I. DEFINING CRIME

A. Crime is a **socially** produced problem.

1. The classification of **behaviors** into crime is constantly in dispute.
   a. The law is just one of the mechanisms of **social** control.

2. Our behavior is controlled by less **restrictive** features of social control such as **folkways**, social mores, **norms**, and laws.

B. The criminal justice system may be the most **visible** arena of last resort, but it **handles** only a very small fraction of **disputes** among individuals.

1. A crime occurs when a law is **violated**.
2. In order to have a **violation**, several things need to have occurred:
a. Must be an agreement among *citizens* that certain behaviors warrant *suppression* by society.

b. Lawmakers need to discuss what constitutes the *undesired* behavior.

c. Lawmakers must *enact* a law, and determine the *penalty* (ies).

d. Law enforcement officers must become aware of the behavior, and *determine* that the behavior violates a *statutory* law.

3. Criminal law is the final *collective* limitations that control our behavior.

4. Our legal system defines *criminal* behaviors as those actions that threaten *societies* well being.

C. Understanding crime the United States is experiencing a crisis in the confidence that citizens have in its institutions.
1. The traditional family is troubled by broken homes, divorce, and schools that are struggling to find ways to teach even the most basic skills in some communities.

2. There are physicians who get rich by performing unnecessary surgery.

3. Lawyer jokes are appreciated by almost everyone (even lawyers).

4. The reduction of employees in the workforce by many corporations has created feelings of uncertainty, and worry over job security.

D. When other institutions fail to deliver on their promises and expectations, the criminal justice system becomes the institution that must eventually be employed.

1. Some people think the criminal justice system is too lenient on criminals.
a. They perceive the justice system as a **revolving** door where offenders serve only a **fraction** of their sentences.

2. Other people see the criminal justice system as being overly **oppressive** and **discriminatory** against minorities and people without **economic** means.

   a. The **disparities** in sentencing between the rich and poor are viewed as **evidence** that the criminal justice system is simply a tool of the **wealthy** to preserve their **privileged** status in society.

3. It is important for **citizens** to understand how the criminal justice system operates and be aware of why the system **defines** crime as it does.

4. In defining a crime, **three** themes are readily apparent.

   a. There is an emphasis on crimes of **personal** violence such as homicide, rape, armed **robbery**, and assault.
(1) Crimes are **undesirable** behaviors that affect everyone.

(2) The poor fall victim to crimes of **violence** more often than do the wealthy upper class.

(3) The criminal justice system is expected to enforce these laws **uniformly** regardless of who the **victim** happens to be.

b. A second theme provides a set of laws that deal with **property**.

(1) Burglary, **theft**, and motor vehicle theft are crimes that do not result in the same type of **social** harm as crimes against the person.

(2) The **amount** of property stolen does not carry as much weight in determining the penalty as the **manner** in which it was taken.

c. Third, are the laws that do not directly relate to crimes against the **person** or their **property** but has to do with **behaviors** that are considered undesirable.
Laws pertaining to prostitution, gambling, alcohol and drug use all involve the moral order of society.

II. TYPES OF CRIME

A. Violent crime

1. Receives the most attention from the media and politicians.
   a. Homicide, rape, and assault are of concern to everyone because of the potential for bodily harm.
   b. The public demands violent criminals be dealt with in the most severe manner the law allows.

B. Property crime

1. This category of property crime refers to theft without the use of force.
   a. Burglary, theft, motor vehicle theft, and arson are examples of these crimes.
   b. These crimes do not put the victim's life in direct danger.
c. Property crimes are not considered as serious as violent crime.

C. Victimless crime

1. Drug use, prostitution, and gambling are examples of victimless crime.
   a. In a free society some people believe they should be able to engage in any behavior as long as they do not hurt other people.

   (1) This philosophy would hold that a prostitute is an adult and if a person pays the agreed-upon price, the transaction becomes a private matter and not the concern of the criminal justice system.

   b. Others argue that there are victims to such acts as prostitution and drug use because of the impact these behaviors have on the moral fabric of society.
D. White-collar crime

1. This occurs when a business takes unfair advantage of consumers and competitors.
   
a. Some unethical corporations conspire to fix prices on products causing the public to pay inflated prices.

b. Unsafe or defective products may be sold to the public as a result of some companies cutting corners in the manufacturing process.

c. White-collar crime is not treated as severely by the criminal justice system as other types of crime.

   (1) White-collar offenders are not as visible as other criminals in the public eye.
   (2) White-collar criminals give the impression they are legitimate business operators who are providing needed goods and services.
E. Political crime

1. Political crime is of relatively low visibility similar to that of white-collar crime.

2. Trying to influence pending legislation to favor one's own view is part of the political process.
   a. It only becomes a crime under the most serious and flagrant violations of the law.
   b. Some politicians put their own finances and power before the public welfare.
   c. Efforts to lessen the influence of money on the outcome of elections have failed.
      (1) It is a well known fact that wealth can and does influence politics.

F. Juvenile delinquency

1. Teenagers have additional laws they are accountable for because of their status as minors.
2. The juvenile justice system was established as an alternative to the adult criminal justice system so children would not be punished as severely as adult offenders.

   a. The purpose of the juvenile justice system is to give youthful offenders a second chance and provide assistance to children in need whose parents will not or can not provide for those needs.

3. Two issues that make the juvenile justice system difficult to manage.

   a. The first concern is the issue of status offenses.

      (1) Due to their age, juveniles have laws that are specific to them and do not apply to adults.

         (a) Some laws pertaining to alcohol, mandatory school attendance, obeying parents, and curfews do not apply to adults.

         (2) Many of these infractions are handled within the family.
(a) The purpose of the juvenile justice system is to help the parent or guardian ensure compliance.

b. The second concern is the reduced due process available to the juvenile offender.

(1) The purpose of the juvenile justice system is to help or treat the youthful offender rather than to punish.

(2) Many procedural safeguards provided by the Constitution do not pertain to juveniles.

c. The juvenile justice system acts as parentis parens, or in place of the parent, in deciding what is in the best interest of the child when a parent is incapable or unwilling to do so.

4. In cases of very serious crimes the juvenile court may transfer the case to the adult court where due process rights are rigidly enforced and more severe penalties are given.
III. CRIME TRENDS


1. The variety of behaviors that are considered crimes and how they impact our society makes it difficult to discuss the crime rate in the United States.

2. To look at crime rates in a meaningful way we must look at how crime is measured and the problems encountered when comparing crime rates.

3. Measures of crime can only be a gage as to the amount of crime that actually exists in the United States.
   a. Many crimes go unreported for one reason or another.
   b. Why do so many crimes go unreported?
      (1) The victim may be afraid to report the crime.
          (a) Common in cases of domestic assault or child abuse.
(2) The victim may be **embarrassed** to report the crime.
   (a) Rape victims or victims of domestic assault fear that by **reporting** the crime it will add **insult** to the injury of the crime already felt.

(3) Some victims feel the criminal justice system can not **solve** the crime.
   (a) Very common in theft and **burglary** cases.

(4) Many victims feel it was their own **fault** in some way.
   (a) The victim may have been involved in an **illegal** activity when robbed making the victim less likely to **report** the crime to the police.

(5) In some instances victims have little **faith** in the criminal justice systems ability to **respond** in a satisfactory way.
(a) Some of these victims may decide to dispense justice in their own way. 
(b) The victim plans to get revenge by committing an unlawful act against the person they believe is responsible.


1. In order to effectively gage crime in the United States three measures of crime must be considered.

   a. Looking at crime from different perspectives allows us to get a more accurate picture of crime in America.

2. The only official measure of crime is the Uniform Crime Reports (UCR) published by the U.S. Government Printing Office.

   a. These are the most comprehensive and complete measures of crime available.
b. The report divides crime into two main categories, Part I offenses and Part II offenses.

(1) Part I offenses are considered to be the more serious and are usually reported to the police more often.

(2) Eight crimes are included in Part I offenses:

(a) Murder and non-negligent manslaughter
(b) Forcible rape
(c) Robbery
(d) Aggravated assault
(e) Burglary
(f) Larceny-theft
(g) Motor vehicle theft
(h) Arson

(3) Part II offenses consider a much broader range of crimes.

(4) Crimes included in the Part II offenses include:
(a) White-collar crimes:
   - embezzlement, forgery, counterfeiting, and fraud
(b) Vice crimes:
   - prostitution, gambling, sex offenses
   - driving under the influence, and drug abuse violations
(c) Offenses aimed at juveniles:
   - vandalism, disorderly conduct
   - curfew and loitering laws
   - runaways

(5) Part II offenses are considered less serious than Part I offenses.

c. The Uniform Crime Reports provide a measure of the rate of crime by calculating the number of offenses that occur for each 100,000 people.

(1) The crime rate gives a more accurate picture of the true level of crime in the United States. However, it is only an approximation of the figure of actual crime.
d. The Uniform Crime Reports provide a crime clock to show how often each of these crimes are committed in the United States.

e. As a result of almost 60 years of measuring crime in this manner a basic measure has been developed.

f. The UCR has become a basic measure of crime rates in the United States.

3. Victimization Studies

a. These studies attempt to gather information about crime by asking people if they have been a victim of crime.

(1) Crime victims are asked whether the crime was reported to law enforcement.

(2) Because all victims can not be asked about their experience these figures can only give the approximate figure.

b. The National Crime Victimization Survey gathers information about a wide range of circumstances surrounding victims.
(1) **Information** comes directly from the crime victims and includes information about the offender(s), and the **nature** of the crime.

c. Victimization studies do not measure all crimes.
   (1) Victimless crimes are not included in **victimization** studies.
   (2) Many individuals are **unaware** they have been victims of white-collar crimes such as embezzlement or **forgery**.
   (3) Many people forget the minor **infractions** or exaggerate the **major** ones.
   (4) Some individuals may not report crimes if they have been partially **responsible** or the crime is embarrassing to them.

4. **Self-Report Studies**

   a. These studies ask individuals what **unlawful** behaviors they have committed.
   b. One **limitation** of this method is the problem of people **lying**.
c. Many individuals are **hesitant** to admit unlawful behavior even if they are confident they will not have to **answer** for it.

d. Most people are too **embarrassed** and ashamed to confess to committing **violations** of the law.

e. Criminologists have been developing studies where **youthful** offenders have provided useful data concerning their criminal activities.

   (1) Studies show that almost all **youths** engage in some type of **delinquent** behavior.

   (2) Infractions of lower-class youth are much more likely to be **reported**.

   (3) Self-report studies are one of the most **effective** ways to determine the extent of **delinquent** acts being committed.

f. One nationwide self-report study has monitored the **tobacco**, alcohol, and drug use of **teenagers** since the mid-1970s.
g. People are less likely to report serious offenses and more likely to admit to minor offenses. (1) This creates a significant underreporting error.

4. Victimization studies and self reported crime studies are both unofficial measures administered by either research agencies or university professors.
   a. Each has its own strengths and weaknesses.
   b. By considering them together we can better measure the true extent of crime.

IV. CRIME AND THE MEDIA

A. The impression most people have of crime comes from two sources: their own experience and the media.

1. Victims of crime, especially a violent crime, will have a relationship or association with crime that makes them extremely fearful.
2. Some victims withdraw trust in others passing up opportunities to go places and do things they previously enjoyed.

B. The media distorts the level and severity of crime as a matter of policy to attract readers and viewers.

1. Crime is good business for the media, especially if it is unusual, gory, grotesque, sensational, lurid, or scandalous.

2. The media has a tendency to concentrate on the most sensational crimes and to report the story numerous times until a new shocking story replaces it as “news”.

a. Media overexposure of violent crime has two negative effects.
   (1) It tends to make people unreasonably fearful for their safety.
      (a) People alter their behavior by staying off the streets and out of public places.
(b) Media distortion is good for the private security industry and companies that sell car alarms, pepper spray and mace.

(2) Second is the effect media crime coverage has in presenting violent crime as typical.
(a) Young people start to model that behavior.
(b) Media-depicted violence tends to desensitize the public toward violence.

V. CRIME AND FREEDOM

A. Understanding the extent and nature of crime in society requires a sense of perspective.

1. Crime is a serious social issue.
   a. It is also an issue involving overstatements, myth, and inaccurate perceptions.
   b. If we are not careful, we will get a distorted view of the level and seriousness of crime.
c. Having a healthy fear of crime, where we take reasonable precautions to prevent crime are good.

(1) We should be careful in our concern for crime so that we do not react in such a way as to alter the positive aspects of our society.

(2) We enjoy a lot of freedom in this country and to reduce the level of crime without abridging those freedoms is extremely important.

2. In our democratic society, we must agree on how the law and the criminal justice system can best protect us all from crime.

a. While protecting ourselves from crime we must preserve the freedoms that symbolize the quality of life in the United States.