present his judgement in writing; if later error shall appear in his decision, and it be through his own fault, then he shall pay twelve times the fine set by him in the case, and he shall be publicly removed from the judge's bench, and, never again shall he sit there to render judgement

## Caesar Augustus and the praetorian Guard

### Urban cohorts/Vigiles

- People go around looking for fire = vigils created
- Vigilantes take the law into their own hand. These guys did that

### French and English Difference

- Gendarme System:
  - Created by charlemagne
  - Centralized policing structure
  - Professional
- Frankpledge System
  - Created by alfred the Great
  - Decentralized policing structure
  - Unprofessional

### The frankpledge system

### Other english influences

- 1215 - magna carta
- 1285 - statute of winchester
  - Parish constable
  - Hue and cry
  - Assize of arms
- Industrial revolution
  - 1784 Henry Fielding and the Bow Street Runner
  - Joint community-police response
  - Thief-takers
  - Crucible which modern policing is created

### Sir Robert Peel

- PM of great britain. Before this was a career diplomat
- Influences
  - Two modern traditions of policing

- Royal Irish Constabulary (1812)
- London Metropolitan Police (1829)
  - Law and community
  - Development of policing principles
  - Consent or dissent
- 1939 legislation passed allowing all communities to create police services in England
- History does show that formal police services are only created when communities felt the need to do so

#### History of the RCMP

- Confederation and nation building
- 1873 NWMP
- Dominion Police
- Early 20th century
  - Strike breakers NS, QU, BC
  - 1917-1950 assume provincial policing duties
  - War time mounties
- Mid 20th century
- Late 20th century and early 21st

#### *Policing in Canada*

“Peace officer” definition

#### The Charter and Policing

- Legal swipe app
- Section 10 is called miranda rights

#### Police facts

- There are over 60 000 police officers in Canada. This does not include other peace officers
- The RCMP make up 27% (19 000) of all Canadian police officers
- Over capital there are 184 officers per 100 000 citizens
  - Much lower than the US (247 per 100 000 in 1998)
- Saskatchewan (193) has the most police officers per capita
  - Manitoba (192) Quebec (188) Ontario (187)
- Among CMA's, Thunder Bay, Regina and Toronto had the highest

#### Police and Women

- In 2016 there were 9000 female police officers
- An increase of over 8% from 2010

- Accounting for 15% of all officers
- There has been a steady increase of female officers since the early 1970's

#### Police cost

- Canadian Gov't spends \$10 billion on policing in 2015
- \$221 per Canadian
- Ontario \$197
- Quebec \$193
- Atlantic Region \$122
- Police officers has not impact on crime rate. No direct correlation b/w the two.

#### Roles and responsibilities

- Identify criminal offenders and criminal activity and when appropriate, apprehend offenders and participate in subsequent court proceedings
- Reduce opportunities for the commission of some crimes through preventive patrol and other measures
- Aid individuals who are in danger of physical harm
- Protect constitutional guarantees
- Facilitate the movement of people and vehicles

### **Courts and Corrections**

#### 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 indiv and society
- Monitoring of other Criminal Justice agencies

#### Court system

- Proof prior to trial
  - Probable cause
  - Probably you did something
- Proof to convict
  - Beyond a reasonable doubt
  - No doubt that you did something wrong
- Participants
  - Who else is involved?
    - Defendant, crown prosecutor, defence counsel, judge, jury, victim, witness
- Procedures
  - Governed by law, tradition, and judicial authority

#### The plea

- Guilty
  - 90% of defendants plead guilty
    - A lot of people plead guilty b/c they can't afford lawyers
  - Plea bargains are not necessarily accepted
    - They can be rejected
  - Guilty plea must be free and voluntary
  - May be sentenced or remanded
- Not guilty
  - Trial date is set
    - There could be a series of trial dates
  - Type of court depends on the seriousness of the offence
    - For minor offences you might not even see a judge, you'll see this other person. Something of peace
  - Some offences may be tried immediately before a provincially appointed judge

#### Jury trial

- Limited to offenses with max sentence of 5 years or more
- Usually at the request of the defendant but may be ordered by the judge

#### Appeals

- If you're convicted
  - May appeal verdict or sentence or criminal responsibility. prosecution may also appeal
  - May apply for release while under appeal
- Appeal court
  - May order new trial or overturn conviction
  - May also overturn an acquittal and convict
- Supreme court
  - Hears only cases involving important points of law
- Summary conviction appeals
  - Are usually heard in superior courts

#### What are the sentencing options

- Fine
- Suspended sentence
  - Did something wrong but not punished
- Probation
- Imprisonment
- Recent restorative justice options
  - Mediation
  - Community sentence
    - As a community they decide on punishment



- 80% have histories of substance abuse
- 72% committed violent offences
- Serious mental health disorders among 13% of male and 29% of female populations at admission
- 1 in 6 males and 1 in 10 females have gang affiliations
- 18% of the incarcerated offender population is age 50 or over
- 60% serving short (4 year and <) sentences
- 24% serving life or indeterminate sentences
- About 80% have less stable work histories
- >77% have not completed high school
- >60% have no trade or skill knowledge

#### Profile of aboriginal offenders

- As of 2010, 18.5% of the federal offender population is aboriginal
- Aboriginals represent 21.5% of the federally incarcerated
- 22% of new admissions to federal corrections is now a person of aboriginal descent
- Overrepresentation is particularly acute in western provinces. In the prairies for example, *aboriginal peoples account for 60% of offenders*
- Aboriginal adults now represent 4% of the canadian adult population
- The aboriginal offender population differs from non-aboriginal offenders in a number of ways
- They tend to be younger
- More likely to have served previous youth and/or adult sentences
- They tend to be incarcerated more often for a violent offence, and less likely to be incarcerated for drug related offences
- More inclined to have gang affiliations
- Have lower levels of education at admission (26% of incarcerated Aboriginal offenders have less than a grade 8 education upon admission, compared to 18% of the rest)

#### Correctional programs

- A correctional program is a structured intervention that addresses the factors directly linked to offenders criminal behaviour
- Most were accredited by independent panels and research shows program completion lead to decrease in new convictions:
  - Substance abuse programs = 26%-45%
  - Violence prevention program = 41%
  - Family violence = 36%
  - Living skills programs = 12.1%
  - Sexual offender programs = 31%+
  - Aboriginal specific programs
  - Women - specific programs
  - Integrated correctional program

#### Types of conditional release

- Temporary absence: granted for medical, administrative, community service, family contact and personal development. (escorted - unescorted)
- Work release: 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

#### Types of conditional release

- Full parole: normally eligible after serving  $\frac{1}{3}$  of sentence or 7 years (whichever is less)
- Statutory release: most offenders released by law after serving  $\frac{2}{3}$  of sentence. Does not apply to offenders serving life or indeterminate sentences

#### Results on conditional release

- Full parole-76.5% completed successfully
- Day parole - 86.5 completed successfully
- Statutory release - 62.2% completed successfully
- In all categories of conditional release, the rate of reconviction for violent offences has declined since 1997-98

### **Community and Criminology**

#### What does the concept of community mean

- It may refer to social relationships that take place w/n geographically defined areas or neighborhoods
- It may refer to relationships that are not locally operative but exist at a more abstract level

#### Leighton three ingredients

- Common locale
- solidarity/ activities
- Social interaction
- However a community should not be bound by geography

#### Social network approach what is a network

- A specific set of linkages among a defined set of persons, with the additional property that characteristics of these linkages as a whole may be used to interpret the social behaviour of the persons involved
- Ethnic groups partial to certain types of crimes and drugs

#### Community redefined

- A unit of social organization consisting of overlapping personal network communities represented by relatively enduring social ties that routinely exhibit a high level of social interaction characterized by flows of resources
- Social theory, exchange theory: exchange between people, flow or exchange of resources.
- Push in Criminology is the community, getting it more involved, sensing, more responsibility for themselves.

#### What led to community policing

- Rising crime rate/fiscal crisis
  - crime rate was sky rocketing in the 70s, two great recessions, neo-liberal economics came about, take more taxes create more social programs, OSAP< OHIPetc.. day care.... called a social safety net. State should be out of an individuals life= liberalism, neo-liberal, make you responsible for your lives and remove the state...
  - Police deviance, corruption between police services, excessive use of force.
- Policing deviance (2 ways)
  - Corruption within police services
  - Excessive use of force
- Technology
  - Dislocation from the community

#### Iron fist and velvet glove (60's-70's)

- Military model
  - Adoption of ideas and practices that originated in the armed services. As well as the interaction b/w the military and law enforcement
  - Carried on to this day
- Creation of Technology
  - Revolves around riots
  - Creation of tear gas for example
- Rise of Political surveillance
  - Was Big issue in canada
  - Students and profs hired to spy on other students
- Creation Impact policing (SWAT)
  - Special Weapons And Tactics
- Aerial surveillance
- Pacification Model
  - "The idea that police departments should engage in some sort of 'community relations'"
- Women begin to enter the police service
- Team policing

- Scottish concept of CBP (community based policing)
- Police officers are assigned fix neighborhoods and become personally acquainted w/ that community

Broken windows theory (1982) james Q wilson and george kelling

- Tremendous influence in law enforcement
- They observed that if someone breaks a window and it is not repaired “quickly”, others will break more windows. Eventually the windows will create a sense of disorder
- Therefore it sends a message that nobody cares about the neighborhood and it will attract criminals

Problem oriented policing

- The view that underlying social conditions cause crime
- To control crime effectively, police must uncover and address the existing social problems
- Some see it as an alternative and others see it as community based policing

The difference b/w “traditional” and “contemporary” policing

- Traditional police methods are primarily reactionary - the phone rings and the police respond/react
- Contemporary policing acknowledges that the community is a stakeholder or has ownership in regard to community safety. This style of policing includes the community and the police identifying and resolving community issues together

### **Restorative justice**

What is restorative justice

- A process whereby parties with a stake in a specific offence resolve collectively how to deal with the aftermath of the offence and its implications for the future

What are these principles

- Crime is an offence against human relationships
- Victims and the community are central to the justice process
- The first priority of justice processes is to assist the victims of crime
- The second priority is to restore the community, to the degree possible
- The offender has a personal responsibility to the victims and to the community for crimes committed
- Stakeholders share responsibilities for restorative justice through partnerships for action
- The offender will develop improved competency and understanding as a result of the restorative justice experience

Summary of restorative justice

- To attend fully to the needs of the victim(s)

- Reintegrate offenders into the community
- Enable offenders to assume active responsibility for their action
- Create a working community that supports the rehabilitation of offenders and its victims, as well as being active in preventing
- Avoid escalation of legal and associated costs

#### Concluding remarks

- Does our current system do this already?
  - Yes but to a certain extent
- Limitations of restorative justice
  - Voluntary cooperation
  - Resources and skills

### **TEXTBOOK**

#### **Chapter 5**

#### The classical school

- The roots of penal reform
  - The classical school of criminology perspective based on the belief that potential criminals will be deterred by the threat of swift, severe punishment
- The enlightenment
  - More rational, scientific, and humanistic ways of thinking in the renaissance
  - Cesare bonesara, and cesare beccaria (one of the figures in the challenge of the prevailing concepts of justice)
- Beccaria's key ideas
  - Embraced free will
  - Argued that most potential offenders would be deterred if three basic conditions were met
    - Certainty of punishment
    - Swiftness of justice
    - Fair penalties proportionate to the severity of the social harm done
  - Beccaria's doctrine is characterized by four general principles
    - Equality
    - Liberty
    - Utilitarianism
    - Humanitarianism
- Evaluation of the classical school
  - William and hawkins

- Fear of arrest can act as a deterrent, especially when linked to the indirect social costs of arrest
- Three types of social cost:
  - Commitment costs
    - Arrest may have effect on future
  - Attachment costs
    - Arrest can harm personal circumstances
  - Stigma
    - Arrest can damage image
- Michel Foucault
  - One of the most influential revisionists on punishment
  - Punishment shouldn't only be seen as "the independent development of legal or economic institutions". It should be seen as part of an integrative and/or interdisciplinary framework

#### Deterrence theory

- Belief that the threat of punishment can prevent people from committing a crime

#### Positivist school

- Roots
  - "Positivist" coined by Auguste Comte
    - Founder of sociology

#### Neoclassical school of criminology

- Luigi Rossi and René Carrara and Henri Joly
- A school of criminological thought that believes that some accused offenders should be exonerated or treated leniently in light of situations or circumstances that make it impossible to exercise free will

#### Isaac Ray

- Forensic psychiatry
- Said that lawyers are ill equipped to assess mental matters. They need experts in that field
- Helped bridge gap between law and medicine
- Moral insanity
  - Temporary interruption in offender's ability to reason
- One of the founders of the American Psychiatric Association (APA)

#### Charles Doe

- *Criminal responsibility*
  - Clarified that meaning
    - The ability to appreciate the nature of and know that an unlawful act is wrong

- Lawyers should be trained in social sciences

#### Criminalistics

- Science of crime detection and investigation
- Alphonse Bertillon
  - First modern day criminalist to apply this anthropological technique to law and criminology

#### Neopositivist

- An approach to criminal justice behaviour that focused on the development of rational penal policy, emphasizing the systematic resocialization of offenders through treatment and rehabilitation

#### Clarence ray jeffery

- In order for a crime to occur, three key elements must be present:
  - Motivation
  - Skill
  - Opportunity

#### Pioneers of criminology in canada

- Tadeusz grygier
  - Champion of social protection code
  - Called for fair and flexible justice system promoting principles of rehabilitaiton and embracing a humanitarian approach
- Denis Azabo
  - Father of canadian criminology
  - Established criminology program in university of montreal
  - You cant study criminology without studying criminal policy
- Ezzat A. Fattah
  - Champion of victimology and restorative justice
- Patricia brantingham and Paul Brantingham
  - Environmental criminologists

Criminology has moved from being reactive to being proactive

### **Chapter 6**

4 major psychological theories/orientations

- Psychodynamic

- Cognitive
- Moral development
- Behavioural personality

The 4 major theories fall into 2 broader theoretical categories

- Intrapsychic
- Learning theories

Jean Piaget

- Founder of mental and moral development theory
- There are 4 primary stages of mental development (pg. 157 in textbook)
  - Sensorimotor
    - Birth - age 2
  - Preoperational
    - 2-7
  - Concrete operational
    - 7-11
  - Formal operations
    - 11-15

Moral development and criminality

- Lawrence Kohlberg
  - Applied concept of moral development to criminality
  - All individuals pass through a common series of stages in which they develop their moral reasoning skills
  - Levels of moral development (pg. 258 in textbook)
    - Preconventional
    - Conventional
    - Postconventional

## **Chapter 8**

Hans Eysenck

- Personality theory of crime
  - Pg. 161

Emile Durkheim

- Human groups will always make rules and every group will have members that will break the rules

The human ecological school

- Robert E Park and Ernest W Burgess

- Borrowed concepts from the field of plant ecology - including dominance, invasion, and succession - and applied them to the city
- Their ideas became the basis for the ecological school of criminology

#### Charles Horton Cooley

- Coined the term “looking glass self”

#### Symbolic Interactionism

- A sociological approach to studying behaviour focusing on the symbolic value of words and gestures in everyday social interactions

#### Six main social process theories

- Differential association
- Social learning
- Social bond
- Social control
- Labelling
- Neutralization

#### Differential association theory

- Edwin sutherland
- A sociological theory that holds that criminal behaviour is socially learned through frequent exposure to negative influences

#### Differential reinforcement theory

- Sociological theory that sees crime as a learned behavior reinforced by its consequences

#### Labelling theory

- A sociological explanation of crime that proposes that negative labelling can predispose people to feel like outcasts, increasing the likelihood of further deviant or criminal behaviour; also known as societal reaction theory

#### Primary deviance

- Behaviour that is contrary to societal norms but has not been recognized as such

#### Secondary deviance

- Deviant acts or behaviours that result from labelling

#### Conflict theory

- A social theory that sees crime as the product of social and/or economic disparities in society and suggests that people resort to criminal activity in response to division and competition

### Peacemaking theory

- Harold pepinsky and richard quinney
  - Advocates of this school of thought
  - Argue that the traditional criminal - non-criminal dualism has done little to alleviate the crime problem
- Humanistic approach to crime control that emphasizes reconciliation through mediation and dispute settlement rather than punishment and retribution

### Feminist perspective

- Freda adler and rita simon
  - Adler wrote sisters in crime
  - Simon wrote women and crime
  - Both were the two pioneering and influential works on the subject
- Focus on female offenders and victims

### Left-realism

- A theoretical approach that focuses on crime prevention strategies and the implications of crime control policies rather than the causes of crime

### Lifestyle theory

- Risk to victimization is to some extent a function of lifestyle

### Life-course theory

- Behaviour can be affected by major events, experiences, or awareness, or “turning points” that occur at different stages of life, putting the individual in the position of having to respond or not respond

## **Chapter 9**

### Causes of violence

- Abusive families
- Competing cultural values
- The availability of firearms
- Gang motivation
- Human instinct
- Personality traits
- Regional values
- Substance abuse

### Different Types of Crime

## Chapter 10: Property-Related Offences

- Identity Theft: The act of illegally obtaining an individual's personal information for criminal purposes.
- Identity Fraud: The illegals of the name and personal information of another person (living or dead) for fraudulent purposes.
- Break-and-Enter(B&G): or burglary (words can be used interchangeably) A form of property crime that involves illegal entry or attempt to trespass into a building or dwelling without permission and with the intent of committing a theft or an act of violence. Can be referred to in the criminal code as home invasion. Does not have to involve theft: it can be associated w/ any indictable offence, such as vandalism. Difference from robbery ( a violent crime) is the lack of a person-to-person confrontation.
- Theft: A property crime that involves the unlawful taking of property or a service that belongs to an individual or a business, typically without any intention of returning it.
- Motor-vehicle crime (MVC): A broad range of offences involving a car, truck, or SUV, including theft of a vehicle but also theft from a vehicle and criminal damage to a vehicle.
- Arson: A form of vandalism that involves the destruction of one's own or another's property through the use of fire or an explosion. \*Four categories of juvenile arsonists[Wayne Wooden (1991)]: The playing with matches fire-setters (young children 4-9), The crying for help fire-setters (expressions of pain -older children 7-13), The delinquent fire-setters (Mostly male, used as retaliation -teens 14-18), The severely disturbed fire-setters (youth with personality disturbances, pyromaniac). Motive is either instrumental ( calculated to benefit perpetrator or expressive committed spontaneously out of anger, jealousy, frustration

etc.

## Summary

- Property crimes are generally committed with the aim of providing financial reward to the offenders. Offenders are either amateurs capitalizing on an opportunity or professional criminals.
- Most offenders are young males.
- Most property crimes (mainly theft) have evolved over time, reflecting SOCIAL and ECONOMIC changes.
- Cross over into other crime classifications: such as crime (theft), organized crime (arson), or white collar crime (fraud).

## **Chapter 11: Organized Crime, Corporate Crime, and Cybercrime**

- Howard Abadinsky (2012) suggest there is no ideal type of organized crime, in fact OC exists as a “degree” of criminal activity or point on the “Spectrum of legitimacy”
- John Braithwaite reintegrative shaming: A correctional philosophy that advocates that the use of public shaming and/or public acceptance of wrongdoing as a way of having offenders re-enter general society. vs disintegrative shaming which is negative orientation not allowing the offender to positively make amends to rejoin society.
- Trojan horse: program designed to damage LCS when it is executed by the user while performing an unthreatening task. File virus.
- Black hats are hackers w/ good computer skills w/ desire to cause harm, for profit revenge or sport. White hats are hackers w/ good intentions— exposing vulnerabilities in secure networks

to be fixed. Grey hats both defensive and offensive activities and Suicide hackers have the desire to do harm w/o getting caught.

- Sykes and Matzas: Neutralization theory: that criminals draw on a set of techniques to temporarily neutralize or suppress their internal moral obligation to abide by the law which allows them to overcome their natural hesitation to commit crime.

- Ewin Sutherland theory of differential association used to explain WC crime more specifically occupational crimes. emphasis on the individual rather than organization

#### Summary

- OC and corporate crime— economic crimes of the elites— are difficult to define.

- Are subject to change with the passage of time and are often culturally relative, which further complicates the gathering of information and enforcement.

- OC and corporate crime although differ, their Modus Operandi are similar.

#### **SIR ROBERT PEEL'S NINE PRINCIPLES (1829)**

1. To prevent crime and disorder as an alternative to their repression by military force and by severity of legal punishment.

2. To recognize always that the power of the police to fulfill their functions and duties is dependent on public approval of their existence, actions and behavior, and on their ability to secure and maintain public respect.

3. Police must secure the willing co-operation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public.

4. To recognize always that the extent to which the cooperation of the public can be secured diminishes, proportionately, the necessity of the use of physical force and compulsion for achieving police objectives.

5. To seek and to preserve public favor, not by pandering to public opinion, but by constantly demonstrating absolutely impartial service to law, in complete independence of policy, and without regard to the justice or injustices of the substance of individual laws; by ready offering of individual service and friendship to all members of the public without regard to their wealth or social standing; by ready exercise of courtesy and friendly good humor; and by ready offering of individual sacrifice in protecting and preserving life.

6. To use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public cooperation to an extent necessary to secure observance of law or to restore order; and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.

7. Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.

8. To recognize always the need for strict adherence to police-executive functions, and to refrain from even seeming to usurp the powers of the judiciary of avenging individuals or the state, and of authoritatively judging guilt and punishing the guilty.

9. To recognize always that the test of police efficiency is the absence of crime and disorder, and not the visible evidence of police action in dealing with them.

Routine activity theory: three criteria for crime

- Motivated offender
- Suitable target
- Absence of guardian
- Developed by felson and cohen

Target hardening

- Eg. installing better locks, home security devices
- Secondary prevention (pg. 379)
- Not very effective
- Causes offenders to move to a different location. We have to deal with a crime displacement.
- That's when tertiary prevention comes in
  - Prevents rates of Recidivism by preventing individuals who have already committed a crime from committing a crime
  - For canada this is restorative justice

