

CONTENTS IN BRIEF

PART I

Introduction to the Study of Crime and Criminology 1

CHAPTER 1

Crime, Criminal Law, and Criminology 2

CHAPTER 2

The Measurement of Crime and Its Impact 26

PART II

Explanations of Criminal Behavior 55

CHAPTER 3

Early Explanations of Criminal Behavior and Their Modern Counterparts 56

CHAPTER 4

Biological and Psychological Theories of Criminal Behavior 84

CHAPTER 5

Sociological Theories of Criminal Behavior I: The Social-Structural Approach 112

CHAPTER 6

Sociological Theories of Criminal Behavior II: The Social-Process Approach 150

PART III

Types of Crime 183

CHAPTER 7

Violent Crimes 184

CHAPTER 8

Property Crimes 218

CHAPTER 9

Business and Government-Related Crimes 246

CHAPTER 10

Organized Crime, Drug Trafficking, and Terrorism 278

PART IV

Criminal Justice Systems 313

CHAPTER 11

U.S. Criminal Justice Systems 314

CHAPTER 12

Police 346

CHAPTER 13

Court Systems 380

PART V

Social Reactions to Crime: Corrections 407

CHAPTER 14

The Confinement of Offenders 408

CHAPTER 15

Corrections in the Community 440

APPENDIX A:

Selected Amendments to the U.S. Constitution 468

APPENDIX B:

Guide to Legal Citations of Reported Decisions 470

GLOSSARY

 472

CASE INDEX

 483

NAME INDEX

 484

GENERAL INDEX

 487

PART I

Introduction to the Study of Crime and Criminology 1

CHAPTER 1

Crime, Criminal Law, and Criminology 2

The Concept of Crime and Criminal Law 4

The Historical Meaning of Crime 5

Criminal Law Distinguished from Civil Law 5

The Definition of Crime 6

The Legal Approach to Crime 6

An Act or Omission 7

The Intent Requirement 7

EXCEPTIONS TO THE INTENT REQUIREMENT 8

Violation of the Elements of Criminal Law 9

Without Justification or Defense 10

Felony or Misdemeanor 11

The Judge or Jury as Final Decision Makers 11

An Analysis of the Legal Approach 11

The Concept of Law 12

The Source and Nature of Law 12

Law as Social Control 13

Informal Social Control 13

The Evolution of Formal Social Control 14

A Comparison of Law and Other Social Controls 14

The Limits of Law 16

The Purpose of Criminal Law 16

The Control of Crime 16

Mala in Se and Mala Prohibita Crimes Distinguished 16

The Control of Morality 17

Substance Abuse 17

Sexual Behavior 18

An Analysis of the Purpose of Criminal Law 21

The Study of Crime 23

SUMMARY 23

STUDY QUESTIONS 24

ENDNOTES 25

CHAPTER 2

The Measurement of Crime and Its Impact 26

The Perception of Crime 28

The Measurement of Crime 29

The Emergence of Scientific Criminology: The Cartographic School 29

Sources of Crime Data 30

The *Uniform Crime Reports (UCR)* 30

UCR Coverage 31

Limitations of the UCR 31

POLICE DISCRETION 32

VICTIMS' COOPERATION 32

ADMINISTRATIVE AND BUREAUCRATIC CHANGES 32

METHOD OF COUNTING CRIME 35

CRIMES NOT INCLUDED IN OFFICIAL REPORTS 36

The National Incident-Based Reporting System (NIBRS) 37

The National Crime Victimization Survey (NCVS) 38

Comparison of the UCR and the NCVS 40

Self-Report Data (SRD) 40

The National Youth Survey (NYS) 41

The Crime Classification System (CCS) 41

Crime in the United States: An Overview 41

National Crime Victimization Survey (NCVS) Data 42

Uniform Crime Report Data 42

Characteristics of Offenders 43

Age 43

Race 44

Gender 45

Crime Victims 45

Race 46

Gender 47

Age 47

Relationship of Victim and Offender 47

Analysis of Crime Data Collection 47

SUMMARY 50

STUDY QUESTIONS 51

ENDNOTES 52

PART II

Explanations of Criminal Behavior 55

CHAPTER 3

Early Explanations of Criminal Behavior and Their Modern Counterparts 56**Research in Criminology** 58

Basing Policy Decisions on Research 58

The Search for Explanations 59

Selection of a Research Method 59

Errors in Interpreting Data 60

The Dualistic Fallacy 60**Nineteenth-Century Explanations** 61

The Classical Beginnings 61

Cesare Beccaria 61*Jeremy Bentham* 62

The Neoclassical School 62

The Positive School 63

Cesare Lombroso 63*Contributions of the Positive School* 64

The Classical and Positive

Schools Compared 64

Punishment Philosophies 64

Incapacitation 65

Retribution and Revenge 67

The Justice Model of Punishment 69

Reform or Rehabilitation 70

Rehabilitation—A Modern Ideal? 70*The Indeterminate Sentence* 71*The Decline of the Rehabilitative Ideal* 71*A Return to Rehabilitation?* 73

Deterrence 74

Modern Deterrence Theory 74*Empirical Evidence**Regarding Deterrence* 74*Deterrence of Types of Crime and Types of People* 76*Perceived Deterrence* 77**Punishment: An Analysis** 77

SUMMARY 79

STUDY QUESTIONS 79

ENDNOTES 80

CHAPTER 4

Biological and Psychological Theories of Criminal Behavior 84**Biological Factors and Crime** 86

Lombroso and the Positivists 86

Physique and Crime 88

Genetic Factors 89

Family Studies 89*Studies of Twins* 91*Adoption Studies* 92*Chromosomal Abnormality* 92*Genetics and Behavior: A Modern View* 93

Neurological Factors 93

Neuroendocrinology 95*Neurochemistry* 96*Autonomic Nervous System Studies* 96*Attention Deficit Disorder (ADD)* 97**Psychological Theories of Criminal Behavior** 98

Psychiatric Approach 99

Personality Theory 100

Intelligence and Crime 101

Cognitive Development Theory 101

Behavior Theory 102

Learning Theory 102

Implications of Biological and Psychological Theories 103

SUMMARY 107

STUDY QUESTIONS 107

ENDNOTES 108

CHAPTER 5

Sociological Theories of Criminal Behavior I: The Social-Structural Approach 112**Early Social-Structural Approaches** 116

Ecological Theories 116

The Concept of Anomie 118

Strain Theory 121**Subculture Theories and Their Forerunners** 122

The Study of Gangs 122

Lower-Class Boy and Middle-Class

Measuring Rod 122

Neutralization and Drift 125

Differential Opportunity 126

Education and Delinquency 126

Lower-Class Boy and Lower-Class Culture	127
Evaluation of Subculture Theories	128
Family Structure and Crime	128
Routine Activity Approach	129
The Conflict Perspective	130
Background of the Modern	
Conflict Approach	130
Culture and Group Conflict	131
Power and Conflict	132
Critical Criminology	133
Instrumental Marxism	134
Structural Marxism	135
Integrated Structural-Marxist Theory	136
Power Control Theory	136
Evaluation of Critical Criminology	137
Social-Structural Theories and	
Female Criminality	138
Opportunity Theory and	
Women's Liberation	140
Conflict Theory	141
Feminist Theory	142
SUMMARY	143
STUDY QUESTIONS	144
ENDNOTES	144
CHAPTER 6	
Sociological Theories of Criminal	
Behavior II: The Social-Process	
Approach	150
Learning Theory	152
Differential Association	152
Differential Association-Reinforcement	155
Differential Association and the Mass	
Media	156
<i>Tarde and Imitation Theory</i>	157
<i>The Media and Imitation</i>	158
Pornography and Crime	160
Control Theory	162
Early Research on Control Theory	163
Hirschi's Control Theory	165
<i>Evaluation of Hirschi's Control Theory</i>	166
A General Theory of Crime:	
Self-Control Theory	169
Control Theory: A Conclusion	170
Labeling Theory	171

Emergence and Development of	
Labeling Theory	171
Effects of Labeling	172
Empirical Research	173
Evaluation of Labeling Theory	175
Conclusion to Theories of Criminality	176
SUMMARY	177
STUDY QUESTIONS	178
ENDNOTES	179

PART III

Types of Crime 183

CHAPTER 7

Violent Crimes 184

The Study of Types of Crime 186

Violent Crimes: An Overview 187

 Data on Serious Violent Crimes 187

 Juveniles and Violent Crimes 188

 Hate Crimes 188

Types of Serious Violent Crimes:

Official Data 191

 Aggravated Assault 191

 Murder and Nonnegligent Manslaughter 191

Analysis of Murderers 192

 Robbery 192

Empirical Research on Robbery 193

Gender and Robbery 193

 Forcible Rape 194

Males as Rape Victims 196

Analysis of Rapists 196

Domestic Violence 198

 Child Abuse 199

 Elder Abuse 202

 Female Battering 203

 Marital Rape 205

 Male Battering 206

 Explanations of Domestic Violence 207

Stalking 208

Fear of Crime 209

Gun Control and Violent Crime 212

SUMMARY 213

STUDY QUESTIONS 213

ENDNOTES 214

CHAPTER 8

Property Crimes 218**Serious Property Crimes:****The Official Categories** 220

Larceny-Theft 220

Focus on Shoplifting 222

THE BOOSTER AND THE SNITCH 223

Motor Vehicle Theft 224

Carjacking: Property or Violent Crime? 225*Analysis of Motor Vehicle Theft* 226

Burglary 227

Analysis of Burglary 228

Arson 229

Analysis of Arson 230**Less Serious Property Crimes:****The Official Categories** 231

Forgery and Counterfeiting 232

Stolen Property: Buying, Receiving,
Possessing 232

Embezzlement 233

Modern Theft Crimes 233**Professional and Career Criminals** 234

Professional Criminal Behavior:

The Early Approach 234

Contemporary Conceptualizations of
Professional Thieves 235

Career Criminals: The Modern Approach 236

Wolfgang's Studies of Delinquency Cohorts 236*Rand Studies of Career Criminals* 237*The BJS Report* 238*The NIJ Overview of Repeat Offenders* 239*The Young Criminal Years of the
Violent Few* 239*Recent Research* 240

SUMMARY 241

STUDY QUESTIONS 242

ENDNOTES 242

CHAPTER 9

**Business and Government-
Related Crimes** 246**Business-Related Crimes: An Overview** 248

Definitional Problems 248

Extent and Impact 251

A Sociological Analysis 252

Basis of Legal Liability 253

Types of Business-Related Crimes 254

Avoidance or Evasion of Income Taxes 255

Bribery and Extortion 255

Conspiracy 257

Embezzlement 257

False Advertising 257

Insider Trading 258

Antitrust Violations 259

Environmental Crime 260

Products Liability and Crime 261

Workplace Violations 262

Fraud and Related Crimes 263

Mail and Wire Fraud 263

Financial Institution Fraud 264

Health Care Fraud 264

Computer Crimes 265

Types of Computer Crimes 265

Controlling Computer Crimes 267

Focus on Government-Related Crimes 268

Obstruction of Justice 268

Political Crimes and Official Abuse
of Power 269*Civil Rights Violations* 271**Controlling Business and Government-
Related Crimes** 272

SUMMARY 273

STUDY QUESTIONS 274

ENDNOTES 274

CHAPTER 10

**Organized Crime, Drug Trafficking, and
Terrorism** 278**Organized Crime** 280

The Concept of Organized Crime 281

The History and Organization of
Organized Crime 283

Organized Crime in Other Countries 286

Organized Crime and Legitimate Business 287

Health Care 287*The Food Industry* 287*The Construction Industry* 288*The Cartage Industry* 288

The Control of Organized Crime 289

Statutory Measures 290*Prosecutions and Trials* 292

Illegal Drug Trafficking	295
The War on Drugs	295
Illegal Drug Trafficking Dynamics	297
Colombian Drug Cartels	299
<i>The Medellin Cartel</i>	299
<i>The Cali Cartel</i>	300
The Control of Drug Trafficking	301
Terrorism	302
Definitional Issues	303
The Categories of Terrorism	303
The Objective, Strategy, and Tactics	304
The Nature and Extent of Terrorism	305
Terrorism Victims	305
The Control of Terrorism	305
SUMMARY	308
STUDY QUESTIONS	309
ENDNOTES	309

PART IV

Criminal Justice Systems 313

CHAPTER 11

U.S. Criminal Justice Systems 314

The Stages in Criminal Justice Systems	316
Investigation Prior to Arrest	316
Arrest	316
Booking	316
Initial Appearance	317
Preliminary Hearing	317
Information	317
Grand Jury Indictment	317
Arraignment	317
Reduction of Charge	317
Trial	320
Sentencing	320
Appeals and Remedies	320
Incarceration	320
Release from the System	320
Special Characteristics of Criminal Justice Systems	321
System Effect	321
Discretion	321
Concepts of U.S. Criminal Justice	323
Selected Constitutional Rights of Defendants	325

Right to Be Free from Unreasonable Search and Seizure	325
<i>Vehicle Stops and Searches</i>	326
<i>Seizure and Search of the Person</i>	327
<i>Search of the Home</i>	330
Right Not to Testify against Oneself	331
Right to Counsel	334
Right to Trial by Jury	336
Victims' Rights	340
Defendants' Rights versus Victims' Rights	342
SUMMARY	343
STUDY QUESTIONS	343
ENDNOTES	344

CHAPTER 12

Police 346

The Emergence of Formal Policing	348
Public Policing in the United States	349
Private Security	351
Police Personnel	351
Qualifications for Policing	351
Police Recruitment	354
<i>Affirmative Action Hiring and Promotions</i>	354
<i>Female and Minority Officers</i>	356
The Nature of Policing	357
Police Functions	357
<i>Law Enforcement</i>	357
<i>Order Maintenance</i>	358
<i>Service-Related Duties</i>	359
Policing Models	359
<i>The Focus on Community-Oriented Policing</i>	361
Time Allocation	362
Conflicting Expectations	363
Police Stress	365
The Police Subculture	366
AIDS and Law Enforcement	366
Police Decision Making	366
The Right to Stop and Question	367
The Sociology of Arrest	368
The Use of Force	369
Vehicle Pursuits	370
Police Misconduct	370
Control of Policing	372
The Exclusionary Rule	372

Criminal and Civil Liability	374
Police Professionalism and Departmental Control	374
Community Control	375
SUMMARY	375
STUDY QUESTIONS	376
ENDNOTES	377
CHAPTER 13	
Court Systems	380
Court Systems: An Overview	382
Dual Court Systems	383
Trial and Appellate Courts	383
The Role of Lawyers in Criminal Court Systems	384
Prosecution	385
Defense	385
Pretrial Processes	386
Pretrial Release	386
The Bail System	386
Plea Bargaining	389
The Trial of a Criminal Case	391
The Right to a Speedy Trial	391
The Trial Decision: Judge or Jury	392
Sentencing	393
Current Sentencing Issues	393
<i>Three Strikes and You're Out</i>	393
<i>Capital Punishment</i>	393
The Sentencing Process	395
Sentence Disparity	396
<i>Control of Sentence Disparity</i>	397
Determinate Sentences	398
Appeals and Other Legal Challenges	400
The U.S. Supreme Court	401
Courts and Congestion	402
SUMMARY	404
STUDY QUESTIONS	405
ENDNOTES	405
PART V	
Social Reactions to Crime: Corrections	407
CHAPTER 14	
The Confinement of Offenders	408
The Emergence of Prisons for Punishment	410

American Contributions to the Emergence of Prisons	410
Prison Expansion	412
The Reformatory Era	412
The Modern Era of American Prisons: An Overview	413
Types of Institutions for the Confinement of Adult Offenders	413
Jails	415
Prisons	416
Private Jails and Prisons	418
The Inmate's Social World	419
Prisonization	419
<i>Prisonization Models</i>	420
Female Inmates	422
Prison Violence	424
Control within Prisons: The Role of Correctional Officers	428
Inmates' Legal Rights: An Overview	429
Analysis of Inmates' Legal Rights	432
Prison Health Issues	434
SUMMARY	435
STUDY QUESTIONS	436
ENDNOTES	436
CHAPTER 15	
Corrections in the Community	440
Diversion	443
Community Corrections: An Attempt at Reintegration	444
Community Work Service, Fines, and Restitution	445
Halfway Houses	446
Shock Incarceration and Boot Camps	447
Day Reporting Centers	448
House Arrest	449
Electronic Monitoring	450
Probation and Parole: An Overview	451
Focus on Probation	452
Probation Supervision	452
Probation Conditions	453
Release from Prison	454
Furlough and Work-Release Programs	455
Focus on Parole	456
The Parole System	458
The Future of Parole	459

Probation and Parole Revocation	459
Megan's Laws	461
An Evaluation of Community Corrections	463
SUMMARY	465
STUDY QUESTIONS	465
ENDNOTES	466

APPENDIX A:	
Selected Amendments to the U.S. Constitution	468

APPENDIX B:	
How to Read a Court Citation	470

GLOSSARY	472
----------	-----

CASE INDEX	483
------------	-----

NAME INDEX	484
------------	-----

GENERAL INDEX	487
---------------	-----