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FOURTEENTH EDITION

Criminal Justice Today

AN INTRODUCTORY TEXT
FOR THE TWENTY-FIRST CENTURY

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Brief Contents

PART 1 Crime in America 1

Chapter 1 | What Is Criminal Justice? 2

Chapter 2 | The Crime Picture 30

Chapter 3 | The Search for Causes 70

Chapter 4 | Criminal Law 106

PART 2 Policing 135

Chapter 5 | Policing: History and Structure 136

Chapter 6 | Policing: Purpose and Organization 161

Chapter 7 | Policing: Legal Aspects 197

Chapter 8 | Policing: Issues and Challenges 241

PART 3 Adjudication 272

Chapter 9 | The Courts: Structure and Participants 273

Chapter 10 | Pretrial Activities and the Criminal Trial 309

Chapter 11 | Sentencing 339

PART 4 Corrections 383

Chapter 12 | Probation, Parole, and Intermediate Sanctions 384

Chapter 13 | Prisons and Jails 413

Chapter 14 | Prison Life 456

PART 5 Special Issues 495

Chapter 15 | Juvenile Justice 496

Chapter 16 | Drugs and Crime 522

Chapter 17 | Terrorism, Multinational Criminal Justice and Global Issues 558

Chapter 18 | High-Technology Crimes 594

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3

THE SEARCH FOR CAUSES

OUTLINE

- Introduction
- Criminological Theory
- Classical and Neoclassical Theory
- Early Biological Theories
- Biosocial Theories
- Psychological Theories
- Sociological Theories
- Social Process Theories
- Conflict Theories
- Emergent Perspectives

LEARNING OBJECTIVES

After reading this chapter, you should be able to

- Summarize the development of criminological theory, including the role of social research in that development.
- Describe the Classical School of criminology, including how it continues to influence criminological theorizing through neoclassical thought.
- Describe the basic features of biological theories of crime causation and their shortcomings.
- Explain biosocial criminology and show how biosocial understanding of criminal behavior focus on the interaction between biology and the social and physical environments.
- Describe the fundamental assumptions of psychological explanations for crime and their shortcomings.
- Describe the basic features of sociological theories of crime causation.
- Describe social process theories of criminology, including the kinds of crime-control policies that might be based on them.
- Describe conflict theories of criminality, including the kinds of crime-control policies that might be based on them.
- Summarize two emerging theories of criminology.

Society prepares the crime; the criminal commits it.

HENRY THOMAS BUCKLE

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Introduction

In 2015, Marion “Surge” Knight, the founder of Death Row Records, was arrested and charged with murder following an incident in which two men were allegedly run over by the rap musician’s red pickup truck in Compton, California. One of the men died, while the other was seriously injured. Knight’s attorney claimed that his client had accidentally run over the men as he was fleeing attackers. Knight has a long history of arrests and run-ins with the law, with charges ranging from gun law violations to assaults and robbery. Months before the incident, he had been shot six times at a Los Angeles nightclub.¹

Violent crime is no stranger to the world of hard-core rap music. In 2013, aspiring Oakland (California) rapper Kenny Clutch (Kenneth Cherry, Jr.) died after the Maserati he was driving was peppered with bullets from a passing Range Rover and crashed into a Yellow cab at a Las Vegas intersection, causing a fiery



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Rapper and Death Row Records founder, Surge Knight. In 2015, Knight was charged with murder after allegedly running over two men in a California parking lot. Some claim that rap and other forms of hip-hop music lead to crime. What do you think?

■ **deviance** A violation of social norms defining appropriate or proper behavior under a particular set of circumstances. Deviance often includes criminal acts.

explosion.² The shooting, which happened at 4:20 a.m. on Las Vegas Boulevard, apparently stemmed from a dispute at a nearby hotel. The incident happened just two blocks from the location of a 1996 shooting in which rapper Tupac Shakur was killed.

Similarly, in an event that is still discussed today, hip-hop artist Curtis “50 Cent” Jackson, a rising star in the world of hard-core rap music, was shot nine times in front of his grandmother’s home in New York City in 2000.³ One of the bullets hit him in the face. “50,” as the singer is known to his fans, survived the shooting but spent months recovering. Murdered rap stars include Tupac Shakur, Notorious B.I.G., Big L., and the Lost Boyz’s hip-hop hype man Raymond “Freaky Tah” Rogers.

Whether rap music merely reflects the social conditions under which its artists come of age or whether it is a direct cause of the violence that surrounds them is a question to which we will return shortly. One clue is provided by Pusha T (aka Push), who has performed with Ross, as he explains: “It’s tough out here as an artist and being in rap it’s like this is the only profession where you don’t really leave your core. You don’t really leave your upbringing. You don’t really leave that behind; you stay in it lyrically and so on and so forth. So it’s like you can’t really get out of it, you can’t really get away from it. I don’t care how much money you have.”⁴

No discussion of crime and of the criminal justice system would be complete without considering the *causes* of crime and **deviance**, and the idea that certain types of music lead to law violation provides one theory of crime causation. Criminologists search for answers to the fundamental questions about what causes crime: Why do people commit crime? What are the root causes of violence and aggression? Are people basically good, or are they motivated only by self-interest? More precisely, we might ask why a particular person commits a particular crime on a given occasion and under specific circumstances.

In this chapter, we will look at the causes of crime. Before we begin, however, some brief definitions are in order. *Crime*, as noted in Chapter 1, is a violation of the criminal law without acceptable legal justification,⁵ whereas *deviant behavior* is a violation of social norms that specify appropriate or proper behavior under a particular set of circumstances. Deviant behavior is a broad category that often includes crime.

Many theories have been advanced to explain all sorts of rule-violating behavior. As is the case with the story that opened

this chapter, some observers of the contemporary scene blame much of today’s crime on commonplace episodes of violence in the

Deviant behavior is a broad category that often includes crime, but not all deviance is criminal.

American media—especially on television, in music, and on film. Experts who study the media estimate that the average American child watches 8,000 murders and 100,000 acts of violence while growing up.⁶ At an international conference, Suzanne Stutman, president of the Institute for Mental Health Initiatives, a nonprofit organization in Washington, D.C., reported that studies consistently show that the extent of exposure to television violence in childhood is a good predictor of future criminal behavior.⁷ One particular study found that watching just one hour of television a day can make a person more violent toward others.⁸ The study, which was conducted over a 25-year period at New York’s Columbia University and published in 2002, used police records to confirm that 45% of young men who had watched three or more hours of television a day went on to commit at least one aggressive act against another person, compared to 9% of young men who had watched TV for less than one hour per day.

An African American critic of gangsta rap puts it this way: “The key element is aggression—in rappers’ body language, tone, and witty rhymes—that often leaves listeners hyped, on edge, angry about ... something. Perhaps the most important element in gangsta rap is its messages, which center largely around these ideas: that women are no more than ‘bitches and ho’s,’ disposable playthings who exist merely for men’s abusive delight; that it’s cool to use any means necessary to get the material things you want; and most importantly, it’s admirable to be cold-blooded and hard.”⁹ The Reverend Arthur L. Cribbs, Jr., an African American social commentator, agrees. Cribbs calls gangsta rap “nothing but modern-day violence and vulgarity wrapped and packaged in blackface.”¹⁰

Most people agree that media violence harms society. According to one survey, “57% of the public thinks violence in the media is a major factor in real-life violence” of all kinds.¹¹ But it is less than clear whether violence in the media and aggressive themes in popular music are indeed a cause of crime, as many believe, or merely a reflection of the social conditions that exist in many American communities today. Findings from studies on the effect of television viewing, for example, may be inadvertently spotlighting existing criminal tendencies among lower-class undereducated teenagers with enough time on their hands for extensive TV viewing. Hence getting legislators to address the issue of violence in the media is sometimes difficult. Moreover, in 2011, the U.S. Supreme Court weighed in with an important decision in the case of *Brown v. Entertainment Merchants Association*,

■ **theory** A set of interrelated propositions that attempt to describe, explain, predict, and ultimately control some class of events. A theory is strengthened by its logical consistency and is “tested” by how well it describes and predicts reality.

in which it ruled that a state law in California restricting the sale or rental of violent computer games to minors was a violation of the First Amendment’s guarantee of free speech.¹² The majority of justices held that computer games, “like protected books, plays, and movies, communicate ideas through familiar literary devices and features distinctive to the medium.”¹³

Criminological Theory

It is easy to understand why the entertainment industry and the media are often targeted as the cause of crime and criminal violence.

There is no single cause of crime; it is rooted in a diversity of causes and takes a variety of forms, depending on the situation in which it occurs.

However, many other types of explanations for crime are also viable, such as individual psychological differences, including personality disorders; variations in patterns of early socialization that may predis-

pose some people to crime and violence; and biosocial perspectives that say crime arises out of a causal brew formed by the interaction of biological predispositions and the social environment. Similarly, it is prudent to examine social institutions such as the family, schools, churches, and even the police for their role in reducing or enhancing the likelihood of criminality among people.

One thing is certain: There is no single cause of crime; it is rooted in a diversity of causes and takes a variety of forms, depending on the situation in which it occurs. Nonetheless, some theories of human behavior help us understand why certain people engage in acts that society defines as criminal or deviant, while others do not. A **theory** is a kind of model. Theories posit relationships, often of a causal sort, between events and things under study. A theory’s explanatory power derives primarily from its inherent logical consistency, and theories are tested by how well they describe and predict reality. In other words, a good theory fits the facts, and it stands up to continued scrutiny. Figure 3-1 uses the association between poverty and crime as an example to diagram the important aspects of theory creation in the social sciences.

History is rife with theories purporting to explain rule-violating behavior. For example, an old Roman theory, based on ancient observations that more crime and deviance occur on nights with a full moon, proposed that the moon causes a kind of temporary insanity, or *lunacy*. According to this theory,

■ **hypothesis** An explanation that accounts for a set of facts and that can be tested by further investigation. Also, something that is taken to be true for the purpose of argument or investigation.¹

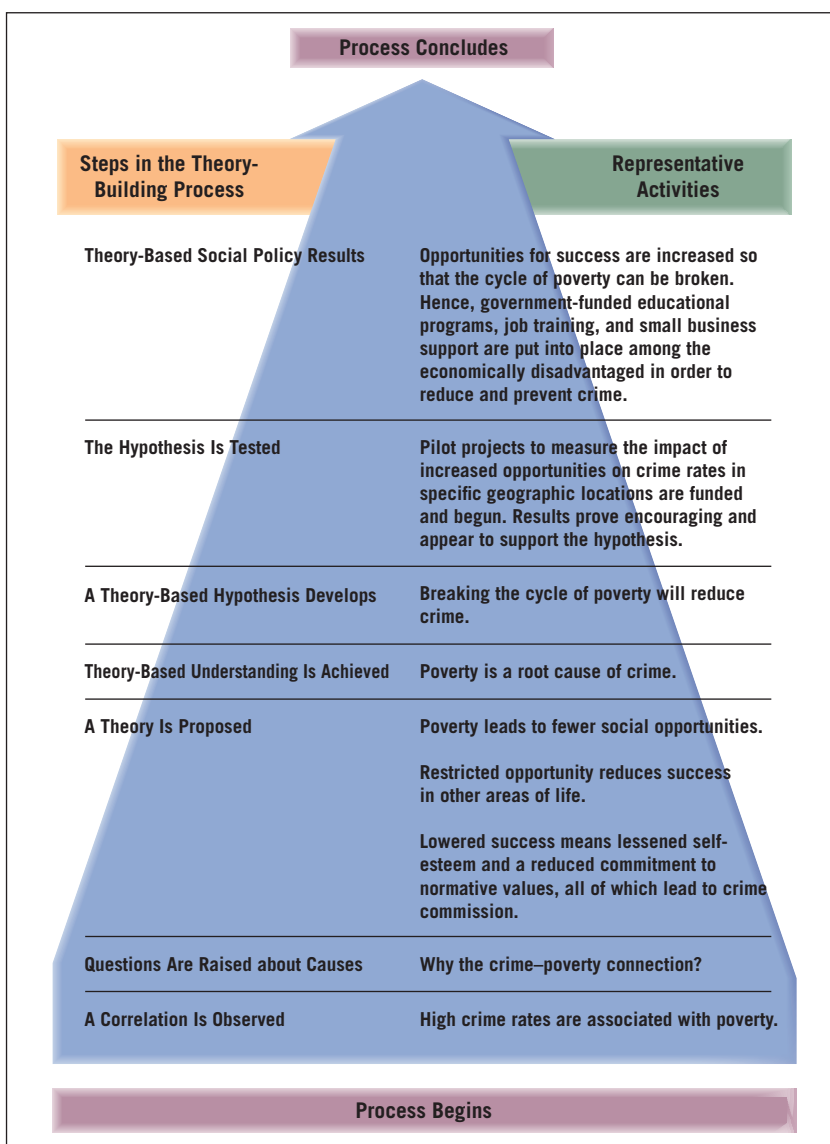


FIGURE 3-1 | Steps in Criminological Theory Building and Social Policy Creation

Source: Pearson Education, Inc.

deviant behavior isn't random; it waxes and wanes in cadence with the lunar cycle. Although modern statisticians have noted an association between phases of the moon and crime rates, the precise mechanism by which the moon influences behavior—if it does—has never been adequately explained.

As mentioned, a complete theory attempts to flesh out all of the causal links between phenomena that are associated or *correlated*. For example, some comprehensive theories of lunacy suggest that light from the full moon stimulates the reticular-activating system (RAS) in the limbic portion of the human

brain, which makes people more excitable and hyperactive—and thus more likely to behave in deviant ways and to commit crime. Others have suggested, quite simply, that people commit more crimes when the moon is full because it is easier to see.

Theories, once created, must be tested to determine whether they are valid, and modern criminology has become increasingly scientific.¹⁴ Theory testing usually involves the development of **hypotheses** based on what the theory under scrutiny would predict. A theory of lunacy, for example, might be tested in a variety of ways, including (1) observing rates of

■ **research** The use of standardized, systematic procedures in the search for knowledge.

crime and deviance on nights when the light of the full moon is obscured by clouds (we would expect no rise in crime rates if the RAS or visibility explanations are correct) and (2) examining city crime rates on full-moon nights—especially in well-lit city areas where the light of the moon hardly increases visibility. If the predictions made by a theory are validated by careful observation, the theory gains greater acceptability.

Generally accepted research designs—coupled with careful data-gathering strategies and statistical techniques for data analysis—have yielded considerable confidence in certain explanations for crime, while at the same time disproving others. Theories of crime causation that have met rigorous scientific tests for acceptability give policymakers the intellectual basis they need to create informed crime-control strategies. The ultimate goal of **research** and theory building in criminology is to provide models that permit a better understanding of criminal behavior and that enhance the development of strategies, or policies, intended to address the problem of crime.

Although we will use the word *theory* in describing various explanations for crime throughout this chapter, it should be recognized that the word is only loosely applicable to some of the perspectives we will discuss. As noted, many social scientists insist that to be considered “theories,” explanations must consist of sets of clearly stated, logically interrelated, and measurable propositions. The fact that few of the “theories” that follow rise above the level of organized conjecture, and that many others are not readily amenable to objective scrutiny through scientific testing, is one of the greatest failures of social science today.

Also, many contemporary theories of deviant and criminal behavior are far from complete, offering only limited ideas rather than comprehensive explanations for the behavior in question. Moreover, when we consider the wide range of behaviors regarded as criminal—from murder to drug use to terrorism to white-collar crime—it is difficult to imagine a theory that can explain them all.

For our purposes, explanations of criminal behavior fall into eight general categories:

- Classical and neoclassical
- Early biological
- Biosocial

■ **interdisciplinary theory** An approach that integrates a variety of theoretical viewpoints in an attempt to explain something, such as crime and violence.

■ **Classical School** An eighteenth-century approach to crime causation and criminal responsibility that grew out of the Enlightenment and that emphasized the role of free will and reasonable punishment. Classical thinkers believed that punishment, if it is to be an effective deterrent, has to outweigh the potential pleasure derived from criminal behavior.

- Psychological
- Sociological
- Social process
- Conflict
- Emergent

The differences among these approaches are summarized in Table 3-1. A ninth category could be **interdisciplinary theories**. Interdisciplinary approaches integrate a variety of theoretical viewpoints in an attempt to explain crime and violence. The Project on Human Development in Chicago Neighborhoods (PHDCN) is one example of an ongoing interdisciplinary study of the causes of crime. Described in more detail later in this chapter, the PHDCN project involves an examination of the roles of personality, school, and community as they contribute to juvenile delinquency and criminal behavior. See <http://www.justicestudies.com/pubs/phdcn.pdf> for more information on the project.

Classical and Neoclassical Theory

Theories of the **Classical School** of crime causation dominated criminological thought for much of the late eighteenth and early nineteenth centuries. These theories represented a noteworthy advance over previous thinking about crime because they moved beyond superstition and mysticism as explanations for deviance. As noted criminologist Stephen Schafer puts it, “In the eighteenth-century individualistic orientation of criminal law, the act was judged and the man made responsible.”¹⁵ A product of the Enlightenment then sweeping through Europe, the Classical School demanded recognition of rationality and the ability to exercise informed choice in human social life.

Most classical theories of crime causation, both old and new, make certain basic assumptions. Among them are these:

- Crime is caused by the individual exercise of free will. Human beings are fundamentally rational, and most human behavior is the result of free will coupled with rational choice.
- Pain and pleasure are the two central determinants of human behavior.

TABLE 3-1 | Types of Criminological Theory

TYPE & CONCEPTS	THEORISTS	CHARACTERISTICS
Classical and Neoclassical		
Free will theories	Beccaria	Crime is caused by the individual exercise of free will.
Hedonistic calculus Rational choice theory	Bentham Cohen & Felson	Prevention is possible through swift and certain punishment that offsets any gains to be had through criminal behavior.
Routine activities theory	Cohen & Felson	Lifestyles significantly affect both the amount and type of crime found in any society, and the risk of criminal victimization varies according to the circumstances and locations in which people place themselves and their property.
Early Biological		
Phrenology Atavism Criminal families Somatotypes Body types	Gall Lombroso Dugdale Goddard Sheldon	"Criminal genes" cause deviant behavior. Criminals are identifiable through physical characteristics or genetic makeup. Treatment is generally ineffective, but aggression may be usefully redirected.
Biosocial		
Gender ratio problem Genetics/chromosomes Hormones Nutrition Body chemistry Heredity/heritability Brain dysfunction	Wilson & Herrnstein Beaver Ellis Walsh Jacobs Raine	The interactions between human biology and the physical and social environments are key to understanding human behavior, including criminality.
Psychological		
Behavioral conditioning Psychoanalysis Psychopathology	Pavlov Freud Cleckley	Crime is the result of inappropriate behavioral conditioning or a diseased mind. Treatment necessitates extensive behavioral therapy.
Sociological		
Social disorganization Anomie	Park & Burgess Shaw & McKay Durkheim Merton	The structure of society and its relative degree of organization or disorganization are important actors contributing to the prevalence of criminal behavior.
Subcultures Focal concerns Subculture of violence	Cohen Miller Wolfgang & Ferracuti	Group dynamics, group organization, and subgroup relationships form the causal nexus out of which crime develops. Effective social policy may require basic changes in patterns of socialization and an increase in accepted opportunities for success.
Social Process		
Differential association Social learning Containment Social control Neutralization	Sutherland Burgess & Akers Reckless Hirschi Sykes & Matza	Crime results from the failure of self-direction, inadequate social roles, or association with defective others. Social policy places responsibility for change on the offender.
Labeling	Becker	The source of criminal behavior is unknown, but an understanding of crime requires recognition that the definition of crime is imposed on behavior by the wider society. Individuals defined as "criminal" may be excluded by society from "normal" opportunities. Therapy requires a total reorientation of the offender.
Social development Life course perspective	Terrie Moffitt Sampson & Laub	Human development occurs simultaneously on many levels, including psychological, biological, familial, interpersonal, cultural, societal, and ecological. The life course perspective notes that criminal behavior tends to follow an identifiable pattern throughout a person's life cycle.
Conflict		
Radical criminology	Turk Vold Chambliss	Conflict is fundamental to social life. Crime is a natural consequence of social, political, and economic inequities.
Peacemaking criminology	Pepinsky Quinney	Fundamental changes to the structure of society are needed to eliminate crime.
Emergent		
Feminist criminology	Adler Simon Daly & Chesney-Lind	Feminist criminology emphasizes the need for gender awareness in the criminological enterprise.
Postmodern criminology	Henry & Milovanovic	Deconstructionist approaches challenge existing theories in order to replace them with perspectives more relevant to the modern era.

Source: Pearson Education, Inc.

■ **neoclassical criminology** A contemporary version of classical criminology that emphasizes deterrence and retribution and that holds that human beings are essentially free to make choices in favor of crime and deviance or conformity to the law.

- Crime erodes the bond that exists between individuals and society and is therefore an immoral form of behavior.
- Punishment, a necessary evil, is sometimes required to deter law violators from repeating their crimes and to serve as an example to others who would also violate the law.
- Crime prevention is possible through swift and certain punishment that offsets any gains to be had through criminal behavior.

Cesare Beccaria: Crime and Punishment

In 1764, Cesare Beccaria (1738–1794) published his *Essays on Crimes and Punishment*. The book was an immediate success and stirred a hornet’s nest of controversy over the treatment of criminal offenders. Beccaria proposed basic changes in the criminal laws of his day to make them more “humanitarian.” He called for the abolition of physical punishment and an end to the death penalty. Beccaria is best remembered for his suggestion that punishment should be just sufficient to deter criminal behavior but should never be excessive. Because Beccaria’s writings stimulated many other thinkers throughout the eighteenth and early nineteenth centuries, he is referred to today as the founder of the Classical School of criminology.

Jeremy Bentham: Hedonistic Calculus

Among those influenced by Beccaria was the Englishman Jeremy Bentham (1748–1832). Bentham devised a “hedonistic calculus,” which essentially said that the exercise of free will would cause an individual to avoid committing a crime as long as the punishment for committing that crime outweighed the benefits to be derived from committing it. Bentham termed this philosophy of social control *utilitarianism*. Both Bentham and Beccaria agreed that punishment had to be “swift and certain”—as well as just—to be effective. Learn more about Jeremy Bentham at <http://www.ucl.ac.uk/Bentham-Project>.

The Neoclassical Perspective

A contemporary theory with roots in the Classical School, **neoclassical criminology** is a perspective that owes much to

■ **rational choice theory** A perspective on crime causation that holds that criminality is the result of conscious choice. Rational choice theory predicts that individuals will choose to commit crime when the benefits of doing so outweigh the costs of disobeying the law.

■ **routine activities theory (RAT)** A neoclassical perspective that suggests that lifestyles contribute significantly to both the amount and the type of crime found in any society.

the early classical thinkers. Although classical criminology focuses primarily on pleasure and pain as motivators of human behavior, neoclassical criminology places greater emphasis on rationality and cognition. Central to such perspectives is **rational choice theory**, which holds that criminality is largely the result of conscious choices that people make. According to the theory, offenders choose to violate the law when they believe that the benefits of doing so outweigh the costs.

Rational choice theory is represented by a somewhat narrower perspective called **routine activities theory**, and referred to by the somewhat humorous acronym, **RAT**. Routine activities theory was first proposed by Lawrence Cohen and Marcus Felson in 1979.¹⁶ Cohen and Felson argued that lifestyles significantly affect both the amount and type of crime found in any society, and they noted that “the

Although classical criminology focuses primarily on pleasure and pain as determinants of human behavior, neoclassical criminology places greater emphasis on rationality and cognition.

risk of criminal victimization varies dramatically among the circumstances and locations in which people place themselves and their property.”¹⁷ Lifestyles that contribute to criminal opportunities are likely to result in crime

because they increase the risk of potential victimization.¹⁸ For example, a person who routinely uses an ATM late at night in an isolated location is far more likely to be preyed on by robbers than is someone who stays home after dark. Rational choice theorists concentrate on “the decision-making process of offenders confronted with specific contexts” and have shifted “the focus of the effort to prevent crime ... from broad social programs to target hardening, environmental design or any impediment that would [dissuade] a motivated offender from offending.”¹⁹

Central to the routine activities approach is the claim that crime is likely to occur when a motivated offender and a suitable target come together in the absence of a *capable guardian*. Capable guardians are those who effectively discourage crime and prevent it from occurring. Members of neighborhood watch groups, for example, might be capable guardians. Capable guardians do not necessarily have to confront would-be offenders directly but might be people who have completed classes in crime prevention and who have taken steps to reduce their chances of victimization.

■ **Biological School** A perspective on criminological thought that holds that criminal behavior has a physiological basis.

Social Policy and Classical Theories

Much of the practice of criminal justice in America today is built on concepts provided by Classical School theorists. Many

Much of the practice of criminal justice in America today is built on concepts provided by Classical School theorists.

contemporary programs designed to prevent crime, for example, have their philosophical roots in the classical axioms of deterrence and punishment. Modern heirs

of the Classical School see punishment as central to criminal justice policy, use evidence of high crime rates to argue that punishment is a necessary crime preventive, and believe punishment is a natural and deserved consequence of criminal activity. Such thinkers call for greater prison capacity and new prison construction. In Chapter 1, we used the term *public-order advocate*, which can be applied to modern-day proponents of classical theory who frequently seek stiffer criminal laws and greater penalties for criminal activity. The emphasis on punishment as an appropriate response to crime, however, whether founded on principles of deterrence or revenge, and the resulting packed courtrooms and overcrowded prisons, has left many contemporary criminal justice policy initiatives floundering.

Early Biological Theories

Biological theories of crime causation, which had fallen into disrepute during the past few decades, are beginning to experience something of a contemporary resurgence. It is important to distinguish, however, between early biological perspectives, which have been largely discounted by contemporary criminologists, and the rather sophisticated biosocial perspectives offered by some cutting-edge criminologists today. Biosocial theories will be discussed later in this chapter, but most early theories of the **Biological School** of crime causation built on inherited or bodily characteristics and features and made certain fundamental assumptions. Among them are these:

- Basic determinants of human behavior, including criminal tendencies, are constitutionally or genetically based.
- The basic determinants of human behavior, including criminality, may be passed on from generation to

■ **phrenology** The study of the shape of the head to determine anatomical correlates of human behavior.

generation. In other words, a penchant for crime may be inherited.

- At least some human behavior is the result of biological propensities inherited from more primitive developmental stages in the evolutionary process. Some human beings may be further along the evolutionary ladder than others, and their behavior may reflect it.

Franz Joseph Gall: Phrenology

The idea that the quality of a person can be judged by a study of the person's face is as old as antiquity. Even today, we often judge people on their looks, saying, "He has an honest face" or "She has tender eyes." Horror movies play on unspoken cultural themes to shape the way a "maniac" might look. Jack Nicholson's portrayal of a crazed killer in *The Shining* and Anthony Hopkins's role as a serial killer in *The Silence of the Lambs* turned that look into fortunes at the box office. More recently, TV series such as NBC's *Hannibal* have capitalized on scary looks and frightening scenes.

Franz Joseph Gall (1758–1828) was one of the first thinkers to theorize about the idea that bodily constitution might reflect personality. Gall was writing at a time when it was thought that organs throughout the body determined one's mental state and behavior. People were said to be "hard-hearted" or to have a "bad spleen" that filled them with bile. Gall focused on the head and the brain and called his approach *cranioscopy*. It can be summarized in four propositions:

- The brain is the organ of the mind.
- The brain consists of localized faculties or functions.
- The shape of the skull reveals the underlying development (or lack of development) of areas within the brain.
- The personality can be revealed by a study of the skull.

Gall never systematically tested his theory in a way that would meet contemporary scientific standards. Even so, his approach to predicting behavior, which came to be known as **phrenology**, quickly spread throughout Europe. Gall's student, Johann Gaspar Spurzheim (1776–1853), brought phrenology to America in a series of lectures and publications on the subject. By 1825, 29 phrenological journals were being produced in the United States and Britain.²⁰ Until the turn of the twentieth century, phrenology remained popular in some American circles, where it was used in diagnostic schemes to classify new prisoners.

■ **atavism** A condition characterized by the existence of features thought to be common in earlier stages of human evolution.

■ **Positivist School** An approach that stresses the application of scientific techniques to the study of crime and criminals.

Cesare Lombroso: Atavism

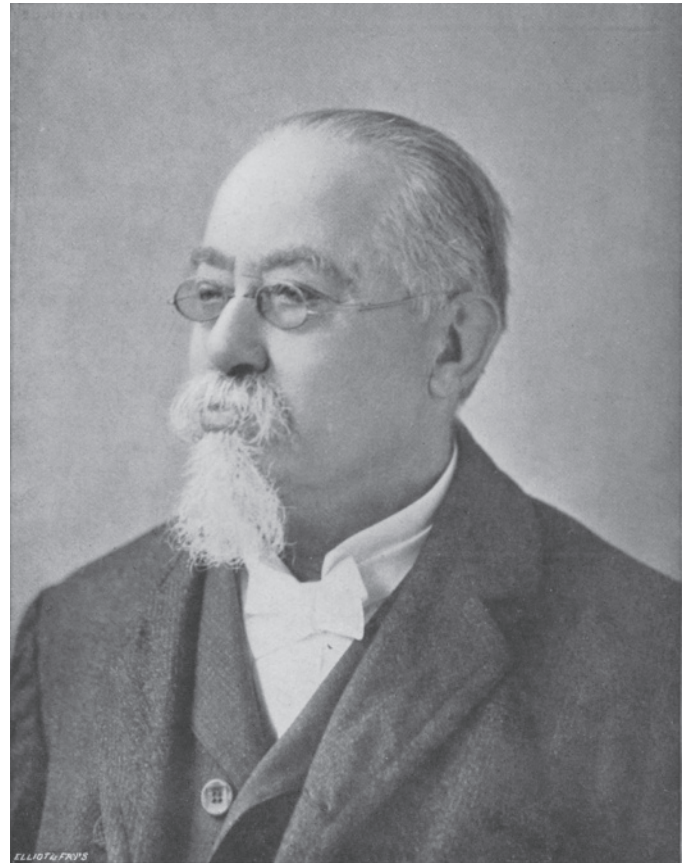
Gall's theory was “deterministic” in the sense that it left little room for choice. What a person did depended more on the shape of the skull than on the exercise of free will. Other biological theories would soon build on that premise. One of the best known is that created by the Italian psychologist Cesare Lombroso (1835–1909).

Lombroso began his criminal anthropology with a post-mortem evaluation of famous criminals, including one by the name of Vilella. Before Vilella died, Lombroso had the opportunity to interview him on a number of occasions. After Vilella's death, Lombroso correlated earlier observations of personality traits with measurable physical abnormalities. As a result of this and other studies, Lombroso concluded that criminals were atavistic human beings—throwbacks to earlier stages of evolution who were not sufficiently mentally advanced for successful life in the modern world. **Atavism** was identifiable in suspicious individuals, Lombroso suggested, through measures designed to reveal “primitive” physical characteristics.

In the late nineteenth century, Charles Darwin's theory of evolution was rapidly being applied to a wide range of fields. It was not surprising, therefore, that Lombroso linked evolution and criminality. What separated Lombroso from his predecessors, however, was that he continually refined his theory through ongoing observation. Based on studies of known offenders, whom he compared to conformists, Lombroso identified a large number of atavistic traits, which he claimed characterized criminals. Among them were long arms, large lips, crooked noses, an abnormally large amount of body hair, prominent cheekbones, two eyes of different colors, and ears that lacked clearly defined lobes.

Atavism implies that certain people are born criminals. Throughout his life, Lombroso grappled with the task of determining what proportion of the total population of offenders were born criminals. His estimates ranged at different times between 70% and 90%. Career criminals and those who committed crimes of opportunity without atavistic features he termed *criminaloids*, and he recognized the potential causative roles of greed, passion, and circumstance in their behavior.

Today, Lombroso is known as the founder of the **Positivist School** of criminology because of the role observation played in the formulation of his theories. Stephen Schafer calls Lombroso “the father of modern criminology”²¹ because most contemporary criminologists follow in the tradition that Lombroso began—scientific observation and a comparison of theory with fact.



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Cesare Lombroso, who has been dubbed “the father of modern criminology,” in a rare photograph from 1909. What concepts developed by Lombroso might still be applicable today?

The Evidence for and against Atavism

After Lombroso died, two English physicians, Charles Goring and Karl Pearson, conducted a test of atavism, studying more than 3,000 prisoners and comparing them along physiological criteria to an army detachment known as the Royal Engineers. No significant differences were found between the two groups, and Lombroso's ideas rapidly began to fall into disrepute.

A further study of atavism was published in 1939 by Earnest A. Hooton, a distinguished Harvard University anthropologist. Hooton spent 12 years constructing anthropometric profiles—profiles based on human body measurements—of 13,873 male convicts in ten different American states. He measured each inmate in 107 different ways and compared them to 3,203 volunteers from National Guard units, firehouses, beaches, and hospitals. Surprisingly, Hooton did find some basis for

Lombroso's beliefs, and he concluded that the inmate population in his study demonstrated a decided physical "inferiority."

However, Hooton never recognized that the prisoners he studied were only a subgroup of the population of all offenders throughout the country. They were, in fact, the least successful offenders—the ones who had been caught and imprisoned. Hooton may have unknowingly measured other criminals—the ones who had avoided capture—among his "conformist" population. Hence the "inferiority" Hooton observed may have been an artificial product of a process of selection (arrest) by the justice system.

Criminal Families

The concept of biological inheritance has been applied to "criminal families" as well as to individuals. The idea of mental degeneration as an inherited contributor to crime was first explored by Richard Dugdale.²² Dugdale used the family tree method to study a family he called the Jukes, publishing his findings in 1877. The Juke lineage had its beginning in America with "Max" (whose last name is unknown), a descendant of Dutch immigrants to New Amsterdam in the early eighteenth

■ **somatotyping** The classification of human beings into types according to body build and other physical characteristics.

century. Two of Max's sons married into the notorious "Juke family of girls," six sisters, all of whom were illegitimate. Male Jukes were reputed to have been "vicious," while Ada, one of the sisters, had an especially bad reputation and eventually came to be known as "the mother of criminals."

Dugdale found that, during the next 75 years, Ada's heirs included 1,200 people, most of whom were "social degenerates." Only a handful of socially productive progeny could be identified. In 1915, Dugdale's study of the Jukes was continued by Arthur A. Estabrook, who extended the line to include 2,094 descendants and found just as few conformists.

A similar study was published by Henry Goddard in 1912.²³ Goddard examined the Kallikak family, which contained two clear lines of descent. One emanated from an affair that Revolutionary War soldier Martin Kallikak had with a "feeble-minded" barmaid. She bore a son, and the line eventually produced 480 identifiable descendants. After the war, Kallikak returned home and married a "virtuous" Quaker woman in Philadelphia. This legitimate line produced 496 offspring by 1912, of whom only three were abnormal; not one was criminal. The illegitimate group, however, contained over half "feeble-minded" or deviant progeny.

The underlying suppositions of these studies are that degenerate and feeble-minded people are produced and propagated through bad genetic material and that crime is an outlet for degenerate urges. However, these studies fail to recognize any effect that socialization and life circumstances have on the development of criminal behavior.

William Sheldon: Somatotypes

"Constitutional" theories of crime causation refer to the *physical constitution*, or bodily characteristics, of offenders. The last of the famous constitutional theorists was William Sheldon (1893–1977), who developed the idea of **somatotyping**.

Sheldon studied 200 juvenile delinquents between the ages of 15 and 21 at the Hayden Goodwill Institute in Boston and decided that the young men possessed one of three somatotypes (or body types). The types of bodies described by Sheldon were (in his words):

- *Mesomorphs* with a relative predominance of muscle, bone, and connective tissue
- *Endomorphs* with a soft roundness throughout the various regions of the body; short tapering limbs; small bones; and soft, smooth, velvety skin
- *Ectomorphs* characterized by thinness, fragility, and delicacy of body



Courtesy of the Library of Congress

The Bertillon system of identification being applied to a subject in the years before the development of fingerprinting. The theory of atavism, based on the ideas of Charles Darwin, supported the use of physical anthropology in the identification of offenders. Why have sociological theories largely replaced simple biological approaches to explaining crime?

■ **biosocial criminology** A theoretical perspective that sees the interaction between biology and the physical and social environments as key to understanding human behavior, including criminality.

■ **gender ratio problem** The need for an explanation of the fact that the number of crimes committed by men routinely far exceeds the number of crimes committed by women in almost all categories.

Sheldon developed a system of measurements by which an individual's physique could be expressed as a combination of numbers, and believed that predominantly mesomorphic individuals were most prone to aggression, violence, and delinquency.²⁴

Social Policy and Early Biological Theories

Because traditional biological theories of crime causation attribute the cause of crime to fundamental physical characteristics that are not easily modified, they suggest the need for extreme social policies. During the 1920s and early 1930s, for example, biological theories of crime causation, especially those focusing on inherited mental degeneration, led to the eugenics movement, under which mentally handicapped people were sometimes sterilized to prevent them from bearing offspring. The eugenics movement was institutionalized by the 1927 U.S. Supreme Court case of *Buck v. Bell*, in which Justice Oliver Wendell Holmes, Jr., writing in support of a Virginia statute permitting sterilization, said, "It is better for all the world, if instead of waiting to execute degenerate offspring for crime, or to let them starve for their imbecility, society can prevent those persons who are manifestly unfit from continuing their kind."²⁵ Visit <http://www.crimetimes.org> to learn more about early biological theories of crime and violence.

Biosocial Theories

During the past few years, numerous researchers have taken a sophisticated approach to biological theorizing. Consequently, most contemporary biological theories of crime causation fall

The biosocial perspective sees the interaction between biology and the physical and social environments as key to understanding human behavior, including criminality.

under the heading of **biosocial criminology**. The biosocial perspective sees the interaction between biology and the physical and social environments as key to understanding human behavior, including criminality. While recognizing

the role of human DNA, heritability, environmental contaminants, nutrition, hormones, physical trauma (especially to the brain), and body chemistry in human cognition, feeling, and behavior, biosocial theorists emphasize that it is the *interaction* between biology and the cultural and social environments that produces behavior, and that both conformity and criminality are a consequence of such interaction. Some biosocial theories, including those offered by University of Pennsylvania criminologist Adrian Raine, stress the importance of the interaction between a cluster of biological markers—including brain dysfunction, glucose metabolism, poor nutrition, and physiological reactivity (such as skin resistance and heart rate)—with the social environment in producing deviance and criminality.²⁶ Raine argues that measurements of biological indicators and observations of the social environment can be used to accurately predict which people will turn to crime in later life.²⁷

The Gender Ratio Problem

One of the most telling issues in contemporary criminology is what biosocial criminologists Kevin Beaver and Anthony Walsh call the **gender ratio problem**. The gender ratio problem refers to the fact that in all societies, regardless of the historical period, men are always far more involved in criminal activity than are women. That is not to say that some forms of crime, like prostitution, do not disproportionately involve women (although there are likely far more male "Johns" than there are female prostitutes), or that women commit a few specific types of crimes more often than men (but such crimes, like teller theft, are usually associated with a significant gender imbalance, as in the case of bank tellers, who are predominantly women).

Anthony Walsh explains the gender ratio problem this way: "In virtually every study ever conducted, males are much more likely than females to engage in violence, aggression, and serious crimes. As the seriousness of the offense/behavior increases, the gender gap also tends to increase, such that the most violent criminal acts are almost exclusively a male phenomenon."²⁸ Figure 3-2 shows, for example, gender differences in the rate of homicide convictions for various regions of the world for 2012.

As Walsh explains, the gender ratio problem is only a problem if biological explanations for criminality are ignored.

- **chromosomes** Bundles of genes.
- **genes** Distinct portions of a cell's DNA that carry coded instructions for making everything the body needs.
- **supermale** A male individual displaying the XYY chromosome structure.

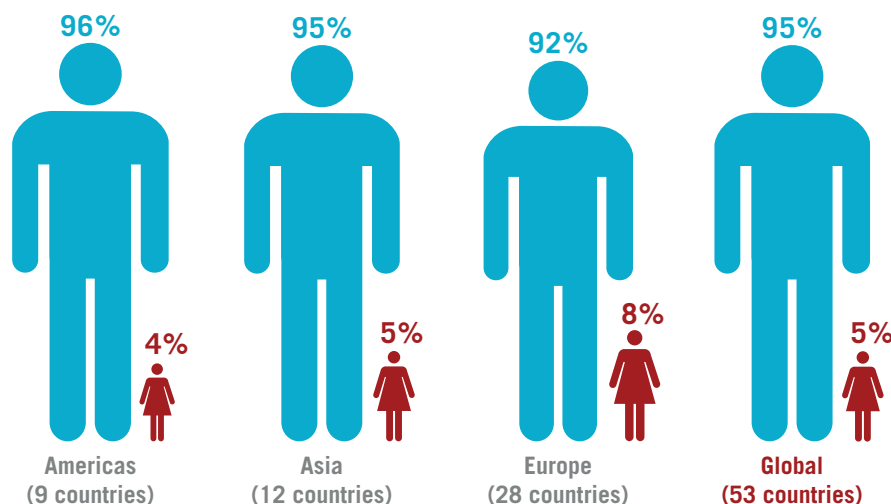


FIGURE 3-2 | Persons Convicted of Homicide, by Gender and Region, 2012.

Source: From: Percentage of persons convicted of homicide from: Global Study on Homicide (http://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf). Reprinted with the permission of the United Nations

Sociological theories, psychological perspectives, and approaches such as the Classical School tend to deny the important role that inherent physiological differences between the sexes can play in crime causation. Primary among such differences is the role that the male sex hormone testosterone plays in increasing the propensity toward violence and aggression among men. A few authors have suggested that testosterone is the agent primarily responsible for male criminality and that its relative lack in women leads them to commit fewer crimes. A growing body of evidence supports just such a hypothesis. Studies have shown, for example, that female fetuses exposed to elevated testosterone levels during gestation develop masculine characteristics, including a muscular build and a demonstrably greater tendency toward aggression later in life. Other studies show that testosterone strongly influences behavior, and that it creates what some have called “sexually dimorphic brains”—including physical and functional differences between the brains of men and women.

Chromosome Theory

In 2013, Connecticut Chief Medical Examiner H. Wayne Carver, ordered the testing of Newton, Connecticut, school shooter Adam Lanza’s DNA in an effort to determine “if he possessed any genetic abnormalities that could have led to his violent behavior.” The detailed mapping of human DNA and other recent advances in the field of recombinant DNA have rekindled interest in genetic correlates of deviant behavior. More sophisticated than their historical counterparts, the biosocial

theories of today often draw on the latest medical advances or build on popular health concerns.

Chromosomes are bundles of genes, and **genes** are distinct portions of a cell’s DNA that carry coded instructions for making everything the body needs.²⁹ The links between chromosome patterns and crime were first explored in the 1960s. A normal female has a chromosome structure often diagrammed as “XX” because of how the sex-determining gene pair looks in an electron microscope. A male has a Y chromosome in place of the second X, for a typical male XY pattern. Although it had been known for some time that a few people have abnormal patterns that include “extra” chromosomes (such as XXX females, XXY males with Klinefelter’s syndrome, and XXYY “double males”), it wasn’t until 1965 that the respected English journal *Nature* reported on the work of Patricia Jacobs, who identified **supermales**—men with an extra Y chromosome whose chromosome structure is diagrammed XYY. Jacobs found that supermales were more common in prisons than in the general population.³⁰

Other early studies claimed that the XYY male was more aggressive than other males and that he possessed a number of specific physical and psychological traits, such as height (taller than 6 feet, 1 inch), thinness, acne, a tendency toward homosexuality, a somewhat low IQ, and “a marked tendency to commit a succession of apparently motiveless property crimes.”³¹ Later studies disputed many of these findings, and today’s criminologists largely disregard the relationship between XYY patterns and criminal behavior.

Instead, contemporary biosocial researchers have turned their attention to the study of gene deficits, enzymes, and

hormones. Some recent studies, for example, have found that an overabundance of the enzyme monoamine oxidase A (MAOA) in the brain may lead to overstimulation of the nervous system, and to a defect in the DRD2 A1 allele gene, which some have called the pleasure-seeking gene. This combination can result in uncontrollable urges and, ultimately, criminal behavior (see the “CJ News” box in this chapter).³² Defects in the DRD2 A1 allele gene can drive a person to seek stimulation and to engage in dangerous or threatening behavior.³³ Similarly, in 2007, researchers at the University of Texas Southwestern Medical Center discovered that mice carrying certain mutations in what is called the clock gene exhibited manic behaviors, such as recklessness and hyperactivity, and also displayed a preference for addictive substances, such as cocaine.

Unfortunately, things are not as simple as they might seem when considering the link between genes and crime. New understandings about how genes operate seem to call into question previous notions that genes are strong determinants of human behavior. Researchers in the field of neurobiology, for example, have found 17 genes, known as CREB genes, that are switched on and off in response to environmental influences. The CREB genes lay down neural pathways in the brain and form the basis of memory; the act of learning turns the CREB genes on and is made possible by them.³⁴ Hence, the CREB genes respond to human experience rather than determine it. One writer explains it this way: “These genes are at the mercy of our behavior, not the other way around.”³⁵

Biochemical Factors and Imbalances

Research in the area of nutrition has produced some limited evidence that the old maxim “You are what you eat” may contain more than a grain of truth. Some biocriminologists have linked violent or disruptive behavior to eating habits, vitamin deficiencies, genetics, and other conditions that affect body tissues.

One of the first studies to focus on chemical imbalances in the body as a cause of crime was reported in the British medical journal *Lancet* in 1943.³⁶ Authors of the study linked murder to hypoglycemia (low blood sugar), which is caused by too much insulin in the blood or by near-starvation diets. Some researchers believe that hypoglycemia reduces the mind’s capacity to reason effectively or to judge the long-term consequences of behavior.

Allergic reactions to common foods have been reported as the cause of violence and homicide in a number of studies.³⁷ Foods said to produce allergic reactions in sensitive individuals, leading to a swelling of the brain and brain stem, include milk, citrus fruit, chocolate, corn, wheat, and eggs. Involvement of the central nervous system in such allergies, it has been suggested, reduces the amount of learning that occurs during childhood and may contribute to delinquency as well as to adult criminal behavior. Some studies have implicated food additives,

such as monosodium glutamate, dyes, and artificial flavorings, in producing criminal behavior.³⁸

Other research has found that the amount of coffee and sugar consumed by inmates is considerably greater than in the outside population.³⁹ Theorists have suggested that high blood levels of caffeine and sugar produce antisocial behavior.⁴⁰ It is unclear whether inmates consume more coffee due to boredom or whether those with “excitable” personalities need the kind of stimulation coffee drinking produces. On the other hand, habitual coffee drinkers in nonprison populations have not been linked to crime, and other studies, such as that conducted by Mortimer Gross of the University of Illinois, show no link between the amount of sugar consumed and hyperactivity.⁴¹ Similarly, studies “have not yielded evidence that a change in diet will result in [a] significant reduction in aggressive or antisocial behavior” among inmate populations.⁴² Nonetheless, some prison programs have limited the intake of dietary stimulants through nutritional management and the substitution of artificial sweeteners for refined sugar.

Vitamins have also been examined for their impact on delinquency. Abram Hoffer found that disruptive children consumed far less than the optimum levels of vitamins B3 and B6 than did nonproblem youths.⁴³ He claimed that the addition of these vitamins to the diets of children who were deficient in them could control unruly behavior and improve school performance.

Recently, Ap Zaalberg, an official at the Dutch Ministry of Justice, implemented a program of nutritional supplementation in 14 prisons in the Netherlands. Under the program, inmates were provided with healthy diets, devoid of added sugar, and supplemented with vitamins and important micronutrients, including fish oils.⁴⁴ Zaalberg’s study, which showed a reduction in rule-breaking among prisoners,⁴⁵ followed on the heels of a nutritional experiment conducted a few years earlier in British prisons by Oxford University professor C. Bernard Gesch.⁴⁶ Gesch added dietary supplements to prisoners’ diets, and reported finding a significant decrease in violent incidents and other offenses among study participants.

Hormones have also come under scrutiny as potential behavioral determinants. The male sex hormone, testosterone, has been

linked to aggressiveness in males. Some studies of blood-serum levels of testosterone have shown a direct relationship⁴⁷ between the amount of hormone present and the degree of violence used by sex offenders,⁴⁸ and steroid abuse among bodybuilders has been linked to destructive urges and psychosis.⁴⁹ One 1998 study found that high levels of testosterone, especially when combined with low socioeconomic status, produced antisocial personalities, resulting in deviance and criminality.⁵⁰ Recently, researchers at the University of Michigan

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abuse among bodybuilders has been linked to destructive urges and psychosis.⁴⁹ One 1998 study found that high levels of testosterone, especially when combined with low socioeconomic status, produced antisocial personalities, resulting in deviance and criminality.⁵⁰ Recently, researchers at the University of Michigan

■ **heritability** A statistical construct that estimates the amount of variation in the traits of a population that is attributable to genetic factors.

at Ann Arbor found that the higher the blood levels of testosterone in young men, the more they enjoyed provoking anger in others.⁵¹

Some studies of brain chemistry have led researchers to conclude that low levels of certain neurotransmitters, especially serotonin, are directly related to a person's inability to control aggressive impulses.⁵² The presence of adequate serotonin levels in the human brain buffers irritating experiences that might otherwise result in anger and aggression. Low serotonin levels may result from the ingestion of toxic pollutants, such as the metals lead and manganese, according to one study.⁵³ Reduced serotonin levels, say other researchers, are sometimes found in men with an extra Y chromosome.⁵⁴

Researchers have also implicated a malfunctioning endocrine system as a cause of physical abuse, antisocial behavior, and psychopathology. One Swedish study that focused on variations in blood-serum levels of two thyroid hormones, triiodothyronine (T3) and thyroxine (FT4), found that elevated T3 levels were related to alcoholism and criminality.⁵⁵ Serum levels of FT4 were found to be negatively correlated to such behavior.

Hereditability and Heritability

Studies have shown that the behavior of biological children of criminals who are adopted at birth tends to reflect the criminality of biological parents, independent of the environment in which the children were raised.⁵⁶ Also, identical twins exhibit a greater similarity in behavior than do nonidentical (or "fraternal") twins, and studies have shown that identical twins are more alike in patterns and degree of criminal involvement than are fraternal twins.⁵⁷

One of the earliest modern-day biological perspectives on crime was proposed by James Q. Wilson and Richard Herrnstein in their book *Crime and Human Nature*, published in 1985.⁵⁸ Wilson and Herrnstein argue that inherited traits, such as maleness, aggressiveness, mesomorphic body type, and low intelligence, combine with environmental influences, including poor schools and strained family life, to produce crime. Although the authors reject a firm determinism, asserting that it is the interaction between genetics and environment that determines behavior, they do claim that children who will eventually grow up to be criminals can sometimes be identified early in their lives.

In 2011, making a genetic argument for at least some forms of callous-unemotional behavior, Nathalie Fontaine of Indiana University and colleagues reported that **heritability** (which is

■ **Psychological School** A perspective on criminological thought that views offensive and deviant behavior as the product of dysfunctional personality. Psychological thinkers identify the conscious, and especially the subconscious, contents of the human psyche as major determinants of behavior.

a statistical construct that estimates the amount of variation in the traits of a population that is attributable to genetic factors) leads to persistently high levels of such behavior among twin boys. The data on which Fontaine reported were derived from the United Kingdom's ongoing Twin Early Development Study (TEDS), which uses information gathered from over 15,000 families to explore how people change through childhood and adolescence.

Social Policy and Biological Theories

Early criminologists concerned with crime and its causes had hoped to find biological techniques that could be applied to the prevention and control of crime. If a crime-causing gene or chemical imbalance could somehow be identified, such researchers hoped that a drug or gene alteration might turn off criminal behavior.

However, at least in the case of gene alterations, today's criminologists do not see such an easy solution. Lee Ellis and Anthony Walsh, two contemporary biosocial researchers, note that "in the case of behavior, nearly all of the effects of genes are quite indirect because they are mediated through complex chains of events occurring in the brain. This means that there are almost certainly no genes for something as complex as criminal behavior. Nevertheless," Ellis and Walsh concluded, "many genes may affect brain functioning in ways that either increase or reduce the chances of individuals learning various complex behavior patterns, including behavior patterns that happen to be so offensive to others that criminal sanctions have been instituted to minimize their recurrence."⁵⁹ In sum, it is important to recognize that genes are both the cause and the consequence of our actions—and that they do not so much *determine* human action as *enable* it.

Psychological Theories

Sociological theories are the most common approach to explaining crime today. Some, however, have pointed out that it is individuals who actually commit crimes. They argue that "ecological and societal factors must be included in any full explanation of crime," but that "individual factors always intervene between them and a criminal act."⁶⁰ For this reason, they say, "individual factors need to be at the center of any description of the causes of crime." Theories of the **Psychological School** of

■ **behavioral conditioning** A psychological principle that holds that the frequency of any behavior can be increased or decreased through reward, punishment, and association with other stimuli.

■ **personality** The relatively stable characteristic patterns of thoughts, feelings, and behaviors that make a person unique, and that influence that person's behavior.

■ **psychoanalysis** A theory of human behavior, based on the writings of Sigmund Freud, that sees personality as a complex composite of interacting mental entities.

crime causation make certain fundamental assumptions. Among them are these:

- The individual is the primary unit of analysis.
- Personality is the major motivational element within individuals, as it is the source of drives and motives.
- Crimes result from inappropriately conditioned behavior or from abnormal, dysfunctional, or inappropriate mental processes within the personality.
- Defective or abnormal mental processes may have a variety of causes, including a diseased mind and inappropriate learning or improper conditioning—often occurring in early childhood.

Behavioral Conditioning

Two threads were woven through early psychological theories. One emphasized **behavioral conditioning**, while the other focused on **personality**—including personality disturbances and diseases of the mind. Taken together, these two foci constituted the early field of psychological criminology.

Conditioning is a psychological principle that holds that the frequency of any behavior, including criminal or deviant behavior, can be increased or decreased through reward, punishment, and association with other stimuli. The concept of conditioned behavior was popularized through the work of the Russian physiologist Ivan Pavlov (1849–1936), whose research with dogs won him the Nobel Prize in physiology and medicine in 1904. Similarly, behavioral psychologists suggest that criminal behavior, which may be inherently rewarding under many circumstances, tends to be more common in those who are able to avoid punishment when involved in rule-breaking behavior.

Freudian Psychoanalysis

The name most widely associated with the field of psychology is that of Sigmund Freud (1856–1939). Freudian theory posits the existence of an id, an ego, and a superego within the personality.⁶¹ The id is the source of drives, which are seen as primarily sexual. The ego is a rational mental entity, which outlines paths through which the desires of the id can be fulfilled. The ego is often called the *reality principle* because of the belief that it relates desires to practical behavioral alternatives. The superego is a guiding principle, often compared to conscience, that judges the quality of the alternatives presented by the ego according to the standards of right and wrong acquired by the personality of

which it is a part. Freud wrote very little about crime, but his followers, who developed the school of Freudian **psychoanalysis**, believe that crime can result from at least three conditions.

The first possible source of criminal behavior is a weak superego, which cannot responsibly control the drives that emanate from the id. Sex crimes, crimes of passion, murder, and other violent crimes are thought to follow inadequate superego development. People who lack fully developed superegos are often called *psychopaths* or *sociopaths* to indicate that they cannot see beyond their own interests. Canadian criminologist Gwynn Nettler observes that “civilization is paid for through development of a sense of guilt.”⁶²

Freud also created the concept of sublimation to explain the process by which one thing is symbolically substituted for another. He believed that sublimation was necessary when the direct pursuit of one's desires was not possible. Freud suggested, for example, that many children learned to sublimate negative feelings about their mothers. In the society in which Freud developed his theories, mothers closely controlled the lives of their children, and Freud saw the developing child as continually frustrated in seeking freedom to act on his or her own. The strain produced by this conflict could not be directly expressed by the child because the mother also controlled rewards and punishments. Hence dislike for one's mother (which Freud thought was especially strong in boys) might show itself symbolically later in life. Crimes against women could then be explained as being committed by men expressing a symbolic hatred.

A final Freudian explanation for criminality is based on the death instinct, or Thanatos, which Freud believed each of us carries. Thanatos is the often-unrecognized desire of animate matter to return to the inanimate. Potentially self-destructive activities, including smoking, speeding, skydiving, bad diets, “picking fights,” and so on, can be explained by Thanatos. The self-destructive wish may also motivate offenders to commit crimes that are themselves dangerous or self-destructive—such as burglary, assault, murder, prostitution, and drug use—or it may result in unconscious efforts to be caught. Criminals who leave evidence behind may be responding to some basic need for apprehension and punishment.

Psychopathology and Crime

From a psychiatric point of view, crime might also occur because of a diseased mind or a disordered personality—conditions that may collectively be referred to as *psychopathy*.

■ **psychopathology** The study of pathological mental conditions—that is, mental illness.

Cleckley described the **psychopath** as a “moral idiot” whose central defining characteristic is the inability to empathize with others.

the well-known psychiatrist David Abrahamsen wrote, “When we seek to explain the riddle of human conduct in general and of antisocial behavior in particular, the solution must be sought in the personality.”⁶³ Later, some psychiatrists went so far as to claim that criminal behavior itself is only a symptom of a more fundamental psychiatric disorder.⁶⁴

By the 1930s, psychiatrists had begun to develop the concept of a psychopathic personality. This personality type, which by its very definition is asocial, was fully developed by Hervey Cleckley in his 1941 book *The Mask of Sanity*.⁶⁵ Cleckley described the **psychopath**, also called a *sociopath*, as a “moral idiot” whose central defining characteristic is the inability to empathize with others. Hence it becomes possible for a psychopath to inflict pain and engage in cruelty without appreciation for the victim’s suffering. Charles Manson, for example, whom some have called a psychopath, once told a television reporter, “I could take this book and beat you to death with it, and I wouldn’t feel a thing. It’d be just like walking to the drugstore.”⁶⁶ According to Cleckley, psychopathic indicators appear early in life, often in the teenage years. They include lying, fighting, stealing, and vandalism. Even earlier signs may be found, according to some authors, in bed-wetting, cruelty to animals, sleepwalking, and fire setting.⁶⁷

Although the terms *psychopath* and *criminal* are not synonymous, individuals manifesting characteristics of a psychopathic personality are likely, sooner or later, to run afoul of the law.

Although much studied, the causes of psychopathy are unclear. Somatogenic causes, or those that are based on physiological aspects of the human organism, include (1) a malfunctioning

The study of psychopathic mental conditions is called **psychopathology**. The role of a disordered personality in crime causation was central to early psychiatric theorizing. In 1944, for example,

Although the terms *psychopath* and *criminal* are not synonymous, individuals manifesting characteristics of a psychopathic personality are likely, sooner or later, to run afoul of the law. As one writer says, “The impulsivity and aggression, the selfishness in achieving one’s own immediate needs, and the disregard for society’s rules and laws bring these people to the attention of the criminal justice system.”⁶⁸

■ **psychopath** A person with a personality disorder, especially one manifested in aggressively antisocial behavior, which is often said to be the result of a poorly developed superego.

■ **psychosis** A form of mental illness in which sufferers are said to be out of touch with reality.

■ **schizophrenic** A mentally ill individual who suffers from disjointed thinking and possibly from delusions and hallucinations.



AP Wide World Photos

Charles Manson, one of the most photographed criminal offenders of all time, is shown at a parole hearing decades after he and his “family” shocked the world with their gruesome crimes. What can we learn from offenders like Manson?

central nervous system characterized by a low state of arousal, which drives the sufferer to seek excitement, and (2) brain abnormalities, which may be present in most psychopaths from birth. Psychogenic causes, or those rooted in early interpersonal experiences, include the inability to form attachments to parents or other caregivers early in life, sudden separation from the mother during the first six months of life, and other forms of insecurity during the first few years of life. In short, a lack of love or the sensed inability to unconditionally depend on one central loving figure (typically the mother in most psychological literature) immediately following birth is often posited as a major psychogenic factor contributing to psychopathic development.

The Psychotic Offender

Another form of mental disorder is called **psychosis**. Psychotic people, according to psychiatric definitions, are out of touch with reality in some fundamental way. They may suffer from hallucinations, delusions, or other breaks with reality. For example, a psychotic may believe that he or she is a famous historical figure or may see spiders crawling on a bare wall. Psychoses may be either organic (i.e., caused by physical damage to, or abnormalities in, the brain) or functional (i.e., with no known physical cause). Psychotic people have also been classified as schizophrenic or paranoid schizophrenic. **Schizophrenics** are characterized by disordered or disjointed thinking, in which the types of logical associations they make are atypical of those of other people. Paranoid schizophrenics suffer from delusions and hallucinations.

■ **traits** Stable personality patterns that tend to endure throughout the life course and across social and cultural contexts.

Psychoses may lead to crime in a number of ways. Following the Vietnam War, for example, a number of former American soldiers suffering from a kind of battlefield psychosis killed friends and family members, thinking they were enemy soldiers. These men, who had been traumatized by battlefield experiences in Southeast Asia, relived their past on American streets.

Trait Theory

In 1964, Hans J. Eysenck, a British psychologist, published *Crime and Personality*, a book in which he explained crime as the result of fundamental personality characteristics, or **traits**, which he

Trait theories of personality build on five basic traits known as the Big Five.

believed are largely inherited.⁶⁹ Psychological traits are stable personality patterns that tend to endure throughout the life course

and across social and cultural contexts. According to trait theory, as an individual grows older or moves from one place to another, his or her personality remains largely intact—defined by the traits that comprise it. Trait theory links personality (and associated traits) to behavior, and holds that it is an individual's personality, combined with his or her intelligence and natural abilities,⁷⁰ that determines his or her behavior in a given situation.⁷¹

Generally speaking, trait theories of personality build on five basic traits: (1) openness to experience, (2) extraversion, (3) conscientiousness, (4) neuroticism, and (5) agreeableness. People are said to possess more or less of any one trait, and the combination of traits and the degree to which they are characteristic of an individual define that person's personality. Psychologists call these traits the Big Five, and they are referenced in most contemporary literature on personality. According to many psychologists, "the Big Five are strongly genetically influenced, and the genetic factor structure of the Big Five appears to be invariant across European, North American, and East Asian samples,"⁷² which suggests that personality traits, to a greater or lesser degree, are universally shared by all peoples.

Eysenck, in contrast, believed that the degree to which just three universal supertraits are present in an individual accounts for his or her unique personality. He termed these supertraits: (1) introversion/extraversion, (2) neuroticism/emotional stability, and (3) psychoticism. Eysenck, like many other psychologists, accepted the fact that personality holds steady throughout much of life, but stressed that it is largely determined by genetics. In support of his idea of the genetic basis of personality, Eysenck pointed to twin

■ **psychological profiling** The attempt to categorize, understand, and predict the behavior of certain types of offenders based on behavioral clues they provide.

studies, which showed that identical twins display strikingly similar behavioral tendencies, whereas fraternal twins demonstrate far less likelihood of similar behaviors. Eysenck also argued that psychological conditioning occurs more rapidly in some people than in others because of biological differences, and that antisocial individuals are difficult to condition (or to socialize) because of underlying genetic characteristics. He believed that up to two-thirds of all "behavioral variance" could be strongly attributed to genetics.⁷³

Of Eysenck's three personality dimensions, one in particular—psychoticism—was thought to be closely correlated with criminality at all stages.⁷⁴ According to Eysenck, psychoticism is defined by such characteristics as lack of empathy, creativeness, tough-mindedness, and antisociability. Psychoticism, added Eysenck, is also frequently characterized by hallucinations and delusions, leading to the personality type described as psychotic. Extroverts, Eysenck's second personality group that was associated with criminality, are described as carefree, dominant, and venturesome, operating with high levels of energy. "The typical extrovert," Eysenck wrote, "is sociable, likes parties, has many friends, needs to have people to talk to, and does not like reading or studying by himself."⁷⁵ Neuroticism, the third of the personality characteristics Eysenck described, is said to be typical of people who are irrational, shy, moody, and emotional.

According to Eysenck, psychotics are the most likely to be criminal because they combine high degrees of emotionalism with similarly high levels of extroversion; individuals with such characteristics are especially difficult to socialize and to train and do not respond well to the external environment. Eysenck cited many studies in which children and others who harbored characteristics of psychoticism performed poorly on conditioning tests designed to measure how quickly they would respond appropriately to external stimuli. Because conscience is fundamentally a conditioned reflex, Eysenck said, an individual who does not take well to conditioning will not fully develop a conscience and will continue to exhibit the asocial behavioral traits of a very young child. In essence, criminality can be seen as a personality type characterized by self-centeredness, indifference to the suffering and needs of others, impulsiveness, and low self-control—which, taken together, lead to law-violating behavior.

Psychological Profiling

Psychological profiling is the attempt to derive a composite picture of an offender's social and psychological characteristics from the crime he or she committed and from the manner in

■ **dangerousness** The likelihood that a given individual will later harm society or others. Dangerousness is often measured in terms of recidivism, or the likelihood that an individual will commit another crime within five years following arrest or release from confinement.

which it was committed. Psychological profiling began during World War II as an effort by William Langer (1896–1977), a government psychiatrist hired by the Office of Strategic Services, to predict Adolf Hitler’s actions.⁷⁶ Profiling in criminal investigations is based on the belief that criminality, because it is a form of behavior, can be viewed as symptomatic of the offender’s personality. Psychological evaluations of crime scenes, including the analysis of evidence, are used to re-create the offender’s frame of mind during the commission of the crime. A profile of the offender is then constructed to help in the investigation of suspects.

During the 1980s, the Federal Bureau of Investigation (FBI) led the movement toward psychological profiling⁷⁷ through its focus on violent sex offenses⁷⁸ and arson.⁷⁹ FBI profilers described “lust murderers” and serial arsonists. Often depicted as loners with an aversion to casual social contact, lust murderers were shown to rarely arouse suspicions in neighbors or employers. Other personality types became the focus of police efforts to arrest such offenders through a prediction of what they might do next.

New areas for psychological profiling include hostage negotiation⁸⁰ and international terrorism.⁸¹ Right-wing terrorist groups in the United States have also been the subject of profiling efforts.

Social Policy and Psychological Theories

Crime-control policies based on psychological perspectives are primarily individualistic. They are oriented toward individualized treatment, characteristically exposing the individual offender to various forms of therapy intended to overcome the person’s propensity for criminality.

Most crime-control strategies based on psychological theories emphasize assessing personal **dangerousness**, through psychological testing and other efforts to identify personality-based characteristics that predict interpersonal aggression. Although the ability to accurately predict future dangerousness is of great concern to today’s policymakers, definitions of *dangerousness* are fraught with difficulty. As some authors have pointed out, “Dangerousness is not an objective quality like obesity or brown eyes; rather it is an ascribed quality like trustworthiness.”⁸² Hence, dangerousness is not necessarily a personality trait that is stable or easily identifiable. Even if it were, some studies of criminal careers show that involvement in crime decreases with

■ **Chicago School** A sociological approach that emphasizes demographics (the characteristics of population groups) and geographics (the mapped location of such groups relative to one another) and that sees the social disorganization that characterizes delinquency areas as a major cause of criminality and victimization.

■ **social disorganization** A condition said to exist when a group is faced with social change, uneven development of culture, maladaptiveness, disharmony, conflict, and lack of consensus.

age.⁸³ As one author puts it, if “criminality declines more or less uniformly with age, then many offenders will be ‘over the hill’ by the time they are old enough to be plausible candidates for preventive incarceration.”⁸⁴

Before crime-control policies can be based on present understandings of dangerousness, research must answer several questions: Can past behavior predict future behavior? Do former instances of criminality foretell additional ones? Are there other identifiable characteristics that violent offenders might manifest that could serve as warning signs to criminal justice decision makers faced with the dilemma of whether to release convicted felons?

Sociological Theories

Sociological theories are largely an American contribution to the study of crime causation. In the 1920s and 1930s, the famous **Chicago School** of sociology explained criminality as a product of society’s impact on the individual. The structure of prevailing social arrangements, the interaction between individuals and groups, and the social environment were all seen as major determinants of criminal behavior.

Sociological perspectives on crime causation are quite diverse. Most, however, build on certain fundamental assumptions. Among them are these:

- Social groups, social institutions, the arrangements of society, and social roles all provide the proper focus for criminological study.
- Group dynamics, group organization, and subgroup relationships form the causal nexus out of which crime develops.
- The structure of society and the relative degree of social organization or **social disorganization** are important factors contributing to the prevalence of criminal behavior.

All sociological perspectives on crime share the foregoing characteristics, but particular theories may give greater or lesser weight to the following aspects of social life:

- The clash of norms and values among variously socialized groups
- Socialization and the process of association between individuals
- The existence of subcultures and varying types of opportunities

■ **anomie** A socially pervasive condition of normlessness. Also, a disjunction between approved goals and means.

Social Ecology Theory

In the 1920s, during the early days of sociological theorizing, the University of Chicago brought together such thinkers as Robert Park, Ernest Burgess,⁸⁵ Clifford Shaw, and Henry McKay.⁸⁶ Park and Burgess recognized that Chicago, like most cities, could be mapped according to its social characteristics. Their map resembled a target with a bull's-eye in the center. Shaw and McKay adapted these concentric zones to the study of crime when they realized that the zones nearest the center of the city had the highest crime rates. In particular, zone 2 (once removed from the center) consistently showed the highest crime rate over time, regardless of the groups or nationalities inhabiting it. This “zone of transition”—so called because new immigrant groups moved into it as earlier ones became integrated into American culture and moved out—demonstrated that crime was dependent to a considerable extent on aspects of the social structure of the city itself. Structural elements identified by Shaw and McKay included poverty, illiteracy, lack of schooling, unemployment, and illegitimacy. In combination, these elements were seen to lead to social disorganization, which in turn produced crime.

Anomie Theory

Opportunities are not equally distributed throughout society, and some people turn to illegitimate means to achieve the goals they feel pressured to reach.

The French word **anomie** has been loosely translated as a condition of “normlessness.” Anomie entered the literature as a socio-logical concept with the writings of Émile Durkheim (1858–1917) in the late nineteenth century.⁸⁷ Robert Merton (1910–2003) applied anomie to criminology in 1938 when he used the term to describe a disjunction between socially acceptable goals and means in American society.⁸⁸

Merton believed that although the same goals and means are held out by society as desirable for everyone, they are not equally available to all. Socially approved goals in American society, for example, include wealth, status, and political power. The acceptable means to achieve these goals are education, wise investment, and hard work. Unfortunately, however, opportunities are not equally distributed throughout society, and some people turn to illegitimate means to achieve the goals they feel pressured to reach. Still others reject both acceptable goals and legitimate means of reaching them.

The French word **anomie** has been loosely translated as a condition of “normlessness.” Anomie entered the literature as a socio-logical concept with the writings of Émile Durkheim (1858–1917) in the late nineteenth century.⁸⁷ Robert Merton (1910–2003) applied anomie to criminology in 1938 when he used the term to describe a disjunction between socially acceptable goals and means in American society.⁸⁸

TABLE 3-2 | Merton's Anomie Theory and Implied Types of Criminality

CATEGORY	GOALS	MEANS	EXAMPLES
Conformist	+	+	Law-abiding behavior
Innovator	+	–	Property offenses, white-collar crimes
Retreatist	–	–	Drug use/addiction, vagrancy, some “victimless” crimes
Ritualist	–	+	A repetitive and mundane lifestyle
Rebel	±	±	Political crime (e.g., environmental activists who violate the law, violence-prone antiabortionists)

Source: Adapted from Robert K. Merton, “Social Structure and Anomie,” *American Sociological Review*, Vol. 3, No. 5 (October 1938), pp. 672–682.

Merton represented his theory with a chart, shown in Table 3–2. *Conformists* accept both the goals and means that society holds out as legitimate, whereas *innovators* accept the goals but reject the means, instead using illegal means to gain money, power, and success. It is the innovators whom Merton identified as criminal. The inherent logic of the model led Merton to posit other social types. *Ritualists* are those who reject success goals but still perform their daily tasks in conformity with social expectations. They might hold regular jobs but lack the desire to advance in their careers or in other aspects of their lives. *Retreatists* reject both the goals and the means and usually drop out of society by becoming derelicts, drug users, hermits, or the like. *Rebels* constitute a special category. Their desire to replace the existing system of socially approved goals and means with some other system more to their liking makes them the revolutionaries of the theory.

Merton believed that categories are not intentionally selected by the individuals who occupy them but rather are imposed on people by structural aspects of society. Where people live, how wealthy their families are, and what ethnic background they come from are all significant determinants of the “box” into which people are placed.

Modern writers on anomie recognize that normlessness is not likely to be expressed as criminality unless people who experience it also feel that they are capable of doing something to change their lives. As Catherine Ross and John Mirowsky put it, “A person who has high levels of normlessness and powerlessness is less likely to get in trouble with the law than a person who has a high level of normlessness and a high level of instrumentalism.”⁸⁹

CJ | NEWS

Evidence of “Warrior Gene” May Help Explain Violence



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An artist's representation of human DNA. Biosocial criminology tells us that genes may harbor certain behavioral predispositions, but that it is the interaction between genes and the environment that produces behavior. What forms might such interaction take?

As scientists study the DNA of the mass shooter at the elementary school in Newtown, Connecticut, some experts are hoping that it might lead to discovery of a gene that identifies violent criminals and helps prevent future killings. But be careful what you wish for. If a genetic link to violence were firmly identified, could it be used to falsely stigmatize people who haven't committed any crime at all? Or could such a link help convicted criminals get reduced sentences?

The argument that “my DNA made me do it” has, in fact, already been successfully used in the courts for a particular gene linked to violence. Monoamine oxidase A, known as MAOA, produces an enzyme that breaks down serotonin and other neurotransmitters in the brain that are identified with aggression. Studies have shown that a variant of the gene, known as MAOA-L, can lead to violent behavior when coupled with serious mistreatment in childhood. The link has only been identified in men, leaving women seemingly immune from the effects of this genetic anomaly.

Resources: Mark Lallanilla, “Genetics May Provide Clues to Newtown Shooting,” *Live Science*, December 28, 2012, <http://www.livescience.com/25853-newtown-shooter-dna.html>; Joshua W. Buckholtz, “Neuroprediction and Crime,” *NOVA*, October 18, 2012, <http://www.pbs.org/wgbh/nova/body/neuroprediction-crime.html>; and Patricia Cohen, “Genetic Basis for Crime: A New Look,” *New York Times*, June 19, 2011, http://www.nytimes.com/2011/06/20/arts/genetics-and-crime-at-institute-of-justice-conference.html?pagewanted=all&_r=0.

The media nicknamed MAOA-L the “warrior gene” after it was identified as highly prevalent in a constantly warring Maori tribe. Another study found that boys with an MAOA variation were more likely to join gangs and become some of the most violent members. Researchers now know that MAOA-L may alter the very structure of the brain. Using structural magnetic resonance imaging (MRI) scanning, a 2006 study found that men with the gene variant were much more likely to have abnormalities in an area of the brain associated with behavior than were other men. Functional MRI scanning then showed that these men had difficulty inhibiting strong emotional impulses. Lawyers for violent defendants have latched on to the growing science. In the 2009 murder trial of Bradley Waldroup, who was convicted of chopping up his wife with a machete (she survived) and shooting her female friend to death, lawyers were able to demonstrate that Waldroup had the MAOA gene variant. Although the jury convicted him of murder and of attempted murder, its members concluded that his actions weren't premeditated due to the influence that his genes had on him—sparing him the death penalty. Also in 2009, an Italian appeals court cut the sentence of a convicted murderer by one year on the grounds that he, too, had the MAOA-L gene.

Judges are warming up to genetic defenses. In a 2012 study in *Science*, when trial judges were given the MAOA variant as evidence in mock trials, they tended to reduce sentences by one year in comparison to cases with no such evidence. Critics, however, argue that these defendants should be behind bars longer. Because their trait is baked into their DNA, such people say, they are likely to commit violence again. “Trying to absolve people of responsibility by attributing their behavior to their genes or environment is not new,” wrote Ronald Bailey, author of the book *Liberation Biology*. He urged courts to take a tough stance against defendants with a genetic predilection to violence: “Knowing that you will be held responsible for criminal acts helps inhibit antisocial impulses that we all feel from time to time.” Also, scientists want their findings to be taken with a grain of salt in the courts, arguing that science and the law have different aims. “Science is focused on understanding universal phenomena; we do this by averaging data across groups of individuals,” wrote Joshua Buckholtz for the *NOVA* series on PBS. “Law, on the other hand, only cares about specific individual people—the individual on trial.” Buckholtz observed that “Genetic differences rarely affect human behavior with the kind of selectivity or specificity desired and required by the law.”

Merton's anomie theory drew attention to the lack of equal opportunity that existed in society at the time he was writing. Although considerable efforts have been made to eradicate it, much of that inequality continues today.

Subcultural Theory

Another sociological contribution to criminological theory is the idea of a subculture. A subculture is a group of people who

participate in a shared system of values and norms that are at variance with those of the larger culture. Subcultural explanations of crime posit the existence of group values that support criminal behavior. Subcultures were first recognized in the enclaves formed by immigrants who came to America during the early part of the twentieth century. Statistics have shown that certain immigrant groups had low crime rates.⁹⁰ Among them were the Scandinavians, Chinese, Dutch, Germans, and Japanese. Other immigrant groups, including the Italians, Mexicans, Puerto

■ **reaction formation** The process whereby a person openly rejects that which he or she wants or aspires to but cannot obtain or achieve.

■ **subculture of violence** A cultural setting in which violence is a traditional and often accepted method of dispute resolution.

Ricans, and Africans, demonstrated a significantly greater propensity for involvement in crime.⁹¹

Albert Cohen (b. 1918) coined the term **reaction formation** to encompass the rejection of middle-class values by status-seeking lower-class youths who find they are not permitted access to approved opportunities for success.⁹² In Cohen's eyes, reaction formation leads to the development of gangs and perpetuates the existence of subcultures. Walter Miller described the focal concerns of subcultural participants in terms of "trouble," "toughness," "excitement," "smartness," "fate," and "autonomy."⁹³ It is a focus on such concerns, Miller suggested, that leads members of criminal subcultures into violations of the law. Richard Cloward and Lloyd Ohlin proposed the existence of an illegitimate opportunity structure that permits delinquent youths to achieve in ways that are outside of legitimate avenues to success.⁹⁴

During the 1950s, Marvin Wolfgang and Franco Ferracuti examined homicide rates in Philadelphia and found that murder was a way of life among certain groups.⁹⁵ They discovered a "wholesale" and a "retail" price for murder—which depended on who was killed and who did the killing. Killings that occurred within violent subgroups were more likely to be partially excused than those that happened elsewhere. The term **subculture of violence** has come to be associated with their work and has since been applied to other locations across the country.

Critiques of subcultural theory have been numerous. A major difficulty for these theories lies in the fact that studies involving self-reports of crime commission have shown that much violence and crime occur outside of "criminal" subcultures. Many middle- and upper-class lawbreakers are able to avoid the justice system and therefore do not enter the "official" crime statistics. Hence, criminal subcultures may be those in which crime is more visible rather than more prevalent.

Social Policy and Sociological Theories

Theoretical approaches that fault the social environment as the root cause of crime point to social action as a panacea. A contemporary example of intervention efforts based on sociological

■ **social process theory** A perspective on criminological thought that highlights the process of interaction between individuals and society. Most social process theories highlight the role of social learning.

■ **defensible space theory** The belief that an area's physical features may be modified and structured so as to reduce crime rates in that area and to lower the fear of victimization that residents experience.

■ **broken windows theory** A perspective on crime causation that holds that the physical deterioration of an area leads to higher crime rates and an increased concern for personal safety among residents.

theories can be found in Targeted Outreach,⁹⁶ a program operated by the Boys and Girls Clubs of America. The program's philosophy is based on studies undertaken at the University of Colorado that showed that at-risk youths could be effectively diverted from the juvenile justice system through the provision of positive alternatives. The program recruits at-risk youngsters—many as young as seven years old—and diverts them into activities that are intended to promote a sense of belonging, competence, usefulness, and power. Social programs like Targeted Outreach are intended to change the cultural conditions and societal arrangements that are thought to lead people into crime.

Social Process Theories

Whereas psychological approaches to crime causation seek to uncover aspects of the personality hidden even from the mind in which they reside, and sociological theories look to institutional arrangements in the social world to explain crime, social process approaches focus on the interaction between individuals and society. Most **social process theories** highlight the role of social learning. They build on the premise that behavior—both "good" and "bad"—is learned, and they suggest that "bad" behavior can be unlearned. Social process theories are often the most attractive to contemporary policymakers because they demand that responsibility be placed on the offender for actively participating in rehabilitation efforts and because they are consistent with popular cultural and religious values centered on teaching right from wrong.

Differential Association Theory

In 1939, Edwin Sutherland (1883–1950) published the third edition of his *Principles of Criminology*. It contained, for the first time, a formalized statement of his theory of differential association, a perspective that Sutherland based on the "laws of imitation" described by Gabriel Tarde (1843–1904), a French sociologist.

The theory of differential association explains crime as a natural consequence of the interaction with criminal lifestyles.

CJ | ISSUES

The Physical Environment and Crime

Social ecology theory—an outgrowth of the Chicago School of sociological thought, which flourished during the 1920s and 1930s—posited a link between physical location and crime. A modern perspective, called crime prevention through environmental design (CPTED), bears a strong resemblance to such earlier ecological theories. CPTED, which was first formulated in the 1960s and 1970s, focuses on the settings in which crimes occur and on techniques for reducing vulnerability within those settings. Because defensible space concepts are being increasingly applied to the design of physical facilities, including housing, parking garages, public buildings, and even entire neighborhoods, it is highly likely that applications of CPTED will accelerate throughout the twenty-first century.

Second-generation **defensible space theory**, upon which contemporary CPTED is built, developed around 1980 and considered more carefully how the impact of physical features on fear and victimization depends on other social and cultural features in the setting. Second-generation defensible space theory employed the **broken windows theory**, which holds that physical deterioration and an increase in unrepaired buildings lead to increased concerns for personal safety among area residents. Heightened concerns, in turn, lead to further decreases in maintenance and repair and to increased delinquency, vandalism, and crime among local residents, which spawn even further deterioration both in a sense of safety and in the physical environment. Offenders from other neighborhoods are then increasingly attracted by the area's perceived vulnerability.

Research on CPTED has shown environmental design to be effective in lowering crime and crime-related public-order problems. Effective use of CPTED to alter features of the physical environment can affect potential offenders' perceptions about a possible crime site,



Peter Byron/PhotoEdit Inc.

A run-down city street. To explain crime, criminologists sometimes use the “broken windows” approach, which says that neighborhood deterioration leads to rising crime rates. Similarly, poverty, unemployment, a relative lack of formal education, and low skill levels, which often characterize inner-city populations, seem to be linked to criminality. Why?

their evaluations of the opportunities associated with that site, and the availability and visibility of one or more natural guardians at or near the site. CPTED is based on the belief that offenders decide whether to commit a crime in a particular location after they evaluate the area's features, including (1) the ease of entry to the area, (2) the visibility of the target to others—that is, the chance of being seen, (3) the attractiveness or vulnerability of the target, (4) the likelihood that criminal behavior will be challenged or thwarted if discovered, and (5) the ease of egress—that is, the ability to quickly and easily leave the area once the crime has been committed.

According to the National Institute of Justice, CPTED suggests four approaches to making a location more resistant to crime and to crime-related public-order problems:

- *Housing design or block layout*—making it more difficult to commit crimes by (1) reducing the availability of crime targets, (2) removing barriers that prevent easy detection of potential offenders or of an offense in progress, and (3) increasing physical obstacles to committing a crime.
- *Land use and circulation patterns*—creating safer use of neighborhood space by reducing routine exposure of potential offenders to crime targets. This can be accomplished through careful attention to walkways, paths, streets, traffic patterns, and locations and hours of operation of public spaces and facilities. Street closings or revised traffic patterns that decrease vehicular volume may, under some conditions, encourage residents to better maintain the sidewalks and streets in front of their houses.
- *Territorial features*—encouraging the use of territorial markers or fostering conditions that will lead to more extensive marking to indicate that the block or site is occupied by vigilant residents. Sponsoring cleanup and beautification contests and creating controllable, semiprivate outdoor locations may encourage such activities. This strategy focuses on small-scale, private, and semipublic sites, usually within predominantly residential locales. It is most relevant at the street-block level and below. It enhances the chances that residents themselves will generate semifixed features that demonstrate their involvement in and watchfulness over a particular delimited location.
- *Physical maintenance*—controlling physical deterioration to reduce offenders' perceptions that areas are vulnerable to crime and that residents are so fearful they would do nothing to stop a crime. Physical improvements may reduce the signals of vulnerability and increase commitment to joint protective activities. Physical deterioration, in all probability, not only influences the cognition and behavior of potential offenders but also shapes how residents behave and what they think about other residents.

For additional information on CPTED via the Crime Mapping Research Center, see <http://www.justicestudies.com/pubs/cpted.pdf>.

References: Derek J. Paulsen and Matthew B. Robinson, *Spatial Aspects of Crime: Theory and Practice* (Boston: Allyn and Bacon, 2004); Oscar Newman, *Defensible Space* (New York: Macmillan, 1972); Oscar Newman, *Creating Defensible Space* (Washington, DC: HUD, 1996); James Q. Wilson and George Kelling, “Broken Windows,” *Atlantic Monthly*, March 1982; Dan Fleissner and Fred Heinzelmann, *Crime Prevention through Environmental Design and Community Policing* (Washington, DC: NIJ, 1996); Ralph B. Taylor and Adele V. Harrell, *Physical Environment and Crime* (Washington, DC: NIJ, 1996); Mary S. Smith, *Crime Prevention through Environmental Design in Parking Facilities* (Washington, DC: NIJ, 1996); and Corey L. Gordon and William Brill, *The Expanding Role of Crime Prevention through Environmental Design in Premises Liability* (Washington, DC: NIJ, 1996).

Sutherland suggested that children raised in crime-prone environments were often isolated and unable to experience the values that would otherwise lead to conformity. Differential association provides the basis for much research in modern criminology.⁹⁷ Even popular stories of young drug pushers, for instance, often refer to the fact that inner-city youths imitate what they see. Some residents of poverty-ridden ghettos learn quickly that fast money can be made in the illicit drug trade, and they tend to follow the examples of material “success” that they see around them.

Differential association views crime as the product of socialization and sees it as being acquired by criminals according to the same principles that guide the learning of law-abiding behavior in conformists. Differential association removes criminality from the framework of the abnormal and places it squarely within a general perspective applicable to all behavior. In the 1947 edition of his text, Sutherland wrote, “Criminal behavior is a part of human behavior, has much in common with non-criminal behavior, and must be explained within the same general framework as any other human behavior.”⁹⁸ A study of the tenets of differential association (listed in Table 3-3) shows that Sutherland believed that even the sources of behavioral motivation are much the same for conformists and criminals—that is,

TABLE 3-3 | Sutherland’s Principles of Differential Association

1. Criminal behavior is learned.
2. Criminal behavior is learned in interaction with others in a process of communication.
3. The principal part of the learning of criminal behavior occurs within intimate personal groups.
4. When criminal behavior is learned, the learning includes (a) techniques of committing the crime, which are sometimes very complicated, sometimes very simple, and (b) the specific direction of motives, drives, rationalizations, and attitudes.
5. The specific direction of motives and drives is learned from definitions of the legal codes as favorable or unfavorable.
6. A person becomes delinquent because of an excess of definitions favorable to violations of law over definitions unfavorable to violations of law.
7. Differential associations may vary in frequency, duration, priority, and intensity.
8. The process of learning criminal behavior by association with criminal and anticriminal patterns involves all the mechanisms that are involved in any other learning.
9. Although criminal behavior is an expression of general needs and values, it is not explained by those general needs and values because noncriminal behavior is an expression of the same needs and values.

Source: Sutherland’s Principles of Differential Association from *Principles of Criminology* by Edwin Sutherland. Copyright (c) 1992 Rowman and Littlefield Publishing. Reproduced by permission of Patricia Zilne.

■ **social learning theory** A psychological perspective that says that people learn how to behave by modeling themselves after others whom they have the opportunity to observe.

both groups strive for money and success but choose different paths to the same goal.

However, differential association theory fails to explain why people have the associations they do and why some associations affect certain individuals more than others. Why, for example, are most prison guards unaffected by their constant association with offenders, while a few take advantage of their position to smuggle contraband? The theory has also been criticized for being so general and imprecise as to allow for little testing.⁹⁹ Complete testing of the theory would require that all of the associations a person has ever had be recorded and analyzed from the standpoint of the individual—a clearly impossible task.

Other theorists continue to build on Sutherland’s early work. Robert Burgess and Ronald Akers, for example, have constructed a differential association–reinforcement theory that seeks to integrate Sutherland’s original propositions with the work of American psychologist B. F. Skinner’s work on conditioning.¹⁰⁰ Burgess and Akers suggest that although values and behavior patterns are learned in association with others, the primary mechanism through which such learning occurs is operant conditioning. Reinforcement is the key, they say, to understanding any social learning as it takes place. The name **social learning theory** has been widely applied to the work of Burgess and Akers. It is somewhat of a misnomer, however, because the term can easily encompass a wide range of approaches and should not be limited to one specific combination of the ideas found in differential association and reinforcement theory.

Restraint Theories

As we have seen throughout this chapter, most criminological theories posit a cause of crime.¹⁰¹ Some theories, however, focus less on causes than on constraints—those forces that keep people from committing a crime. These theories are called *restraint theories*. However, because they focus primarily on why people do not break the law, restraint theories provide only half of the causal picture. They are especially weak in identifying the social-structural sources of motivations to commit crimes.¹⁰² Also, the ways in which bonds with different institutions interact with one another and with personal attributes, as well as the variety of bonds that operate throughout the life cycle, have yet to be clarified.¹⁰³

Containment Theory

Containment theory, a type of restraint theory offered by Walter Reckless (1899–1988), assumes that all of us are subject to inducements to crime.¹⁰⁴ Some of us resist these “pushes” toward criminal behavior, whereas others do not. The difference, according to Reckless, can be found in forces that contain, or control, behavior.

■ **containment** The aspects of the social bond and of the personality that act to prevent individuals from committing crimes and engaging in deviance.

Reckless described two types of **containment**: outer and inner. Outer containment depends on social roles and the norms and expectations that apply to them. People who occupy significant roles in society find themselves insulated from deviant tendencies. A corporate executive, for example, is less apt to hold up a liquor store than is a drifter. The difference, according to Reckless, is not due solely to income, but also to the pressure the executive feels to conform.

Inner containment involves a number of factors, such as conscience, a positive self-image, a tolerance for frustration, and aspirations that are in line with reality. Reckless believed that inner containment is more powerful than outer containment; inner containment functions even in secret. For example, an inner-directed person who comes across a lost purse feels compelled to locate its rightful owner and return it. If theft or greed crosses the mind of an inner-directed person, he will say to himself, “I’m not that kind of person. That would be wrong.”

Reckless studied small close-knit societies—including the Hutterites, Mennonites, and Amish—in developing his theory. He realized that the “containment of behavior ... is ... maximized under conditions of isolation and homogeneity of culture, class, and population.”¹⁰⁵ Hence its applicability to modern American society, with its considerable heterogeneity of values and perspectives, is questionable.

Social Control Theory

Travis Hirschi emphasized the bond between individuals and society as the primary operative mechanism in his *social control theory*.¹⁰⁶ Hirschi identified four components of that bond: (1) emotional attachments to significant others, (2) a commitment to appropriate lifestyles, (3) involvement or immersion in conventional values, and (4) a belief in the “correctness” of social obligations and the rules of the larger society. These components act as social controls on deviant and criminal behavior; as they weaken, social control suffers, and the likelihood of crime and deviance increases. Using self-reports of delinquency from high school students in California, Hirschi concluded that youngsters who were less attached to teachers and parents and who had few positive attitudes about their own accomplishments were more likely to engage in crime and deviance than were others.¹⁰⁷

Neutralization Techniques

Complementing restraint theory is the *neutralization approach* of Gresham Sykes and David Matza.¹⁰⁸ The neutralization approach centers on rationalizations that allow offenders to shed

■ **labeling theory** A social process perspective that sees continued crime as a consequence of the limited opportunities for acceptable behavior that follow from the negative responses of society to those defined as offenders.

feelings of guilt and responsibility for their behavior. Sykes and Matza believed that most people drift into and out of criminal behavior but will not commit a crime unless they have available to them techniques of neutralization. Their study primarily concerned juveniles for whom, they suggested, neutralization techniques provided only a temporary respite from guilt. That respite, however, lasted long enough to avoid the twinges of conscience while a crime was being committed. Neutralization techniques include the following:

- Denial of responsibility (“I’m a product of my background.”)
- Denial of injury (“No one was really hurt.”)
- Denial of the victim (“They deserved it.”)
- Condemnation of the condemners (“The cops are corrupt.”)
- Appeal to higher loyalties (“I did it for my friends.”)

Like containment theory, restraint theories tend to depend on a general agreement as to values, or they assume that offenders are simply conformists who suffer temporary lapses. Neutralization techniques, by definition, are needed only when the delinquent has been socialized into middle-class values or where conscience is well developed. Even so, neutralization techniques do not in themselves explain crime. Such techniques are available to us all, if we make only a slight effort to conjure them up. The real question is why some people readily allow proffered neutralizations to affect their behavior, while others effortlessly discount them.

Labeling Theory

As we saw earlier in this chapter, the worth of any theory of behavior is proved by how well it reflects the reality of the social world. In practice, however, theoretical perspectives find acceptance in the academic environment via a number of considerations. **Labeling theory**, for example, became fashionable in the 1960s. Its popularity may have been due more to the cultural environment into which it was introduced rather than to any inherent quality of the theory itself.

Labeling theory was first introduced by Frank Tannenbaum (1893–1969) in 1938 under the rubric of *tagging*.¹⁰⁹ He wrote, “The young delinquent becomes bad because he is defined as bad and because he is not believed if he is good.” He went on to say, “The process of making the criminal, therefore, is a process of tagging. ... It becomes a way of stimulating ... and evolving the very traits that are complained of. ... The person becomes the thing he is described as being.”¹¹⁰ Tannenbaum focused on society’s power to *define* an act or an individual as bad and drew attention to the

■ **moral enterprise** The process undertaken by an advocacy group to have its values legitimated and embodied in law.

group need for a scapegoat in explaining crime. The search for causes inherent in individuals was not yet exhausted, however, and Tannenbaum's theory fell mostly on deaf ears.

By the 1960s, the social and academic environments in America had changed, and the issue of responsibility was seen more in terms of the group than the individual. In his book *Outsiders*, published in 1963, Howard Becker pointed out that criminality is not a quality inherent in an act or in a person. Crime, said Becker, results from a social definition, through law, of unacceptable behavior. That definition arises through **moral enterprise**, by which groups on both sides of an issue debate and eventually legislate their notion of what is moral and what is not. Becker wrote, "The central fact about deviance [is that] it is created by society. ... Social groups create deviance by making the rules whose infraction constitutes deviance."¹¹¹

The criminal label, however, produces consequences for labeled individuals that may necessitate continued criminality. In describing the criminal career, Becker wrote, "To be labeled a criminal one need only commit a single criminal offense. ... Yet the word carries a number of connotations specifying auxiliary traits characteristic of anyone bearing the label."¹¹² The first time a person commits a crime, the behavior is called *primary deviance* and may be a merely transitory form of behavior.

However, in the popular mind, a "known" criminal is not to be trusted, should not be hired because of the potential for crimes on the job, and would not be a good candidate for the military, marriage, or any position requiring responsibility. Society's tendency toward such thinking, Becker suggested, closes legitimate opportunities, ensuring that the only new behavioral alternatives available to the labeled criminal are deviant ones. Succeeding episodes of criminal behavior are seen as a form of secondary deviance that eventually becomes stabilized in the behavioral repertoire and self-concept of the labeled person.¹¹³

Labeling theory can be critiqued along a number of dimensions. First, it is not really a "theory" in that labeling does not uncover the genesis of criminal behavior. It is more useful in describing how such behavior continues than in explaining how it originates. Second, labeling theory does not recognize the possibility that the labeled individual may make successful attempts at reform and may shed the negative label. Finally, the theory does not provide an effective way of dealing with offenders. Should people who commit crimes not be arrested and tried so as to avoid the consequences of negative labels? It would be exceedingly naïve to suggest that all repeat criminal behavior would cease, as labeling theory might predict, if people who commit crimes are not officially "handled" by the system.

■ **social development theory** An integrated view of human development that points to the process of interaction among and between individuals and society as the root cause of criminal behavior.

■ **life course perspective** An approach to explaining crime and deviance that investigates developments and turning points in the course of a person's life.

Social Development and the Life Course

Some of the most recent perspectives on crime causation belong to a subcategory of social process thought called **social development theory**. According to the social development perspective, human development occurs simultaneously on many levels, including the psychological, biological, familial, interpersonal, cultural, societal, and ecological levels. Hence social development theories tend to be integrated theories—that is, theories that combine various points of view on the process of development. Theories that fall into this category, however, highlight the process of interaction between individuals and society as the root cause of criminal behavior. In particular, they emphasize that a critical period of transition occurs in a person's life as he or she moves from childhood to adulthood.

One social development approach is the dual taxonomy theory of offending offered by Terrie Moffitt in the 1990s.¹¹⁴ Moffitt identifies two types of offenders: *adolescent limited offenders* and *life course persistent offenders*. The first type, adolescent limited offenders, are prone to antisocial behavior only during adolescence; the second type, life course persists, continue to reoffend throughout life. Moffitt was interested in explaining the continuity and stability of antisocial behavior, and noted that life course persists evidence significant antisocial attitudes and behavior early on in life. Moffitt's theory, while it is concerned with the development of antisocial behavior, combines biological factors (genetic influences, brain injury, and the like) with social ones (childhood abuse and neglect, bad parenting, and other factors) and proposes that initial biological predispositions can combine with a negative childhood environment to produce antisocial behavior that persists over time.

Initial biological predispositions can combine with a negative childhood environment to produce antisocial behavior that persists over time.

Another social development perspective of special significance is the **life course perspective**. According to Robert Sampson and John Laub, who named the life course perspective

in 1993, criminal behavior typically follows an identifiable pattern throughout a person's life cycle.¹¹⁵ In the lives of those who eventually become criminal, crime-like or deviant behavior is relatively rare during early childhood, tends to begin

as sporadic instances during early adolescence, becomes more common during the late-teen and early-adult years, and then gradually diminishes as the person gets older.

Sampson and Laub also use the idea of *transitions* in the life course, or turning points that identify significant events in a person’s life and represent the opportunity for people to turn either away from or toward deviance and crime. An employer who gives an employee a second chance, for example, may provide a unique opportunity that helps determine the future course of that person’s life. Similarly, the principle of *linked lives*, also common to life course theories, highlights the fact that no one lives in isolation. Events in the life course are constantly being influenced by family members, friends, acquaintances, employers, teachers, and so on. Not only might such influences determine the life course of any given individual, but they are active throughout the life course. Figure 3-3 diagrams some of the life course influences experienced by most adolescents. Also shown in the diagram are desired outcomes and positive and negative indicators of development.

In 1986, the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) began funding a study of life pathways as they lead to criminality. The Program of Research on the Causes and Correlates of Delinquency continues to

produce results.¹¹⁶ Over a period of years, researchers examined how delinquency, violence, and drug use develop within and are related to various social contexts, including the family, peer groups, schools, and the surrounding community. To date, the study, for which data continue to be analyzed, has identified three distinct pathways to delinquency, which are shown in Figure 3-4. These pathways are not mutually exclusive and can sometimes converge:

- The *authority conflict pathway*, along which children begin to move during their early years (as early as three or four years old), involves stubborn behavior and resistance to parental authority. Defiance of authority begins around age 11, and authority avoidance (i.e., truancy, running away) begins about the same time.
- The *covert pathway*, which starts around age ten with minor covert acts such as shoplifting and lying, quickly progresses to acts of vandalism involving property damage. Moderate to severe delinquency frequently begins a year or two later.
- The *overt pathway* is marked by minor aggression, such as bullying, that develops around age 11 or 12. The overt

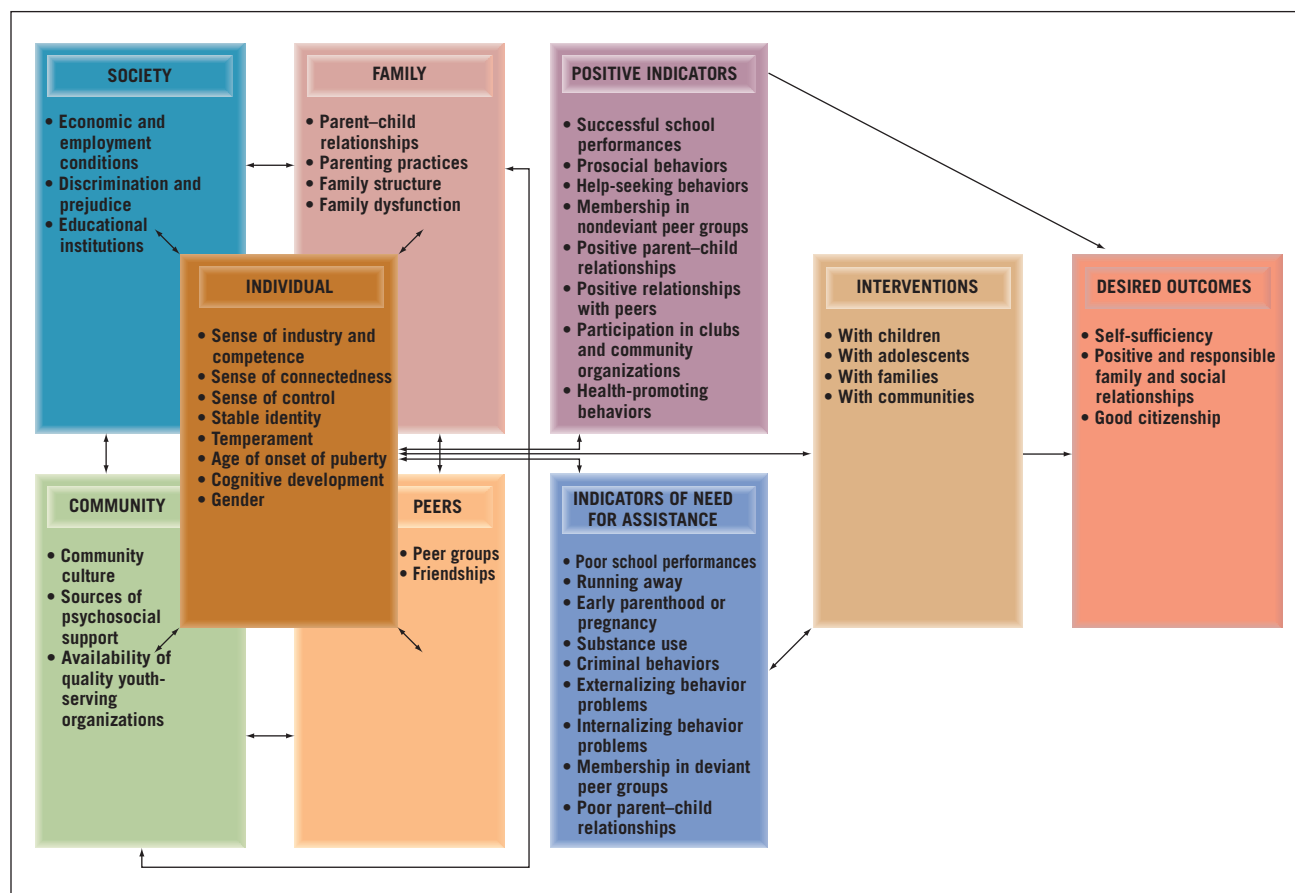


FIGURE 3-3 | A Conceptual Model of Adolescent Development

Source: Family and Youth Services Bureau, *Understanding Youth Development: Promoting Positive Pathways of Growth* (Washington, DC: U.S. Dept. of Health and Human Services, 2000).

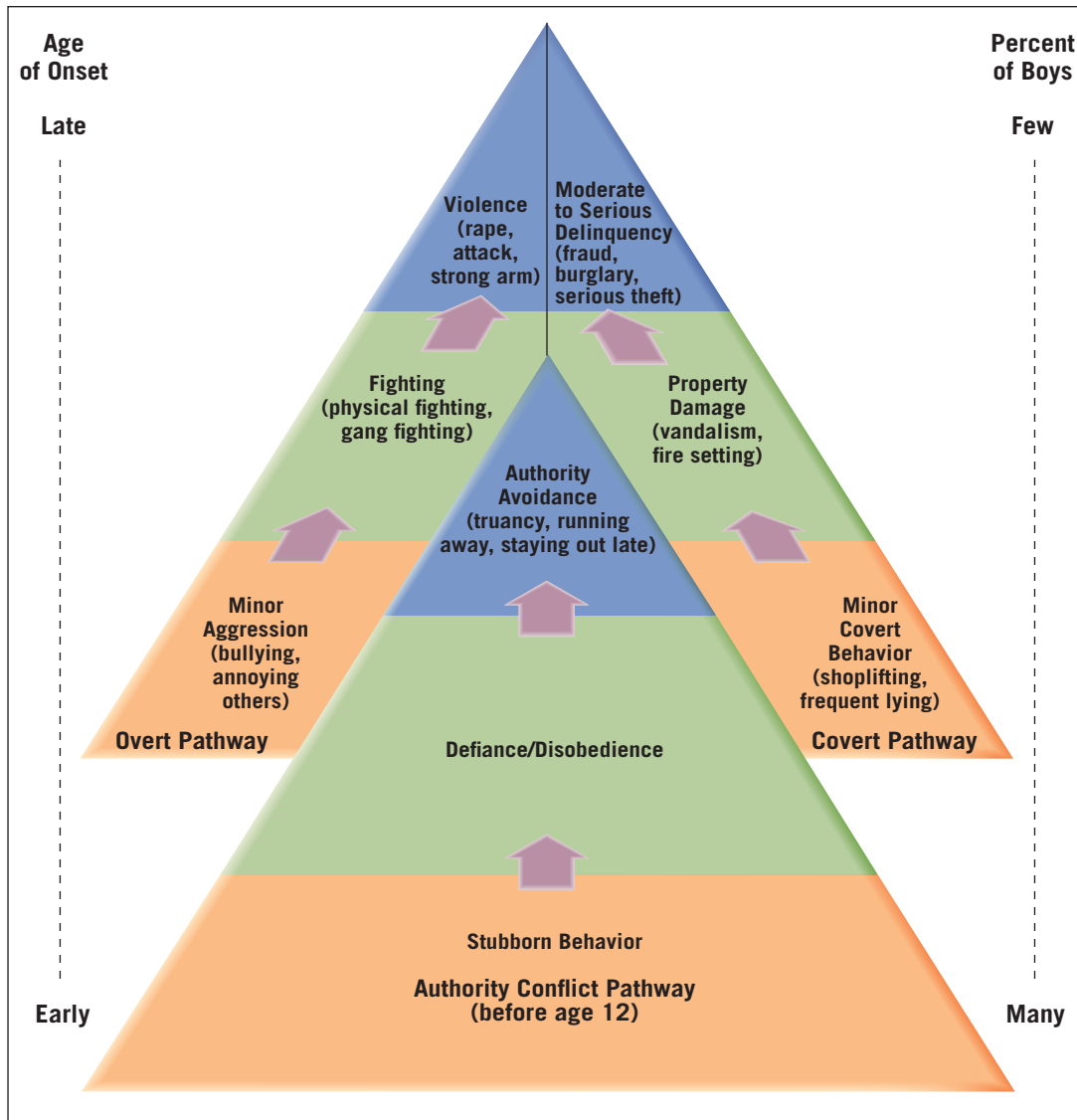


FIGURE 3-4 | Three Pathways to Disruptive Behavior and Delinquency

Source: Barbara Tatem Kelley et al., *Developmental Pathways in Boys' Disruptive and Delinquent Behavior* (Washington, DC: Office of Juvenile Justice and Delinquency Prevention, 1997).

pathway leads to fighting and physical violence during the teenage years and tends to eventuate in serious violent criminality that may include rape, robbery, and assault.

A similar study is under way at the Project on Human Development in Chicago Neighborhoods (PHDCN), mentioned earlier in this chapter. PHDCN researchers are “tracing how criminal behavior develops from birth to age 32.”¹¹⁷ Participating researchers come from a variety of scientific backgrounds and include psychiatrists, developmental psychologists, sociologists,

criminologists, physicians, educators, statisticians, and public health officials. The study focuses on the influence of communities, peers, families, and health-related, cognitive, and emotional factors to decipher the lines along which crime and delinquency are likely to develop. Learn more about the OJJDP’s causes and correlates study at <http://www.justicestudies.com/pubs/ccdp.pdf>, and find out more about the PHDCN project at <http://ccf.tc.columbia.edu/neighborhood03.html>. A related effort, the Pathways to Desistance Study, can be reviewed at <http://justicestudies.com/pubs/pathways2015.pdf>.

■ **conflict perspective** A theoretical approach that holds that crime is the natural consequence of economic and other social inequities. Conflict theorists highlight the stresses that arise among and within social groups as they compete with one another for resources and for survival. The social forces that result are viewed as major determinants of group and individual behavior, including crime.

Conflict Theories

Basic to the **conflict perspective** is the belief that conflict is a fundamental aspect of social life and can never be fully resolved. From the conflict point of view, formal agencies of social control at best merely coerce the unempowered or the disenfranchised to comply with the rules established by those in power. Laws become tools of the powerful, tools that are useful in keeping others from wresting control over important social institutions. Social order, rather than being the result of any consensus or process of dispute resolution, rests on the exercise of power through law. The conflict perspective can be described in terms of four key elements:¹¹⁸

- Society is composed of diverse social groups, and diversity is based on distinctions that people hold to be significant, such as gender, sexual orientation, and social class.
- Conflict among groups is unavoidable because of differing interests and differing values. Hence conflict is inherent in social life.
- The fundamental nature of group conflict centers on the exercise of political power. Political power is the key to the accumulation of wealth and to other forms of power.
- Laws are the tools of power and further the interests of those powerful enough to make them. Laws allow those in control to gain what they define (through the law) as legitimate access to scarce resources and to deny (through the law) such access to the politically disenfranchised.

Radical Criminology

Criminological theory took a new direction during the 1960s and 1970s, brought about in part by the turmoil that characterized American society during that period. **Radical criminology** placed the blame for criminality and deviant behavior squarely on officially sanctioned cultural and economic arrangements. The distribution of wealth and power in society was held to be the primary cause of criminal behavior, especially among those who were disenfranchised. Poverty and discrimination were seen to lead to frustration and pent-up hostilities that were expressed through murder, rape, theft, and other crimes.

Radical criminology had its roots in early conflict theories and in the thought of Dutch criminologist Willem Bongers (1876–1940). Some authors have distinguished between conflict theory and radical criminology by naming them “conservative

radical criminology A conflict perspective that sees crime as engendered by the unequal distribution of wealth, power, and other resources, which adherents believe is especially characteristic of capitalist societies.

conflict theory” and “radical conflict theory,” respectively.¹¹⁹ The difference between the two theories, however, is mostly in the rhetoric of the times. Conservative conflict theories held that conflict was a natural part of any society and that struggles for power and control would always occur. “Losers” of conflicts were defined as “criminal,” and constraints on their behavior would be legislated. Characteristic of this perspective are the approaches of Austin Turk¹²⁰ (b. 1934) and George Vold (1896–1967). An even earlier conflict perspective can be found in the culture conflict notions of Thorsten Sellin (1896–1994), who was concerned with the clash of immigrant values and traditions with those of established American culture.¹²¹

Radical criminology went a step further. It recognized that the struggle to control resources is central to society, and it encompassed the notion that the law is a tool of the powerful. The focus of radical criminology, however, was capitalism and the evils that capitalism was believed to entail. The ideas of Karl Marx (1818–1883) entered the field of criminology through the writings of William Chambliss¹²² (b. 1933) and Richard Quinney¹²³ (b. 1934). According to Marx, the labor of the lower classes provides the basis for the accumulated wealth of the upper classes, and the lower classes are always exploited by the “owners” in society. The poor were trained to believe that capitalism was in their best interests and the working classes suffered under the consequences of a “false class consciousness”



Joel Stettenheim/Corbis

A homeless man walking by an expensive home. Radical criminologists claim that the inequitable distribution of wealth in society produces frustrations and pent-up hostilities that lead to criminality. In this view, the powerful use the criminal law as a tool to maintain their privileged place in the social world. Do you agree? Why or why not?

peacemaking criminology A perspective that holds that crime-control agencies and the citizens they serve should work together to alleviate social problems and human suffering and thus reduce crime.

perpetrated by the powerful. Marx believed that only when the exploited workers realized their exploitation would they rebel and change society for the better.

American radical criminology built on the ideals of the 1960s and charged that the “establishment,” controlled by the upper classes, perverted justice through the unequal application of judicial sanctions. As David Greenberg observes, “Many researchers attributed the overrepresentation of blacks and persons from impoverished family backgrounds in arrest and conviction statistics to the discriminatory practices of the enforcement agencies. It was not that the poor stole more, but rather that when they did, the police were more likely to arrest them.”¹²⁴ Conflict theories of criminality face the difficulty of realistic implementation. Radical criminology, in particular, is flawed by its narrow emphasis on capitalist societies. It fails to recognize adequately the role of human nature in the creation of social classes and in the perpetuation of the struggle for control of resources. Radical criminology implies that a utopian social arrangement—perhaps communism—would eliminate most crime. Such a belief is contrary to historical experience: A close look at any contemporary communist society will reveal both social conflict and crime.

Peacemaking Criminology

Peacemaking criminology, which some theorists see as a mature expression of earlier conflict theories, holds that crime-control agencies and the citizens they serve should work together to alleviate social problems and human suffering and thus reduce crime.¹²⁵ Criminology as peacemaking has its roots in ancient Christian and Eastern philosophies, as well as in traditional conflict theory. Peacemaking criminology, which includes the notion of service and has also been called *compassionate criminology*, suggests that “compassion, wisdom, and love are essential for understanding the suffering of which we are all a part, and for practicing a criminology of nonviolence.”¹²⁶ Peacemaking criminology also holds that official agents of social control need to work with both the victimized and the victimizers to achieve a new world order that is more just and fair to all who live in it. In a fundamental sense, peacemaking criminologists exhort their colleagues to transcend personal dichotomies

Criminology as peacemaking has its roots in ancient Christian and Eastern philosophies, as well as in traditional conflict theory.

to end the political and ideological divisiveness that separates people. “If we ourselves cannot know peace ... how will our acts disarm hatred and violence?” they ask.¹²⁷

Peacemaking criminology was popularized by the works of Harold Pepinsky¹²⁸ and Richard Quinney¹²⁹ beginning in 1986. Both Pepinsky and Quinney restate the problem of crime control from one of “how to stop crime” to one of “how to make peace” within society and among citizens and criminal justice agencies. Peacemaking criminology draws attention to many issues, among them the perpetuation of violence through the continuation of social policies based on dominant forms of criminological theory, the role of education in peacemaking, “common sense theories of crime,” crime control as human rights enforcement, and conflict resolution within community settings.¹³⁰

Social Policy and Conflict Theories

Because radical and conflict criminologists view social inequality as the cause of crime, many suggest that the only way to achieve real change in the rate of crime is through revolution. Revolution—because it holds the promise of greater equality for underrepresented groups and because it mandates a redistribution of wealth and power—is thought necessary for any lasting reduction in crime.

Some contemporary writers on radical criminology, however, have attempted to address the issue of what can be done under our current system, because they recognize that a sudden and total reversal of existing political arrangements within the United States is highly unlikely. Hence they have begun to focus on promoting “middle-range policy alternatives” to the present system, including “equal justice in the bail system, the abolition of mandatory sentences, prosecution of corporate crimes, increased employment opportunities, and promoting community alternatives to imprisonment.”¹³¹ Likewise, programs to reduce prison overcrowding, efforts to highlight injustices within the current system, the elimination of racism and other forms of inequality in the handling of both victims and offenders, growing equality in criminal justice system employment, and the like are all frequently mentioned as mid-range strategies for bringing about a justice system that is fairer and closer to the radical ideal.

Raymond Michalowski summarizes the policy directions envisioned by today’s radical criminologists when he says, “We cannot be free from the crimes of the poor until there are no more poor; we cannot be free from domination of the powerful until we reduce the inequalities that make domination possible; and we cannot live in harmony with others until we begin to limit the competition for material advantage over others that alienates us from one another.”¹³²

■ **feminist criminology** A developing intellectual approach that emphasizes gender issues in criminology.

Emergent Perspectives

A number of new and developing criminological perspectives deserve special mention. They include feminist, biosocial, and postmodern criminology. Biosocial criminology has already been discussed earlier in this chapter. Now, however, we will briefly discuss feminist and postmodern criminology.

Feminist Criminology

As some writers in the developing field of **feminist criminology** have observed, “Women have been virtually invisible in criminological analysis until recently and much theorizing has proceeded as though criminality is restricted to men.”¹³³ Another puts it this way: “[Traditional] criminological theory assumes a woman is like a man.”¹³⁴ Feminist criminologists are now working to change long-cherished notions of crime and of criminal justice so that the role of women in both crime causation and crime control might be better appreciated.¹³⁵

One of the first writers to attempt a definitive explanation of the criminality of women was Otto Pollak. Pollak’s book, *The Criminality of Women*,¹³⁶ written in 1950, suggested that women commit the same number of offenses as men but that most of their criminality is hidden. Pollak claimed that women’s roles at the time, primarily those of homemaker and mother, served to disguise their criminal undertakings. He also proposed that chivalrous treatment by a male-dominated justice system acted to bias every stage of criminal justice processing in favor of women. Hence, according to Pollak, although women are just as criminal as men, they are rarely arrested, tried, or imprisoned. In fact, although the criminality of women may approach or exceed that of men in selected offense categories, today it is safe to say that Pollak was incorrect in his assessment of the degree of female criminality; overall, women commit far fewer crimes than men.

Early works in the field of feminist criminology include Freda Adler’s *Sisters in Crime*¹³⁷ and Rita Simon’s *Women and Crime*.¹³⁸ Both books were published in 1975, and in them the authors claimed that the existing divergences in crime rates between men and women were due primarily to socialization rather than biology. Women, claimed these authors, were taught to believe in personal limitations, faced reduced socioeconomic opportunities, and, as a result, suffered from lowered aspirations. As gender equality increased, they said, it could be expected that male and female criminality would take on similar characteristics. More recent researchers, however, have not found this to be true; substantial differences between the criminality of men and women remain, even as gender equality grows.¹³⁹

Contemporary feminist thinking in criminology is represented by the works of writers like Kathleen Daly and Meda Chesney-Lind.¹⁴⁰ Daly and Chesney-Lind emphasize the need for a “gender-aware” criminology and stress the usefulness of applying feminist thinking to criminological analysis. Gender, say these writers, is a central organizing principle of contemporary life. Feminist criminology suggests that theories of crime causation and prevention must include women and that more research on gender-related issues in the field is badly needed. Additionally, some authors say, “Criminologists should begin to appreciate that their discipline and its questions are a product of white, economically privileged men’s experiences.”¹⁴¹ They suggest that rates of female criminality, which are lower than those of males, may show that criminal behavior is not as “normal” as once thought. Because modern-day criminological perspectives were mostly developed by white middle-class males, the propositions and theories they advance fail to take into consideration women’s “ways of knowing.”¹⁴² Hence the fundamental challenge posed by feminist criminology is this: Do existing theories of crime causation apply as well to women as they do to men? Or, as Daly and Chesney-Lind put it, given the current situation in theory development, “do theories of men’s crime apply to women?”¹⁴³

Recent perspectives on female criminality stress that “a key to understanding and responding to women as offenders is understanding their status as crime victims.”¹⁴⁴ Psychologist Cathy Spatz Widom, for example, examined the life cycle of female offenders, looking for links between childhood abuse and neglect and later criminality. Widom suggests that the successful socialization of girls can be “derailed” by early victimization through mechanisms such as “running away, deficits in cognitive ability and achievement, growing up without traditional social controls, engaging in relationships with deviant or delinquent individuals, and failing to learn the social and psychological skills necessary for successful adult development.”¹⁴⁵

Contemporary statistics tell us that although females make up 51% of the population of the United States, they are arrested for only 20.2% of all violent crimes and 39.2% of property crimes. The relatively limited involvement of women in the FBI’s eight major crimes can be seen in Table 3-4. Data show that the number of female offenders is increasing faster than the number of male offenders, however. Between 1970 and 2000, an era of significant crime increases, the number of crimes committed by men grew by 46%, while crimes committed by women increased 144%. Violent crimes by men increased 82% during the period; by women, 260%. Property crimes perpetrated by men grew by 3%; by women, 85%.¹⁴⁶

TABLE 3-4 | Male and Female Involvement in Crime: Offense Patterns, 2014

UCR INDEX CRIME	PERCENTAGE OF ALL ARRESTS	
	MALES	FEMALES
Murder and nonnegligent manslaughter	88.5	11.5
Rape	97.2	2.8
Robbery	86.1	13.9
Aggravated assault	77.0	23.0
Burglary	82.2	17.8
Larceny-theft	56.9	43.2
Motor vehicle theft	79.7	20.3
Arson	80.5	19.5
Gender Differences		
<ul style="list-style-type: none"> • Men are more likely than women to be arrested for serious crimes, such as murder, rape, robbery, and burglary. • Arrest, jail, and prison data all suggest that more women than men who commit crimes are involved in property crimes, such as larceny, forgery, fraud, and embezzlement, and in drug offenses. 		
Source: Pearson Education, Inc.		

Relative increases in the FBI's Part II offenses tell a similar story. Arrests of women for embezzlement, for example, increased by more than 228% between 1970 and 2000, versus only 8.5% for men—reflecting women's increased entry into positions of financial responsibility. Arrests of women for drug abuse grew by 289%, and liquor-law violations by women increased 285% (versus 96% for men).¹⁴⁷ In two officially reported categories—prostitution and runaways—women outnumber men in the volume of offenses committed.¹⁴⁸ Other crimes in which significant numbers of women (relative to men) are involved include larceny-theft (where 43.1% of reported crimes are committed by women), forgery and counterfeiting (37.4%), fraud (39.9%), and embezzlement (48.8%).¹⁴⁹ Nonetheless, as Table 3-4 shows, female offenders still account for only a small proportion of all

■ **postmodern criminology** A branch of criminology that developed after World War II and that builds on the tenets of postmodern social thought.

■ **deconstructionist theory** One of the emerging approaches that challenges existing criminological perspectives to debunk them and that works toward replacing them with concepts more applicable to the postmodern era.

serious crimes. Statistics on female criminality are difficult to interpret because reports of increasing female criminality may reflect the greater equality of treatment accorded women in contemporary society more than they do actual increases in criminal activity. In the past, when women committed crimes, they were dealt with less formally than is likely to be the case today.

When women do commit serious crimes, they are more often followers than leaders. A study of women in correctional settings, for example, found that women are far more likely to assume “secondary follower roles during criminal events” than “dominant leadership roles.”¹⁵⁰ Only 14% of women surveyed played primary roles, but those who did “felt that men had little influence in initiating or leading them into crime.” African American women were found to be more likely to play “primary and equal crime roles” with men or with female accomplices than were white or Hispanic women. Statistics such as these dispel the myth that the female criminal in America has taken her place alongside the male offender—in terms of either leadership roles or the absolute number of crimes committed.

Postmodern Criminology

Before concluding this chapter, it is important to note that **postmodern criminology** is a term applied to a wide variety of novel perspectives that have developed in recent decades. It encompasses evolving paradigms with such intriguing names as *chaos theory*, *discourse analysis*, *topology theory*, *critical theory*, *realist criminology*, *constitutive theory*, and *anarchic criminology*.¹⁵¹ Postmodern criminology builds on the belief that past criminological approaches have failed to realistically assess the true causes of crime and have therefore failed to offer workable solutions for crime control—or if they have, that such theories and solutions may have been appropriate at one time but no longer apply to the postmodern era. Because postmodern criminology challenges and debunks existing perspectives, it is referred to as *deconstructionist*, and such theories are sometimes called **deconstructionist theories**.

SUMMARY

- A theory is a proposed model of causal relationships between events and things under study. This chapter defines *theory* as a series of interrelated propositions that attempt to describe, explain, predict, and ultimately control some class of events. A good theory fits the facts and stands up to continued scrutiny. The goal of social research in criminology is to assist in the development of theoretical models that permit a better understanding of criminal behavior and that enhance the development of strategies intended to address the problem of crime.
- The Classical School of criminology, which was in vogue throughout the late eighteenth and early nineteenth centuries, held that crime is caused by the individual exercise of free will and that it can be deterred through the promise of swift and certain punishment. Classical criminology continues to be influential through today's neoclassical thought, represented by rational choice and routine activities theories.
- Traditional biological theories of crime posit a genetic or a physiological basis for deviant and criminal behavior. The notion of a "weak" gene that might predispose some people toward criminal activity has been expanded to include the impact of environmental contaminants, poor nutrition, and food additives on behavior. Studies of fraternal twins and chromosome structure have helped bring biological theories into the modern day. Such theories, however, have their shortcomings, including attributing the cause of crime to fundamental physical characteristics that are not easily modified.
- Biosocial criminology, a contemporary biological perspective, sees the interaction between biology and the physical, cultural, and social environments as key to understanding human behavior, including criminality. Biosocial criminology recognizes the role that human DNA, environmental contaminants, nutrition, hormones, physical trauma, and body chemistry play in behavior that violates the law. The detailed mapping of human DNA and other recent advances in the field of recombinant DNA have rekindled interest in genetic correlates of criminal behavior.
- Psychological explanations of crime are individualistic. Some psychoanalytic theories see offenders as psychotic, psychopathic, or sociopathic. Other psychological theories claim that criminal behavior is a type of conditioned response. The stimulus-response model sees criminal behavior as the consequence of a conditioning process that extends over the entire life span of an individual. Trait theory links personality (and associated traits) to behavior, and holds that it is an individual's personality, combined with his or her intelligence and natural abilities that produces criminality. Psychological traits are stable personality patterns that tend to endure throughout the life course and across social and cultural contexts. As with most other theories, psychological perspectives remain plagued by shortcomings. Among them are questions about

whether past behavior can accurately predict future behavior and whether there are identifiable characteristics that violent offenders might manifest that could serve as warning signs of impending criminal activity.

- Sociological theories hold that the individual is a product of his or her social environment. They emphasize the role that social structure, inequality, and socialization play in criminality. Although they are today's perspective of choice, the danger of most sociological approaches is that they tend to deny the significance of any influences beyond those that are mediated through social interaction.
- Social process theories of criminology claim that crime results from the failure of self-direction, from inadequate social roles, or from associating with others who are already criminal. Social policies based on such theories place responsibility for change largely on the offender.
- Conflict perspectives attempt to explain crime by noting that conflict is fundamental to social life and by claiming that crime is a natural consequence of social, political, and economic inequity. Conflict criminologists believe that fundamental changes in the structure of society are needed if crime is to be eliminated or curtailed.
- Included among emergent approaches to explaining crime are feminist criminology and postmodern criminology. Feminist criminology challenges some long-held notions of crime and criminal justice that have been based solely on understandings of male criminality. Postmodern criminology, the last of the approaches discussed in this chapter, is often more an effort to debunk previous perspectives than it is a theoretical perspective in its own right.

KEY TERMS

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|---------------------------------------|---------------------------------------|
| anomie , 90 | life course perspective , 96 |
| atavism , 80 | moral enterprise , 96 |
| behavioral conditioning , 86 | neoclassical criminology , 78 |
| Biological School , 79 | peacemaking criminology , 100 |
| biosocial criminology , 82 | personality , 86 |
| broken windows theory , 93 | phrenology , 79 |
| Chicago School , 89 | Positivist School , 80 |
| chromosomes , 83 | postmodern criminology , 102 |
| Classical School , 76 | psychoanalysis , 86 |
| conflict perspective , 99 | psychological profiling , 88 |
| containment , 95 | Psychological School , 85 |
| dangerousness , 89 | psychopath , 87 |
| deconstructionist theory , 102 | psychopathology , 87 |
| defensible space theory , 93 | psychosis , 87 |
| deviance , 73 | radical criminology , 99 |
| feminist criminology , 101 | rational choice theory , 78 |
| gender ratio problem , 82 | reaction formation , 92 |
| genes , 83 | research , 76 |
| heritability , 85 | routine activities theory |
| hypothesis , 75 | (RAT) , 78 |
| interdisciplinary theory , 76 | schizophrenic , 87 |
| labeling theory , 95 | social development theory , 96 |

social disorganization, 89
 social learning theory, 94
 social process theory, 92
 somatotyping, 81

subculture of violence, 92
 supermale, 83
 theory, 74
 traits, 88

KEY CASES

Brown v. Entertainment Merchants Association, 2011 *Buck v. Bell*, 1927

QUESTIONS FOR REVIEW

1. What is a theory? Describe the steps in criminological theory building, and explain the role that social research plays in the development of theories about crime.
2. List the basic assumptions of classical theories of crime causation, and describe the neoclassical perspective.
3. Describe the basic features of biological theories of crime causation. What shortcomings of the biological perspective can you identify?
4. What is biosocial criminology? How do biosocial theories of criminality differ from other biological theories?
5. Describe the basic features of psychological explanations for crime. What are the shortcomings of this perspective?
6. Describe the basic features of sociological explanations for crime. What are the shortcomings of this perspective?
7. Describe social process theories of crime causation, including labeling theory and the life course perspective. What types of crime-control policies might be based on such theories?
8. Describe conflict theories of crime causation, including radical criminology and peacemaking criminology. What sorts of crime-control policies might be predicated on the basis of such theories?
9. What is meant by “emergent perspectives”? List and describe two emergent perspectives on crime causation.

QUESTIONS FOR REFLECTION

1. Chapter 1 referred briefly to evidence-based practices. What evidence-based practices might be developed as a result of the studies discussed in this chapter?
2. What is the relationship between punishment and classical and neoclassical thought? With what types of offenders might punishment be the most effective in reducing recidivism?
3. Do you think that biological theories successfully explain the causes of crime? Why or why not?
4. How do biosocial theories of crime differ from early biological theories? What is the central feature of biosocial theories?
5. Do you think that psychological theories of crime causation are sound? Why or why not?
6. Do you think that sociological theories of crime causation are sound? Why or why not?

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151. For an excellent and detailed discussion of many of these approaches, see Milovanovic, *Postmodern Criminology*.



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5

POLICING: HISTORY AND STRUCTURE

OUTLINE

- Introduction
- Historical Development of the Police
- American Policing Today: From the Federal to the Local Level
- Federal Agencies
- State-Level Agencies
- Local Agencies
- Private Protective Services

LEARNING OBJECTIVES

After reading this chapter, you should be able to

- Summarize the historical development of policing in America.
- Describe the three major levels of public law enforcement in the United States today.
- Briefly describe three federal law enforcement agencies, including their responsibilities.
- Identify the two major models of state law enforcement organization.
- Describe the various kinds of local law enforcement agencies and their roles in enforcing the law.
- Describe private protective services in the United States and their possible future roles.

Fidelity, bravery, and integrity.

MOTTO OF THE FEDERAL BUREAU OF INVESTIGATION

Introduction

Many of the techniques used by today's police differ quite a bit from those employed in days gone by. Listen to how a police officer, writing in the mid-1800s, describes the way pickpockets were caught in London 250 years ago: "I walked forth the day after my arrival, rigged out as the very model of a gentleman farmer, and with eyes, mouth, and pockets wide open, and a stout gold-headed cane in my hand, strolled leisurely through the fashionable thoroughfares, the pump-rooms, and the assembly-rooms, like a fat goose waiting to be plucked. I wore a pair of yellow gloves well wadded, to save me from falling, through a moment's inadvertency, into my own snare, which consisted of about fifty fish-hooks, large black hackles, firmly sewn barb downward, into each of the pockets of my brand new leather breeches. The most blundering 'prig' alive might have easily got his hand to the bottom of my pockets, but to get it out again, without tearing every particle of flesh from the bones, was a sheer impossibility. . . . I took care never to see any of my old customers until the convulsive tug at one or other of the pockets announced the capture of a thief. I then coolly linked my arm in that of the prisoner, and told him in a confidential whisper who I was."¹

The rise of the police as an organized force in the Western world coincided with the evolution of strong centralized governments.

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Historical Development of the Police

Police tactics and strategy have changed substantially since historical times, and many different kinds of police agencies—some of them highly specialized—function within the modern criminal justice system. This chapter describes the development of organized policing in Western culture and discusses the function of contemporary American police forces at the federal, state and local levels. Agency examples are given at each level. The promise held by private protective services, the recent rapid growth of private security organizations, and the quasi-private system of justice are also discussed.

English Roots

The rise of the police as an organized force in the Western world coincided with the evolution of strong centralized governments. Although police forces have developed throughout the world, often in isolation

■ **comes stabuli** A nonuniformed mounted law enforcement officer of medieval England. Early police forces were small and relatively unorganized but made effective use of local resources in the formation of posses, the pursuit of offenders, and the like.

■ **night watch** An early form of police patrol in English cities and towns.

■ **Statute of Winchester** A law, written in 1285, that created a watch and ward system in English cities and towns and that codified early police practices.

from one another, the historical growth of the English police is of special significance to students of criminal justice in America, for it was on the British model that much of early American policing was based.

Law enforcement in early Britain, except for military intervention in the pursuit of bandits and habitual thieves, was not well organized until around the year 1200.² When a person committed an offense and could be identified, he or she was usually pursued by an organized posse. All able-bodied men who could hear a victim's cry for help were obligated to join the posse in a common effort to apprehend the offender. The posse was led by the shire reeve (the leader of the county) or by a mounted officer (the *comes stabuli*). Our modern words *sheriff* and *constable* are derived from these early terms. The *comites stabuli* (the plural form of the term) were not uniformed, nor were they numerous enough to perform all the tasks we associate today with law enforcement. This early system, employing a small number of mounted officers, depended for its effectiveness on the ability to organize and direct the efforts of citizens toward criminal apprehension.

The offender, cognizant of a near-certain end at the hands of the posse, often sought protection from trusted friends and family. As a consequence, feuds developed among organized groups of citizens, some seeking revenge and some siding with the offender. Suspects who lacked the shelter of a sympathetic group might flee into a church and invoke the time-honored custom of sanctuary. Sanctuary was rarely an ideal escape, however, as pursuers could surround the church and wait out the offender, preventing food and water from being carried inside. The offender, once caught, became the victim. Guilt was usually assumed, and trials were rare. Public executions, often involving torture, typified this early justice and served to provide a sense of communal solidarity as well as group retribution.

The development of law enforcement in English cities and towns grew out of an early reliance on bailiffs, or watchmen. Bailiffs were assigned the task of maintaining a **night watch**, primarily to detect fires and spot thieves. Although too few in number to handle most emergencies, bailiffs were able to rouse the sleeping population, which could then deal with whatever crisis was at hand. Larger cities expanded the idea of bailiffs by creating both a night watch and a day ward.

British police practices became codified in the **Statute of Winchester**, written in 1285. The statute (1) specified the creation of the watch and the ward in cities and towns; (2) mandated the draft of eligible males to serve those forces; (3) institutionalized the use of the *hue and cry*, making citizens who disregarded a call for help subject to criminal penalties; and

■ **Follow the author's tweets about the latest crime and justice news @schmallegger.**

■ **Bow Street Runners** An early English police unit formed under the leadership of Henry Fielding, magistrate of the Bow Street region of London.



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British bobbies. Today's uniformed English police officers have a recognizable appearance rooted in the time of Sir Robert Peel. In what way were early American law enforcement efforts influenced by the British experience?

(4) required that citizens maintain weapons in their home for answering the call to arms.

Some authors have attributed the growth of modern police forces to the gin riots that plagued London and other European cities in the eighteenth and nineteenth centuries. The invention of gin around 1720 provided, for the first time, a potent and inexpensive alcoholic drink readily available to the massed populations gathered in the early industrial ghettos of eighteenth-century cities. Seeking to drown their troubles, huge numbers of people, far beyond the ability of the bailiffs to control, began binges of drinking and rioting. During the next hundred years, these gin riots created an immense social

The development of law enforcement in English cities and towns grew out of an early reliance on bailiffs, or watchmen.

problem for British authorities. By this time, the bailiff system had broken down and was staffed by groups of woefully inadequate substitutes, hired by original draftees to perform duties in their stead. Incompetent and unable to depend on the citizenry for help in enforcing the laws, bailiffs became targets of mob violence and were often attacked and beaten for sport.

The Bow Street Runners

The early eighteenth century saw the emergence in London of a large criminal organization led by Jonathan Wild. Wild ran a type of fencing operation built around a group of loosely

organized robbers, thieves, and burglars who would turn their plunder over to him. Wild would then negotiate with the legitimate owners for a ransom of their possessions.

The police response to Wild was limited by disinterest and corruption. However, change began when Henry Fielding, a well-known writer, became the magistrate of the Bow Street region of London. Fielding attracted a force of dedicated officers, dubbed the **Bow Street Runners**, who soon stood out as the best and most disciplined enforcement agents that London had to offer. Fielding's personal inspiration and his ability to communicate what he saw as the social needs of the period may have accounted for his success.

In February 1725, Wild was arrested and arraigned on the following charges: "(1) that for many years past he had been a confederate with great numbers of highwaymen, pickpockets, housebreakers, shop-lifters, and other thieves, (2) that he had formed a kind of corporation of thieves, of which he was the head or director . . . , (3) that he had divided the town and country into so many districts, and appointed distinct gangs for each, who regularly accounted with him for their robberies . . . , (4) that the persons employed by him were for the most part felon convicts . . . , (5) that he had, under his care and direction, several warehouses for receiving and concealing stolen goods, and also a ship for carrying off jewels, watches, and other valuable goods, to Holland, where he had a superannuated thief for his benefactor, and (6) that he kept in his pay several artists to make alterations, and transform watches, seals, snuff-boxes,

■ **new police** A police force formed in 1829 under the command of Sir Robert Peel. It became the model for modern-day police forces throughout the Western world.

■ **bobbies** The popular British name given to members of Sir Robert (Bob) Peel's Metropolitan Police Service.

rings, and other valuable things, that they might not be known.”³ Convicted of these and other crimes, Wild attempted suicide by drinking a large amount of laudanum, an opium compound. The drug merely rendered him senseless, and he was hanged the following morning, having only partially recovered from its effects.

In 1754, Henry Fielding died. His brother John took over his work and occupied the position of Bow Street magistrate for another 25 years. The Bow Street Runners remain famous to this day for quality police work.

The New Police

In 1829, Sir Robert Peel, who later became prime minister of England, formed what many have hailed as the world's first modern police force. The passage of the Metropolitan Police Act that year allocated the resources for Peel's force of 1,000 handpicked men. The London Metropolitan Police Service (MPS), also known as the **new police** or more simply the *Met*, soon became a model for police forces around the world.

Members of the Metropolitan Police were quickly dubbed **bobbies**, after their founder. London's bobbies were organized around two principles: the belief that it was possible to discourage crime, and the practice of preventive patrol. Peel's police patrolled the streets by walking beats. Their predecessors, the watchmen, had occupied fixed posts throughout the city, awaiting a public outcry. The new police were uniformed, resembling a military organization, and adopted a military administrative style.

London's first two police commissioners were Colonel Charles Rowan, a career military officer, and Richard Mayne, a lawyer. Rowan believed that mutual respect between the police and the citizenry would be crucial to the success of the new force. As a consequence, early bobbies were chosen for their ability to reflect and inspire the highest personal ideals among young men in early-nineteenth-century Britain.

The new police were not immediately well received. Some elements of the population saw them as an occupying army, and open battles between the police and the citizenry ensued. The tide of sentiment turned, however, when an officer was viciously killed in the Cold Bath Fields riot of 1833. A jury, considering a murder charge against the killer, returned a verdict of “not guilty,” inspiring a groundswell of public support for the much-maligned force.

The Early American Experience

Early American law enforcement efforts were based to some degree on the British experience. Towns and cities in colonial America depended on modified versions of the night watch and the day ward, but the unique experience of the American colonies



Song Tan/AP Wide World Photos

An English policewoman directing subway riders in London following four terrorist explosions on the underground rail system and a bus in 2005. How has policing changed since the time of Sir Robert Peel?

quickly differentiated the needs of colonists from those of the masses remaining in Europe. Huge expanses of uncharted territory, vast wealth, a widely dispersed population engaged mostly in agriculture, and a sometimes ferocious frontier all combined to mold American law enforcement in a distinctive way. Recent writers on the history of the American police have observed that policing in America was originally “decentralized,” “geographically dispersed,” “idiosyncratic,” and “highly personalized.”⁴

The Frontier

One of the major factors determining the development of American law enforcement was the frontier, which remained vast and wild until late in the nineteenth century. The backwoods areas provided a natural haven for outlaws and bandits. Henry Berry Lowery, a famous outlaw of the Carolinas, the James Gang, and many lesser-known desperadoes felt at home in the unclaimed swamps and forests.

Only the boldest of settlers tried to police the frontier. Among them was Charles Lynch, a Virginia farmer of the late eighteenth century. Lynch and his associates tracked and punished offenders, often according to the dictates of the still well-known lynch law, or vigilante justice, which they originated. Citizen posses and vigilante groups were often the only law available to settlers on the western frontier. Judge Roy Bean (“the Law West of the Pecos”), “Wild Bill” Hickok, Bat Masterson, Wyatt Earp, and Pat Garrett were other popular figures of the nineteenth century who took it

■ **vigilantism** The act of taking the law into one's own hands.

upon themselves, sometimes in a semiofficial capacity, to enforce the law on the books as well as the standards of common decency.

Although today **vigilantism** has a negative connotation, most of the original vigilantes of the American West were honest men and women trying to forge an organized and predictable lifestyle out of the challenging situations that they encountered. Often faced with unscrupulous, money-hungry desperadoes, they did what they could to bring the standards of civilization, as they understood them, to bear in their communities.

Policing America's Early Cities

Small-scale organized law enforcement came into being quite early in America's larger cities. In 1658, paid watchmen were hired by the city of New York to replace drafted citizens.⁵ By 1693, the first uniformed officer was employed by the city, and in 1731, the first neighborhood station, or precinct, was constructed. Boston, Cincinnati, and New Orleans were among the American communities to follow the New York model and hire a force of watchmen in the early nineteenth century.

In 1829, American leaders watched closely as Sir Robert Peel created London's new police. One year later, Stephen Girard, a wealthy manufacturer, donated a considerable amount of money to the city of Philadelphia to create a capable police force. The city hired 120 men to staff a night watch and 24 to perform similar duties during the day.

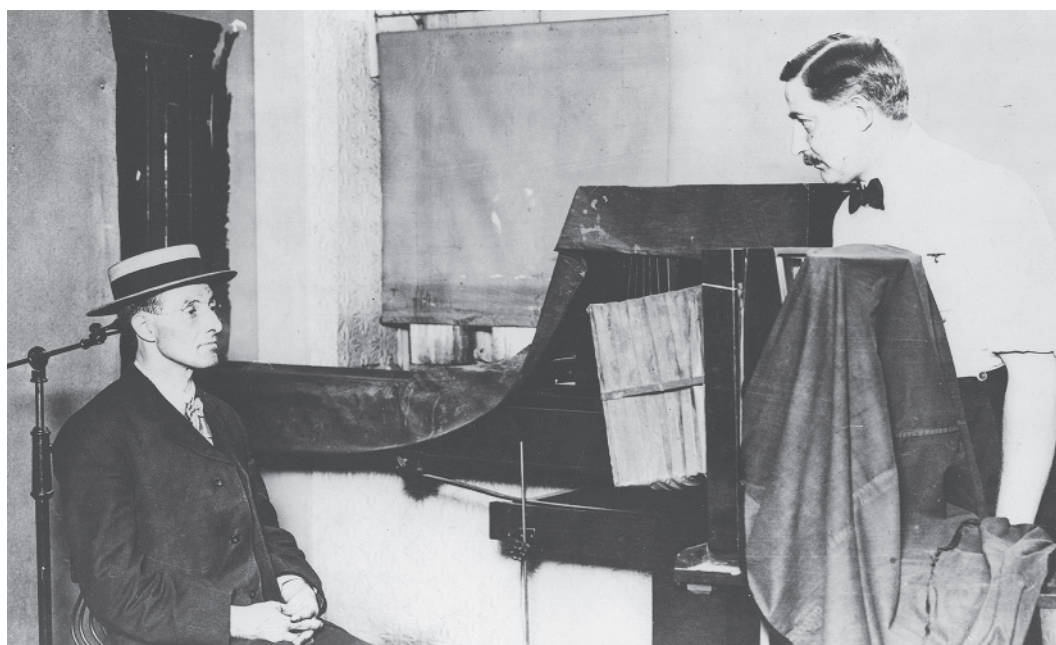
In 1844, New York's separate day and night forces were combined into the New York City Police Department. Boston followed suit in 1855. Further advances in American policing were precluded by the Civil War. Southern cities captured in the war came under martial law and were subject to policing by the military.

The coming of the twentieth century, coinciding as it did with numerous technological advances and significant social changes, brought a flood of reform. The International Association of Chiefs of Police (IACP) was formed in 1902; it immediately moved to create a nationwide clearinghouse for criminal identification. In 1915, the Fraternal Order of Police (FOP) initiated

In 1910, Alice Stebbins Wells became the first policewoman in the world, serving with the Los Angeles Police Department.

operations. It was patterned after labor unions but prohibited strikes; it accepted personnel of all ranks, from patrol officer to chief. In 1910, Alice

Stebbins Wells became the first policewoman in the world, serving with the Los Angeles Police Department.⁶ Prior to Wells's appointment, women had served as jail matrons, and widows had sometimes been carried on police department payrolls if their officer-husbands had died in the line of duty, but they had not been fully "sworn" with carrying out the duties of a police officer. Wells became an outspoken advocate for the hiring of more policewomen, and police departments across the country



Library of Congress

A New York City police officer "mugging" a prisoner in the early days of police photography. How have advances in technology shaped policing?

began to hire female officers, especially to provide police services to children and to women and to “protect male officers from delicate and troublesome situations”⁷—such as the need to physically restrain female offenders.

In 1915, the U.S. Census reported that 25 cities employed policewomen. In that year, coinciding with the creation of the FOP, the International Association of Policewomen (now the International Association of Women Police) was formed in the city of Baltimore. In 1918, Ellen O’Grady became the first woman to hold a high administrative post in a major police organization when she was promoted to the rank of deputy police commissioner for the city of New York. As Dorothy Moses Schulz, a contemporary commentator on women’s entry into policing, has observed, “The Policewomen’s movement was not an isolated phenomenon, but was part of women’s movement into other newly created or newly professionalized fields.”⁸

During the early twentieth century, telephones, automobiles, and radios all had their impact on the American police. Teddy Roosevelt, the 26th president of the United States, began his career by serving as a police commissioner in New York City from 1895 to 1897. While there, he promoted the use of a call-box system of telephones, which allowed citizens to report crimes rapidly and made it possible for officers to call quickly for assistance. As president, Roosevelt helped organize the Bureau of Investigation, which later became the Federal Bureau of Investigation (FBI). Federal law enforcement already existed in the form of U.S. marshals, created by an act of Congress in 1789, and in the form of postal inspectors, authorized by the U.S. Postal Act of 1829. The FBI became a national investigative service designed to quickly identify and apprehend offenders charged with a growing list of federal offenses. Automobiles created an era of affordable, rapid transportation and gave police forces far-reaching powers and high mobility. Telephones and radios provided the ability to maintain regular communication with central authorities. State police agencies arose to counter the threat of the mobile offender, with Massachusetts and Pennsylvania leading the way to statewide forces.

Prohibition and Police Corruption

A dark period for American law enforcement agencies began in 1920 with the passage of a constitutional prohibition against all forms of alcoholic beverages. Until Prohibition was repealed in 1933, most parts of the country were rife with criminal activity, much of it supporting the trade in bootlegged liquor. Bootleggers

■ **Wickersham Commission** The National Commission on Law Observance and Enforcement. In 1931, the commission issued a report stating that Prohibition was unenforceable and carried a great potential for police corruption.

■ **Law Enforcement Assistance Administration (LEAA)** A now-defunct federal agency established under Title I of the Omnibus Crime Control and Safe Streets Act of 1968 to funnel federal funding to state and local law enforcement agencies.

earned huge sums of money, and some of them became quite wealthy. Massive wealth in the hands of law violators greatly increased the potential for corruption among police officials, some of whom were “paid off” to support bootlegging operations.

In 1931, the **Wickersham Commission**, officially called the National Commission on Law Observance and Enforcement and led by former U.S. Attorney General George W. Wickersham, recognized that Prohibition was unenforceable and reported that it carried a great potential for police corruption.⁹ The commission, which released a number of reports, also established guidelines for enforcement agencies that directed many aspects of American law enforcement until the 1970s. The most influential of the Wickersham Commission reports was titled *Report on the Enforcement of the Prohibition Laws of the United States*. That report, the release of which became one of the most important events in the history of American policing, can be read in its entirety at <http://www.druglibrary.org/schaffer/library/studies/wick>.

The Last Half of the Twentieth Century

The rapid cultural change that took place throughout America in the 1960s and 1970s forever altered the legal and social environment in which the police must work. During that period, in conjunction with a burgeoning civil rights movement, the U.S. Supreme Court frequently enumerated constitutionally based personal rights for those facing arrest, investigation, and criminal prosecution. Although a “chipping away” at those rights, which some say is continuing today, may have begun in the 1980s, the earlier emphasis placed on the rights of defendants undergoing criminal investigation and prosecution will have a substantial impact on law enforcement activities for many years to come.

The 1960s and 1970s were also a period of intense examination of police operations, from day-to-day enforcement decisions to administrative organization and police–community relations. In 1967, the President’s Commission on Law Enforcement and Administration of Justice issued its report, *The Challenge of Crime in a Free Society*, which found that the police were often isolated from the communities they served.¹⁰ In 1969, the **Law Enforcement Assistance Administration (LEAA)** was formed to assist police forces across the nation in acquiring the latest in technology and in adopting new enforcement methods.



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Prohibition agents pouring liquor down a drain in 1921. How did the constitutional prohibition against alcoholic beverages during the 1920s and early 1930s affect American policing?

In 1973, the National Advisory Commission on Criminal Justice Standards and Goals issued a comprehensive report detailing strategies for combating and preventing crime and for improving the quality of law enforcement efforts at all levels.¹¹ Included in the report was a call for greater participation in police work by women and ethnic minorities and the recommendation that a college degree be made a basic prerequisite for police employment by the 1980s. The creation of a third major commission, the National Commission on Crime Prevention and Control, was authorized by the federal Violent Crime Control and Law Enforcement Act of 1994, but the commission never saw the light of day.¹²

Evidence-Based Policing

In 1968, with the passage of the Omnibus Crime Control and Safe Streets Act, the U.S. Congress created the Law Enforcement Assistance Administration. The LEAA was charged with combating crime through the expenditure of huge amounts of money in support of crime-prevention and crime-reduction programs. Some have compared the philosophy establishing the LEAA to that which supported the American space program's goal of landing people on the moon: Put enough money into any problem, and it will be solved! Unfortunately, the crime problem was more difficult to address than the challenge of a moon landing; even after the expenditure of nearly \$8 billion,

■ **scientific police management** The application of social science techniques to the study of police administration for the purpose of increasing effectiveness, reducing the frequency of citizen complaints, and enhancing the efficient use of available resources.

the LEAA had not come close to its goal. In 1982, the LEAA expired when Congress refused it further funding.

The legacy of the LEAA is an important one for police managers, however. The research-rich years of 1969 to 1982, supported largely through LEAA funding, have left a plethora of scientific findings relevant to police administration and, more important, have established a tradition of program evaluation within police management circles. This tradition, which is known as **scientific police management**, is a natural outgrowth of LEAA's insistence that every funded program contain a plan for its evaluation. *Scientific police management* refers to the application of social science techniques to the study of police administration for the purpose of increasing effectiveness, reducing the frequency of citizen complaints, and enhancing the efficient use of available resources. The heyday of scientific police management occurred in the 1970s, when federal monies were far more readily available to support such studies than they are today.

The LEAA was not alone in funding police research during the 1970s. On July 1, 1970, the Ford Foundation announced the establishment of a Police Development Fund totaling \$30 million, to be spent during the following five years to support major crime-fighting strategies of police departments. This funding led to the establishment of the Police Foundation, which continues today with the mission of "fostering improvement and innovation in American policing."¹³ Police Foundation-sponsored studies during the past 30 years have added to the growing body of scientific knowledge about policing.

Today, federal support for criminal justice research and evaluation continues under the National Institute of Justice (NIJ) and the Bureau of Justice Statistics (BJS), both part of the Office of Justice Programs (OJP). The OJP, created by Congress in 1984, provides federal leadership in developing the nation's capacity to prevent and control crime. The National Criminal Justice Reference Service (NCJRS), a part of the NIJ, assists researchers nationwide in locating information applicable to their research projects. "Custom searches" of the NCJRS computer database can be done online and yield abundant information in most criminal justice subject areas. The NIJ also publishes a series of informative periodic reports, such as the *NIJ Journal* and *NIJ Research in Review*, which serve to keep criminal justice practitioners and researchers informed about recent findings. View the NIJ recent online publication list at http://nij.ncjrs.org/App/publications/pubs_db.aspx.

■ **Kansas City experiment** The first large-scale scientific study of law enforcement practices. Sponsored by the Police Foundation, it focused on the practice of preventive patrol.

The Kansas City Experiment

By far the most famous application of social research principles to police management was the Kansas City preventive patrol experiment.¹⁴ The results of the year-long **Kansas City experiment** were published in 1974. The study, sponsored by the Police Foundation, divided the southern part of Kansas City into 15 areas. Five of these “beats” were patrolled in the usual fashion. In another group of five beats, patrol activities were doubled. The final third of the beats received a novel treatment indeed: No patrols were assigned to them, and no uniformed officers entered that part of the city unless they were called. The program was kept secret, and citizens were unaware of the difference between the patrolled and unpatrolled parts of the city.

The results of the Kansas City experiment were surprising. Records of “preventable crimes,” those toward which the activities of patrol were oriented—such as burglary, robbery, auto theft, larceny, and vandalism—showed no significant differences in rate of occurrence among the three experimental beats. Similarly, citizens didn’t seem to notice the change in patrol patterns in the two areas where patrol frequency was changed. Surveys conducted at

the conclusion of the experiment showed no difference in citizens’ fear of crime before and after the study. The 1974 study can be summed up in the words of the author of the final report: “The whole idea of riding around in cars to create a feeling of omnipresence just hasn’t worked. ... Good people with good intentions tried something that logically should have worked, but didn’t.”¹⁵ This study has been credited with beginning the now-established tradition of scientific studies of policing.

A second Kansas City study focused on “response time.”¹⁶ It found that even consistently fast police response to citizen reports of crime had little effect on citizen satisfaction with the police or on the arrest of suspects. The study uncovered the fact that most reports made to the police came only after a considerable amount of time had passed. Hence, the police were initially handicapped by the timing of the report, and even the fastest police response was not especially effective.

Effects The Kansas City studies greatly affected managerial assumptions about the role of preventive patrol and traditional strategies for responding to citizen calls for assistance. As Joseph



Shane Keyser/The Kansas City Star/Newscom

Kansas City, Missouri, police crime scene technicians unload equipment as officers and agents prepare to search the woods in an effort to find 11-month-old Lisa Irwin in 2011. The girl was not found. Scientific police management was first supported by studies of preventive patrol undertaken in Kansas City in 1974. How does today’s evidence-based policing build on that tradition?

■ **directed patrol** A police-management strategy designed to increase the productivity of patrol officers through the scientific analysis and evaluation of patrol techniques.

■ **evidence-based policing (EBP)** The use of the best available research on the outcomes of police work to implement guidelines and evaluate agencies, units, and officers.ⁱ

Lewis, then director of evaluation at the Police Foundation, said, “I think that now almost everyone would agree that almost anything you do is better than random patrol.”¹⁷

Although the Kansas City studies called into question some basic assumptions about patrol, patrol remains the backbone of police work. New patrol strategies for the effective utilization of human resources have led to various kinds of **directed patrol** activities. One form of directed patrol varies the number of officers involved in patrolling according to the time of day or the frequency of reported crimes within an area, so as to put the most officers on the street where and when crime is most prevalent. Wilmington, Delaware, was one of the first cities to make use of split-force patrol, in which only a part of the patrol force performs routine patrol.¹⁸ The remaining officers respond to calls for service, take reports, and conduct investigations.

As a result of the Kansas City study on response time, some cities have prioritized calls for service,¹⁹ ordering a quick police response only when crimes are in progress or when serious crimes have occurred. Less significant offenses, such as minor larcenies and certain citizen complaints, are handled using the mail or by having citizens come to the police station to make a report.

Early policing studies, such as the Kansas City patrol experiment, were designed to identify and probe some of the basic assumptions that guided police work. The initial response to many such studies was “Why should we study that? Everybody knows the answer already!” As in the case of the Kansas City experiment, however, it soon became obvious that conventional wisdom was not always correct.

Evidence-Based Policing Today

At the close of the twentieth century, noted police researcher Lawrence W. Sherman addressed an audience of criminal justice policymakers, scholars, and practitioners at the Police Foundation in Washington, D.C., and called for a new approach to American policing that would use research to guide and evaluate practice. “Police practices should be based on scientific evidence about what works best,” Sherman told his audience. Sherman’s lecture, titled “Evidence-Based Policing: Policing Based on Science, Not Anecdote,”²⁰ popularized the term **evidence-based policing (EBP)**. EBP, says Sherman, “is the use of best available research on the outcomes of police work to implement guidelines and evaluate agencies, units, and officers.”²¹ In other words, evidence-based policing uses research into everyday police procedures to evaluate

policing, it is important to remember that the word *evidence* refers to scientific evidence, not criminal evidence.

“The basic premise of evidence-based practice,” says Sherman, “is that we are all entitled to our own opinions, but not to our own facts.”²² Our own facts, or our beliefs about the way things should be done, says Sherman, often turn out to be wrong. During the civil rights movement of the 1960s and 1970s, for example, police executives in many areas took a heavy-handed approach in their attempts to control demonstrators. Images of tear-gas-filled streets, high-pressure fire hoses aimed at marchers, and police dogs biting fleeing demonstrators symbolize that era for many people. This heavy-handed approach had unintended consequences and served to inflame protesters. Situations that might have otherwise been contained with simple crowd-control tactics and the use of physical barriers became largely uncontrollable. Sherman reminds us that “the mythic power of subjective and unstructured wisdom holds back every field and keeps it from systematically discovering and implementing what works best in repeated tasks.”

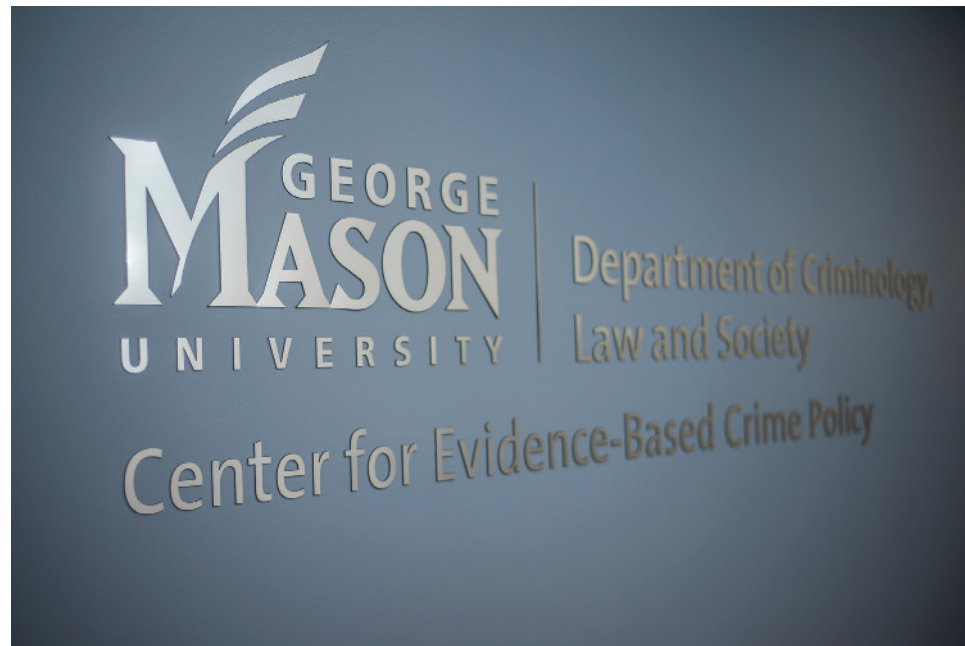
Some suggest that EBP offers a long-term approach for creating cost-effectiveness in policing that, in the current economic environment, “is the only alternative to current ways of operating.”²³ “In an age of austerity and budget cuts,” argue British writers Neil Wain and Alex Murray, it is necessary for police departments to invest wisely in programs and initiatives that have a proven track record at reducing or preventing crime.

Today’s EBP model has been called the single “most powerful force for change” in policing today.²⁴ Leading the movement toward EBP are organizations like the FBI’s Futures Working Group, the Campbell Crime and Justice Group, and the Center for Evidence-Based Crime Policy at George Mason University. FBI Supervisory Special Agent Carl J. Jensen III, a member of the Futures Working Group, notes that in the future “successful law enforcement executives will have to be consumers and appliers of research.” They won’t need to be researchers themselves, Jensen notes, “but they must use research in their everyday work.”²⁵ The Campbell Crime and Justice Group, which emphasizes the use of experimental studies in crime and justice policymaking, can be accessed via the Campbell Collaboration web site.

A program of the Center for Evidence-Based Crime Policy (CEBCP) at George Mason University, the Evidence-Based Policing Hall of Fame, recognizes innovative law enforcement practitioners who have been central to the implementation of a high-quality research program in their respective agencies. Membership in the Hall of Fame highlights excellence in using and conducting policing research. An informative CEBCP YouTube channel is available at <https://www.youtube.com/user/clsMason>.

Today’s EBP model has been called the single “most powerful force for change” in policing today.

current practices and to guide officers and police executives in future decision making. In any discussion of evidence-based



Alexis Glenn, George Mason University Creative Service.

The entrance to the Center for Evidence-Based Crime Policy (CEBCP) at Virginia's George Mason University. CEBCP seeks to make scientific research a key component in decisions about crime and justice policies. What is evidence-based policing?

The Institute of Criminology at Cambridge University has identified the following questions in the area of policing as goals to be answered by evidence-based studies:²⁶

- How can policing produce greater public safety without eroding civil liberties?
- How can more value for the money be returned from investments in policing to cut the costs of crime?
- Can crime be better forecast for preventive policing by time and place?
- Can unsuccessful police methods be distinguished from cost-effective ones?
- Can better policing reduce the high costs of a growing prison population?
- Can evaluation tools used in evidence-based medicine be adopted by police?
- What are the possibilities for a police service based on cost-effectiveness?
- What are the prospects for developing the knowledge base for such evidence?

Finally, in 2010, innovative British police professionals and academics founded the British Society of Policing (BSEBP) to promote and facilitate the increased use of the best available research evidence to solve policing problems and the production of new research by police practitioners and researchers, and to

communicate research evidence to police practitioners and the public.

Visit the Center for Evidence-Based Crime Policy at <http://cebcp.org>, and explore the Evidence-Based Policing Hall of Fame at <http://cebcp.org/hall-of-fame>. Read about the new paradigm in police science at Harvard's Kennedy School of Government at <http://tinyurl.com/5rs26l5>. Also, an evidence-based policing matrix is available at <http://gemini.gmu.edu/cebcp/Matrix.html>. The matrix, provided by the Center for Evidence-Based Crime Policy, is a research-to-practice translation tool that visually organizes strong EBP studies.

American Policing Today: From the Federal to the Local Level

The organization of American law enforcement has been called the most complex in the world. Three major legislative and judicial jurisdictions exist in the United States—federal, state, and local—and each has created a variety of police agencies to enforce its laws. Unfortunately, there has been little uniformity

■ **federal law enforcement agency** A U.S. government agency or office whose primary functional responsibility is to enforce federal criminal laws.

among jurisdictions as to the naming, function, or authority of enforcement agencies. The matter is complicated still more by the rapid growth of private security firms, which operate on a for-profit basis and provide services that have traditionally been regarded as law enforcement activities.

Federal Agencies

Dozens of **federal law enforcement agencies** are distributed among 14 U.S. government departments and 28 nondepartmental entities (Table 5-1). In addition to the enforcement agencies listed in the table, many other federal government offices are involved in enforcement through inspection, regulation, and control activities. The Government Accounting Office (GAO) reports that nonmilitary federal agencies employ a total of 137,929 law enforcement officers, which it defines as individuals authorized to perform any of four specific functions: (1)

conduct criminal investigations, (2) execute search warrants, (3) make arrests, or (4) carry firearms.²⁷

Visit the home pages of many federal law enforcement agencies via <http://www.justicestudies.com/federal.html>.

The Federal Bureau of Investigation

The Federal Bureau of Investigation may be the most famous law enforcement agency in the country and in the world. The FBI has traditionally been held in high regard by many Americans,

The Federal Bureau of Investigation may be the most famous law enforcement agency in the country and in the world.

who think of it as an example of what a law enforcement organization should be and who believe that FBI agents are exemplary police officers.

TABLE 5-1 | American Policing: Federal Law Enforcement Agencies

<p>Department of Agriculture U.S. Forest Service</p> <p>Department of Commerce Bureau of Export Enforcement National Marine Fisheries Administration</p> <p>Department of Defense Air Force Office of Special Investigations Army Criminal Investigation Division Defense Criminal Investigative Service Naval Investigative Service</p> <p>Department of Energy National Nuclear Safety Administration Office of Mission Operations Office of Secure Transportation</p> <p>Department of Health and Human Services Food and Drug Administration, Office of Criminal Investigations</p> <p>Department of Homeland Security Federal Law Enforcement Training Center Federal Protective Service Transportation Security Administration U.S. Coast Guard U.S. Customs and Border Protection—includes U.S. Border Patrol U.S. Immigration and Customs Enforcement U.S. Secret Service</p> <p>Department of the Interior Bureau of Indian Affairs Bureau of Land Management Fish and Wildlife Service National Park Service U.S. Park Police</p>	<p>Department of Justice Bureau of Alcohol, Tobacco, Firearms and Explosives Bureau of Prisons Drug Enforcement Administration Federal Bureau of Investigation U.S. Marshals Service</p> <p>Department of Labor Office of Labor Racketeering</p> <p>Department of State Diplomatic Security Service Department of Transportation Federal Air Marshals Program</p> <p>Department of the Treasury Internal Revenue Service, Criminal Investigation Division Treasury Inspector General for Tax Enforcement</p> <p>Department of Veterans Affairs Office of Security and Law Enforcement</p> <p>U.S. Postal Service Postal Inspection Service</p> <p>Other Offices with Enforcement Personnel AMTRAK Police Bureau of Engraving and Printing Police Environmental Protection Agency, Criminal Investigations Division Federal Reserve Board Tennessee Valley Authority U.S. Capitol Police U.S. Mint U.S. Supreme Court Police Washington, DC, Metropolitan Police Department</p>
<p><i>Note:</i> Cunningham et al, The Hallcrest Report II: Private Security Trends, 1970-2000.</p> <p><i>Source:</i> Cunningham et al, The Hallcrest Report II: Private Security Trends, 1970-2000.</p>	

William Webster, former director of the FBI, reflected this sentiment when he said, “Over the years the American people have come to expect the most professional law enforcement from the FBI. Although we use the most modern forms of management and technology in the fight against crime, our strength is in our people—in the character of the men and women of the FBI. For that reason we seek only those who have demonstrated that they can perform as professional people who can, and will, carry on our tradition of fidelity, bravery, and integrity.”²⁸

The history of the FBI spans about 100 years. It began as the Bureau of Investigation in 1908, when it was designed to serve as the investigative arm of the U.S. Department of Justice. The creation of the bureau was motivated, at least in part, by the inability of other agencies to stem the rising tide of American political and business corruption.²⁹ Learn about the history of the FBI at <http://www.fbi.gov/about-us/history/brief-history>.

The official purpose of today’s FBI is succinctly stated in the agency’s mission statement: “The Mission of the FBI is to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and enforce the criminal laws of

Women account for more than 2,600 of the FBI’s agents (nearly 20%), and 11 of the FBI’s field offices have female special agents in charge.

the United States, and to provide leadership and criminal justice services to federal, state, municipal, and international agencies and partners.”³⁰

FBI headquarters are located in the J. Edgar Hoover Building on Pennsylvania Avenue in Washington, D.C. Special agents and support personnel who work at the agency’s headquarters organize and coordinate FBI activities throughout the country and around the world. Headquarters staffers determine investigative priorities, oversee major cases, and manage the organization’s resources, technology, and personnel.

The daily work of the FBI is done by approximately 13,500 special agents and 20,100 civilian employees assigned to 56 field offices and 400 satellite offices (known as *resident agencies*). A special agent in charge oversees each field office, except for the three largest field offices in Washington, D.C., Los Angeles, and New York City, each of which is headed by an assistant director. Women account for more than 2,600 of the FBI’s agents (nearly 20%), and 11 of the FBI’s field offices have female special agents in charge.³¹

The FBI also operates “legal attaché offices” (called *Legats*) in a number of major cities around the world, including London and Paris. Such offices permit the international coordination of enforcement activities and facilitate the flow of law enforcement–related information between the FBI and police agencies in host countries. In 1995, a few years after the end of the cold war, the FBI opened a legal attaché office in Moscow. The Moscow office assists Russian police agencies in the growing battle against organized crime in that country and helps American officials track suspected Russian criminals operating in



Courtesy of the Justice Research Association

The author visiting the International Law Enforcement Academy in Budapest, Hungary. The ILEA is run by the FBI and the Hungarian government and serves as a global training ground for police executives and criminal justice leaders from across Eastern Europe and much of Asia. Why is it important to build bridges in international policing?

the United States. Also in 1995, an Eastern European version of the FBI Academy, known as the International Law Enforcement Academy (ILEA), opened in Budapest, Hungary. Its purpose is to train police administrators from all of Eastern Europe in the latest crime-fighting techniques.³² Ten years later, in 2005, the FBI's then-director Robert S. Mueller III, spoke at the Budapest ILEA, telling gathered government ministers and diplomats that in times past, "Good fences make good neighbors." But today, he said, "seen from the perspective of the 21st-century global law enforcement community, dividing walls mean less security, not more. ... Today, good bridges make good neighbors."³³

The FBI also operates the Combined DNA Index System (CODIS), a computerized forensic database of DNA "profiles" of offenders convicted of serious crimes (such as rape, other sexual assaults, murder, and certain crimes against children), as well as DNA profiles from unknown offenders.³⁴ CODIS, now a part of the National DNA Index System (NDIS), was formally authorized by the federal DNA Identification Act of 1994.³⁵ It is being enhanced daily through the work of federal, state, and local law enforcement agencies that take DNA samples from biological evidence gathered at crime scenes and from offenders themselves. The computerized CODIS system can rapidly identify a perpetrator when it finds a match between an evidence sample and a stored profile. By 1998, every state had enacted legislation establishing a CODIS database and requiring that DNA from offenders convicted of certain serious crimes be entered into the system. By mid-2014, the CODIS database contained more than 11 million DNA profiles.³⁶ Learn more about CODIS at <http://www.dna.gov/dna-databases/codis>.

The FBI Laboratory Division, located in Quantico, Virginia, operates one of the largest and most comprehensive crime laboratories in the world. It provides services related to

the scientific solution and prosecution of crimes throughout the country. It is also the only full-service federal forensic laboratory in the United States. Laboratory activities include crime scene searches, special surveillance photography, latent-fingerprint examination, forensic examination of evidence (including DNA testing), court testimony by laboratory personnel, and other scientific and technical services. The FBI offers laboratory services, free of charge, to all law enforcement agencies in the United States. Visit the FBI on the Web at <http://www.fbi.gov>.

The FBI also runs a National Academy Program, which is part of its Training Division. The program offered its first class in 1935 and had 23 students. It was then known as the FBI National Police Training School. In 1940, the school moved from Washington, D.C., to the U.S. Marine Amphibious Base at Quantico, Virginia. In 1972, the facility expanded to 334 acres, and the FBI Academy, as we know it today, officially opened.³⁷ According to the most recent statistics available, the academy program has produced 43,229 graduates since it began operations. This includes international graduates from 176 foreign countries as well as graduates from U.S. territories and possessions. More than 200 sessions have been offered since inception of the training program. The FBI offers support personnel a variety of training opportunities throughout their careers, including classroom training, distance learning via satellite, and courses offered through the "Virtual Academy" on the FBI's intranet.

The FBI and Counterterrorism

Soon after the attacks of September 11, 2001, the FBI reshaped its priorities to focus on preventing future terrorist attacks. This effort is managed by the Counterterrorism Division at FBI headquarters and is emphasized at every field office, resident agency, and Legat. Headquarters administers a national threat

CJ | NEWS

The FBI's Next Generation Identification System

In late-2014, the Criminal Justice Information Services (CJIS) division of the Federal Bureau of Investigation (FBI) announced the achievement of full operational capability of the Bureau's Next Generation Identification (NGI) System. The NGI System was developed to expand the Bureau's biometric identification capabilities, ultimately replacing the FBI's Integrated Automated Fingerprint Identification System (IAFIS) in addition to adding new services and capabilities.

As part of NGI's full operational capability, the NGI team introduced two new services: Rap Back and the Interstate Photo System (IPS). Rap Back is a functionality that gives authorized entities the ability to receive ongoing status notifications of any criminal history reported on individuals holding positions of trust, such as school teachers. Rap Back should allow law enforcement agencies, probation and parole offices, and other criminal justice entities to improve their

effectiveness by being automatically advised of subsequent or ongoing criminal activity of persons under investigation or supervision. The IPS facial recognition service provides the nation's law enforcement community with an investigative tool that provides an image-searching capability using photographs associated with criminal identities. IPS is a significant step forward for the criminal justice community in utilizing biometrics as an investigative tool.

The latest phase of NGI is only one portion of the FBI's NGI System. Since phase one was deployed in February 2011, the NGI system has introduced enhanced automated fingerprint and latent search capabilities, mobile fingerprint identification, and electronic image storage, all while adding enhanced processing speed and automation for electronic exchange of fingerprints to more than 18,000 law enforcement agencies and other authorized criminal justice partners.

warning system that allows the FBI to instantly distribute important terrorism-related bulletins to law enforcement agencies and public-safety departments throughout the country. “Flying Squads” provide specialized counterterrorism knowledge and experience, language capabilities, and analytic support as needed to FBI field offices and Legats.

An essential weapon in the FBI’s battle against terrorism is the Joint Terrorism Task Force (JTTF).

To combat terrorism, the FBI’s Counterterrorism Division collects, analyzes, and shares information and critical intelligence with various federal agencies and departments—including the Central Intelligence Agency (CIA), the National Security Agency (NSA), and the Department of Homeland Security (DHS)—and with law enforcement agencies throughout the country. An essential weapon in the FBI’s battle against terrorism is the Joint Terrorism Task Force (JTTF). A National JTTF, located at the FBI’s Washington headquarters, includes representatives from the Department of Defense, the Department of Energy, the Federal Emergency Management Agency, the Central Intelligence Agency, the Customs Service, the Secret Service, and U.S. Immigration and Customs Enforcement. In addition, through 66 local JTTFs, representatives from federal agencies, state and local law enforcement personnel, and first responders coordinate efforts to track down terrorists and to prevent acts of terrorism in the United States.

State-Level Agencies

Most state police agencies were created in the late nineteenth or early twentieth century to meet specific needs. The Texas Rangers, created in 1835 before Texas attained statehood, functioned as a military organization responsible for patrolling the republic’s borders.

Most state police agencies were created in the late nineteenth or early twentieth century to meet specific needs.

The apprehension of Mexican cattle rustlers was one of its main concerns.³⁸ Massachusetts, targeting vice control, was the second state to create a law enforcement agency. Today, a wide diversity of state policing agencies exists. Table 5-2 lists typical state-sponsored law enforcement agencies.

TABLE 5-2 | American Policing: State Law Enforcement Agencies

Alcohol law enforcement agencies	Port authorities	State police
Fish and wildlife agencies	State bureaus of investigation	State university police
Highway patrols	State park services	Weigh station operations

Source: Pearson Education, Inc.



The Los Angeles Police Department’s new \$437 million headquarters building that opened in 2009. The 500,000-square-foot building is home to 2,300 LAPD officers and civilian employees. How do the roles of federal, state, and municipal law enforcement agencies differ?

State law enforcement agencies are usually organized after one of two models. In the first, a centralized model, the tasks of major criminal investigations are combined with the patrol of state highways. Centralized state police agencies generally do the following:

- Assist local law enforcement departments in criminal investigations when asked to do so.
- Operate centralized identification bureaus.
- Maintain a centralized criminal records repository.
- Patrol the state’s highways.
- Provide select training for municipal and county officers.

The Pennsylvania Constabulary, known today as the Pennsylvania State Police, was the first modern force to combine these duties and has been called the “first modern state police agency.”³⁹ Michigan, New Jersey, New York, Vermont, and Delaware are a few of the states that patterned their state-level enforcement activities after the Pennsylvania model.

The second state model, the decentralized model of police organization, characterizes operations in the southern United States but is found as well in the Midwest and in some western states. The model draws a clear distinction between traffic enforcement on state highways and other state-level law enforcement functions by creating at least two separate agencies. North Carolina, South Carolina, and Georgia are a few of the many states that employ both a highway patrol and a state bureau of investigation. The names of the respective agencies may vary, however, even though their functions are largely the same. In North Carolina, for example, the two major state-level law enforcement agencies are the North Carolina Highway Patrol and the State Bureau of Investigation. Georgia fields a highway patrol and the Georgia Bureau of Investigation, and South

Carolina operates a highway patrol and the South Carolina Law Enforcement Division.

States that use the decentralized model usually have a number of other adjunct state-level law enforcement agencies. North Carolina, for example, has created a State Wildlife Commission with enforcement powers, a Board of Alcohol Beverage Control with additional agents, and a separate Enforcement and Theft Bureau for enforcing certain motor vehicle and theft laws. Like

government agencies everywhere, state police agencies have seen their budgets impacted by the recent recession.

Local Agencies

Local law enforcement agencies, including city and county agencies, represent a third level of police activity in the United States. The term *local police* encompasses a wide variety of

CJ | NEWS

LAPD Adds Officers and Crime Falls—But Is There a Connection?



AURELIA VENTURA/LA OPINION/NEWS.COM

New officers graduate from the LAPD academy. Why does the IACP say that the optimum ratio of police officers to citizens in a city depends on local conditions? What conditions would those be?

Ever since he successfully ran for office in 2005, Los Angeles mayor Antonio Villaraigosa has been intent on adding more sworn officers to the Los Angeles Police Department (LAPD) and reaching a record level of 10,000.

Battling huge budget shortfalls, he succeeded in adding a few hundred new officers through 2012, putting the LAPD just shy of the 10,000 mark. Facing the end of his tenure due to term limits, the mayor finally reached his goal on January 1, 2013, through a maneuver that didn't put any new officers on the streets. The LAPD simply annexed the city's General Services Department, which oversees parks, libraries, and other municipal buildings, and its 60 officers were sworn into the LAPD.

"I know some people think that 10,000 cops is a magical illusion, a meaningless number, that more officers don't necessarily lead to a reduction in crime," the mayor said. "Those critics talk a lot, but they're just plain wrong."

City officials noted that from 2011–2012, gang crime, one of the city's greatest scourges, fell by 10.5%. By 2012, Los Angeles had the

lowest overall crime rate of any major city. Using extra officers early in Villaraigosa's tenure, the LAPD could put more of them on the streets and open new stations, and response times fell from eight to nine minutes to six to seven minutes for calls for assistance.

But were extra officers the key factor in reducing crime? Skeptics point to other factors, such as a nationwide decline in crime rates and reshuffling existing officers into a new LAPD office targeting gang violence. Also, the city's budget shortages led to cutbacks in overtime, reducing the possible positive impact of having more officers on the payroll.

And if more officers reduce crime, then why do Chicago and New York, which have much higher ratios of officers to residents, have higher crime rates than LA? In 2005, the LAPD's ratio of officers to residents was about half the rate of the NYPD, even though Los Angeles has a much larger geographic area that should make it harder to patrol. Chicago, with markedly fewer people and a smaller area to patrol, actually has more officers than LA.

The varying circumstances among big-city police departments show there is no single ratio of officers to population that can be applied to all cities. The optimum ratio depends on local conditions, according to the International Association of Chiefs of Police (IACP). "Defining patrol staffing allocation and deployment requirements is a complex endeavor which requires consideration of an extensive series of factors and a sizable body of reliable, current data," the group says.

Therefore, a low crime rate might allow a city to have fewer officers. But without a universal standard for officer-to-population ratios, there will always be debate on what the right level for a city should be. For example, Charlie Beck, the current LAPD chief, insisted in a 2010 interview that LA should have 12,000 officers. With a lower number, "You're not able to spend any time working on solutions," he said. "You're just constantly chasing the symptoms."

But by January 2013, Beck was concerned about just maintaining the 10,000-officer level. If voters do not approve a sales tax increase in an upcoming ballot initiative, Beck warned that the number of officers might have to be cut.

■ **sworn officer** A law enforcement officer who is trained and empowered to perform full police duties, such as making arrests, conducting investigations, and carrying firearms.ⁱⁱ

■ **municipal police department** A city- or town-based law enforcement agency.

■ **sheriff** The elected chief officer of a county law enforcement agency. The sheriff is usually responsible for law enforcement in unincorporated areas and for the operation of the county jail.



Harry Cabluck/AP Wide World Photos

Texas governor Rick Perry speaking to a group of Texas Rangers in Austin, Texas, in 2009. The Texas Rangers have long been held in high regard among state police agencies. How many levels of policing are there in the United States?

agencies. Municipal departments, rural sheriff's departments, and specialized groups like campus police and transit police can all be grouped under the "local" rubric. Large municipal departments are highly visible because of their vast size, huge budgets, and innovative programs. The nation's largest law enforcement agency, the New York City Police Department (NYPD), for example, has about 45,000 full-time employees, including about 34,500 full-time **sworn officers**.⁴⁰ Learn more about the NYPD via "Inside the Department" podcasts available at <http://www.nyc.gov/html/nypd/html/pr/podcasts.shtml>.

Far greater in number, however, are small-town and county sheriff's departments. There are approximately 12,000 **municipal police departments** and 3,012 sheriff's departments in the United States.⁴¹ Local police and sheriff's offices employ more than 1 million people, of which approximately 636,000 are sworn law enforcement officers.⁴² Racial or ethnic minorities accounted for 27% of local police officers in 2013—up from about 15% in 1987.

Every incorporated municipality in the country has the authority to create its own police force. Some very small communities hire only one officer, who fills the roles of chief, investigator, and night watch—as well as everything in between.

About half of all local agencies employ fewer than ten full-time officers, and about 3,220 employ fewer than five full-time officers. These smaller agencies include 2,125 (or 12%) with just one full-time officer and 1,100 (or 6%) with only part-time officers.⁴³ A few communities contract with private security firms for police services, and still others have no active police force at all, depending instead on local sheriff's departments to deal with law violators.

City police chiefs are typically appointed by the mayor or selected by the city council. Their departments' jurisdictions are limited by convention to the geographic boundaries of their communities. **Sheriffs**, on the other hand, are elected public officials whose agencies are responsible for law enforcement throughout the counties in which they function. Sheriff's deputies mostly patrol the "unincorporated" areas of the county, or those that lie between municipalities. They do, however, have jurisdiction throughout the county, and in some areas they routinely work alongside municipal police to enforce laws within towns and cities.

Sheriff's departments are generally responsible for serving court papers, including civil summonses, and for maintaining security within state courtrooms. Sheriffs also run county jails and are responsible for more detainees awaiting trial than any other type of law enforcement department in the country.

■ **private protective service** An independent or proprietary commercial organization that provides protective services to employers on a contractual basis.

For example, the Los Angeles County Jail System, operated by the Custody Operations Division of the LA County Sheriff's Department (LASD), is the largest in the world.⁴⁴ With eight separate facilities, the custody division of the LASD has an average daily population of 18,423 inmates—considerably more than the number of inmates held in many state prison systems. More than 2,200 uniformed officers and 1,265 civilian employees work in the custody division of the LASD, and that division alone operates with a yearly budget in excess of \$200 million.⁴⁵ Overall, the LASD has more than 10,000 sworn and 8,000 civilian personnel, plus more than 830 reserve deputies and over 4,000 civilian volunteers.⁴⁶

Sheriff's departments remain strong across most of the country, although in parts of New England, deputies mostly function as court agents with limited law enforcement duties. One report found that most sheriff's departments are small, with more than half of them employing fewer than 25 sworn officers.⁴⁷ Only 18 departments employ more than 1,000 officers. Even so, southern and western sheriffs are still considered the “chief law enforcement officers” in their counties. A list of conventional police agencies found at the local level is shown in Table 5-3.

Private Protective Services

Private protective services constitute a fourth level of enforcement activity in the United States today. Whereas public police are employed by the government and enforce public laws, private security personnel work for corporate employers and secure private interests.

Private security has been defined as “those self-employed individuals and privately funded business entities and organizations

providing security-related services to specific clientele for a fee, for the individual or entity that retains or employs them, or for themselves, in order to protect their persons, private property, or interests from various hazards.”⁴⁸ The growth in the size of private security in recent years has been phenomenal. In 2004, for example, official estimates put the total amount spent to secure the Olympic Games in Athens at \$1.5 billion—or \$283 per paid ticket.⁴⁹ Given Greece's geopolitical situation and its proximity to the Balkans and the Middle East, officials in Athens wanted to be sure they could prevent terrorist attacks. Eight years later, in 2012, England spent around \$13.8 billion to host the Thirtieth Olympiad, of which \$870 million was spent on security (more than twice what had been originally budgeted).⁵⁰ The London games involved 23,700 security personnel securing more than 100 venues—supplemented by British troops and police, adding another \$65 million in expenses.⁵¹

ASIS International, with more than 33,000 members, is the preeminent international organization for private security professionals.⁵² ASIS International members include corporate security managers and directors, as well as architects, attorneys, and federal, state, and local law enforcement personnel. Founded in 1955, ASIS International, formerly known as the American Society for Industrial Security, is dedicated to increasing the effectiveness and productivity of security professionals by developing educational and certification programs and training materials that address the needs of the security profession. ASIS also actively promotes the value of security management to business, the media, governmental entities, and the public. The organization publishes the industry magazine *Security Management*.

With 204 chapters worldwide, ASIS administers three certification programs: (1) the Certified Protection Professional (CPP) program, which provides for board certification in security management; (2) the Physical Security Professional (PSP) program, which provides a technical certification opportunity for specialists in physical plant security; and (3) the Professional Certified Investigator (PCI) program. Holders of PCI certification have satisfactorily demonstrated significant education and/or experience in the fields of case management, evidence collection, and case presentation. The ASIS also promotes the importance of ethical standards in the private security sector. The ASIS International Code of Ethics can be found in the “Ethics and Professionalism” box in this chapter. Visit ASIS online via <http://www.asisonline.org>.

A report released by the National Institute of Justice in 2001, titled *The New Structure of Policing*, found that “policing

TABLE 5-3 | American Policing: Local Law Enforcement Agencies

Campus police	Housing authority agencies	Sheriff's departments
City/county agencies	Marine patrol agencies	Transit police
Constables	Municipal police departments	Tribal police
Coroners or medical examiners		
Source: Pearson Education, Inc.		

■ **smart policing** A law enforcement initiative that makes use of techniques shown to work at both reducing and solving crimes.

■ **hot-spot policing** A contemporary policing strategy in which law enforcement agencies focus their resources on known areas of criminal activity.

■ **predictive policing** A contemporary policing strategy that uses statistical techniques to analyze data in order to anticipate or predict the likelihood of crime occurrence in locations of interest.

paying for it

Cost-Efficient Policing

In January 2011, Newark, New Jersey, ranked 23rd on the list of the most dangerous cities in America, laid off almost half of its police force as budget constraints forced the city to reduce the services it offered to its citizens. The layoffs came after city revenues dipped by one-third amid declining income from taxes on hotel stays and local payrolls, and parking fees collected by the city fell sharply. Adding to the city's woes was an additional decline of 40% in aid from the state of New Jersey.

In the four-month period immediately following the layoffs, crime in Newark surged. The murder rate climbed 73% above what it was in the same period for the previous year; auto thefts were up 40%; and carjackings increased fourfold. The number of shooting victims taken to area hospitals doubled. Although some claim that not all of those crime increases can be directly attributed to declines in police staffing, others are not so sure. As police personnel were cut, so were crime-prevention programs that had served the city well. One of them was Operation Impact, which targeted high-crime areas and resulted in a 35% decrease in crime in those neighborhoods. The program was eliminated as uniformed personnel were moved to street patrol.

The city of Newark, which has since rehired some of its officers, is not alone in facing financial pressures. A year after the layoffs were announced in Newark, Camden city officials, also in New Jersey, announced that they were considering eliminating the entire Camden Police Department, and were working to create a countywide police force to be named the Camden County Police Department. Theoretically, the department, which would include other cities and towns in the area, would bring about cost savings from a combination of resources and personnel that were previously performing redundant tasks. Current plans, however, which are still developing as this book goes to press, do not ask for the department to combine operations with the Camden County Sheriff's Office, which serves unincorporated areas of the county.

Although today's combined departments represent one approach to cost savings, others include the following: prioritizing

activities, reducing services, and modifying service delivery; reorganizing and rightsizing agencies; partnering with other agencies and organizations; using proactive policing methods instead of reactive ones; adopting preventative and problem-solving service models; increasing efficiency; outsourcing services; recycling confiscated criminal resources; and implementing force multipliers.

Force multipliers, the last of the options listed here, refers to using technologies that permit a few personnel to do the work of many. Cameras placed in crime-prone areas, for example, and monitored by police employees can sometimes reduce the need for active police patrols, thereby saving huge expenditures on personnel, vehicles, communications, and administrative expenses. Cross-training, in which personnel are trained to perform a number of roles—such as police officer, EMT, and firefighter—can also save money by eliminating duplicate positions.

Finally, another initiative, **smart policing**, makes use of techniques shown to work at both reducing and solving crimes. **Hot-spot policing**, in which agencies focus their resources on known areas of criminal activity, is one such technique; whereas **predictive policing**, which provides the ability to anticipate or predict crime through the use of statistical techniques, helps guide enforcement operations, and is an increasingly important concept in policing today (see the "CJ News box" in Chapter 6 for more information on hot-spot policing).

Two programs that support effective policing are the Smart Policing Initiative (SPI), and the National Law Enforcement and Corrections Technology Center (NLECTC). The NLECTC works to identify emerging technologies, as well as to assess their efficiency; the SPI, a collaborative consortium composed of the Bureau of Justice Assistance, the nonprofit CNA Corporation, and over 30 local law enforcement agencies, works to build evidence-based law enforcement strategies that are effective, efficient, and economical. The SPI is also discussed in a "Paying for It" box in Chapter 6. Visit SPI on the Web at <http://www.smartpolicinginitiative.com>. The NLECTC can be accessed at <http://www.justnet.org>.

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Source: Pearson Education, Inc.

is being transformed and restructured in the modern world” in ways that were unanticipated only a few decades ago.⁵³ Much of the change is due to the development of private protective services as an important adjunct to public law enforcement activities in the United States and throughout much of the rest of the world. The NIJ report says that “the key to understanding the transformation is that policing, meaning the activity of making societies safe, is no longer carried out exclusively by governments” and that the distinction between private and public police has begun to blur. According to the NIJ, “gradually, almost imperceptibly, policing has been ‘multilateralized,’” meaning that “a host of nongovernmental agencies have undertaken to provide security services.” As a result, the NIJ report says, “policing has entered a new era, an era characterized by a transformation in the governance of security.” The report concludes the following:

- In most countries, certainly in the democratic world, private police outnumber public police.
- In these same countries, people spend more time in their daily lives in places where visible crime prevention and control are provided by nongovernmental groups rather than by governmental police agencies.
- The reconstruction of policing is occurring worldwide despite differences in wealth and economic systems.

According to the National Center for Policy Analysis, private security personnel outnumber public law enforcement officers in the United States by nearly three to one.⁵⁴ The widely cited *Hallcrest Report II*,⁵⁵ another important document describing the private security industry, says that employment in the field of private security is anticipated to continue to expand by around 4% per year, whereas public police agencies are expected to grow by only 2.8% per year for the foreseeable future. Still faster growth is predicted in private security industry revenues, which are expected to increase about 7% per year, a growth rate almost three times greater than that projected for the gross national product. Table 5-4 lists the ten largest private security agencies in business today and some of the services they offer.

Major reasons for the quick growth of the American proprietary security sector include “(1) an increase in crimes in the workplace, (2) an increase in fear (real or perceived) of crime and terrorism, (3) the fiscal crises of the states, which have limited public protection, and (4) an increased public and business awareness and use of ... more cost-effective private security products and services.”⁵⁶

Private agencies provide tailored policing funded by the guarded organization rather than through the expenditure of public monies. Experts estimate that the money spent on private security in this country exceeds the combined budgets of all law enforcement agencies—local, state, and federal.⁵⁷ Contributing to this vast expenditure is the federal government, which is itself a major employer of private security personnel, contracting for services that range from guards to highly specialized electronic snooping and computerized countermeasures at military installations and embassies throughout the world.

There are indications that private security activities are rapidly growing beyond traditional guard services to encompass dedicated efforts at security-related intelligence gathering.

There are indications that private security activities are rapidly growing beyond traditional guard services to encompass dedicated efforts at security-related intelligence gathering.

In August 2004, for example, the Department of Homeland Security warned that terrorists might be actively targeting Citigroup, Prudential, the New York Stock Exchange, and other large financial institutions on the East Coast of the United States. At the same time, however, Austin-based Stratfor, Inc., a low-profile private intelligence agency run by former CIA officers, was quietly assuring its clients that such an attack was very unlikely, saying that “Al Qaeda has never attacked into an alert.”⁵⁸

According to The Freedonia Group, a Cleveland-based industry research firm, U.S. demand for private contracted security services was around \$66 billion in 2012.⁵⁹ The total includes spending on physical security, Internet safeguards, staff screening and training, and terrorist and related intelligence analysis. Not

TABLE 5-4 | American Policing: Private Security Agencies

THE LARGEST PRIVATE SECURITY AGENCIES IN THE UNITED STATES		
Advance Security, Inc. Allied Security, Inc. American Protective Services Burns International Security Services	Garda World Security Corp. G4S Globe Security Guardsmark, Inc. Pinkerton’s, Inc.	Security Bureau, Inc. Securitas, U.S.A. Wells Fargo Guard Services
PRIVATE SECURITY SERVICES		
Airport security ATM services Bank guards Company guards	Computer/information security Executive protection Hospital security Loss-prevention specialists	Nuclear facility security Railroad detectives School security Store/mall security
Sources: Pearson Education, Inc.		



Hill Street Studios/Getty Images

A security guard at a political gathering. Why has the privatization of policing become a major issue facing governments and public justice agencies everywhere?

included are federal and state government expenditures on aviation security, homeland security, or border security.

Integrating Public and Private Security

As the private security field grows, its relationship to public law enforcement continues to evolve. Some argue that “today, a distinction between public and private policing is increasingly meaningless.”⁶⁰ As a result, the focus has largely shifted from an analysis of competition between the sectors to the recognition that each form of policing can help the other.

In 2012, Philip Cook, a professor of economics at Duke University, suggested that private security forces might have been largely responsible for the recent decade-long decline in reported crime. Although changes in crime rates are often attributed to effective policing, Cook reported that security contractors and anti-theft

As the private security field grows, its relationship to public law enforcement continues to evolve.

technology, such as LoJack devices and video surveillance systems, limit criminal opportunity. “Private action,” said Cook, is a way “of controlling opportunity to potential criminals.”⁶¹ He predicted that crime rates will continue to fall with improving security technology and wider involvement by the private sector in crime prevention.

technology, such as LoJack devices and video surveillance systems, limit criminal opportunity. “Private action,” said Cook, is a way “of controlling opportunity to potential criminals.”⁶¹ He predicted that crime rates will continue to fall with improving security technology and wider involvement by the private sector in crime prevention.

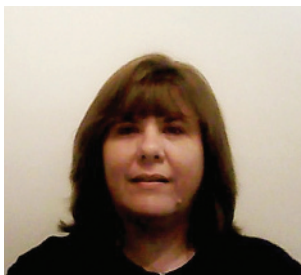


TNS/News.com

A private security officer conferring with a sworn public law enforcement officer at the Mall of America. How can cooperation between private security agencies and public law enforcement offices help solve and prevent crimes?

One government-sponsored report recommends that the resources of proprietary and contract security should be brought to bear in cooperative, community-based crime-prevention and security-awareness programs. Doing so, says the report, would maximize the cooperative crime-fighting potential of existing private and public security resources.⁶²

One especially important policy area involves building private security–public policing partnerships to prevent terrorism and to respond to threats of terrorism. A national policy summit



Suzette Baker

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Year hired. 2013

Please give a brief description of your job. As an assistant supervisor for a large private security company I assist with the professional operation,

administration, profitability, and quality assurance of uniformed services for a single shift at a client's site. In addition, I assist with staffing, scheduling, and training of security officers assigned to my shift, ensure that contract-required training elements for security officers are met, ensure quality of service by inspecting the uniforms and security license/first aid/CPR cards of security officers on my shift, review and maintain incident reports, assist in preparation of post orders, and make recommendations for positive and negative personnel actions for officers on my shift. Customer service is a very important aspect of the security industry so I also respond to client requests.

What appealed to you most about the position when you applied for it? The security industry has greatly evolved from the days of the night watchman who drank coffee and watched TV or read the newspaper to pass the time. The industry has applied new technology to expand the services we offer to include CCTV cameras, computer programs, Secure Trax devices, and in-depth training in areas such as terrorism, fire and life safety, and access control to our sites. Because many security companies are going global, there are many fields of security that are now open to security officers both domestically and internationally. Some of these include special police forces, assisting with disaster relief, airports, and homeland security.

How would you describe the interview process? The interview process is a multi-step process that begins once an online application is reviewed and the applicant is scheduled for an interview with a site manager at the local office. During the interview the applicant will be asked why he or she wants to work in the security field and what strengths and/or skills they have to offer. The site manager will review the application and any questions he or she may have with the applicant, and if all criteria are met an offer of employment will be made. Once the offer of employment is accepted, the applicant is referred to office personnel to be scheduled for classes to obtain a PPSB (Private Protective

Services Bureau) license. On completion of this class, the applicant will take CPR/First Aid class and any other class(es) required by the company. Classes (orientation) can last anywhere from three to seven days and vary between security companies. Upon successful completion of all classes, the applicant will be considered an employee and assigned to the site of the manager who interviewed them.

What is a typical day like? A typical day varies depending on which shift is worked. Security officers on all shifts patrol designated areas inside and outside of buildings, ensuring that only authorized personnel gain access to certain areas of a site. The designated areas to be patrolled depend on the post the officer is working. For example, one officer may be assigned to parking decks and parking lots while another will check in vendors and contractors. Yet another officer will control access to the buildings and others will be responsible for interior and exterior patrols. Another officer will be responsible for checking in visitors and alerting key company personnel of their arrival. It is worth noting that some smaller sites only have one security officer per shift who is responsible for all of these job functions. Every security officer is responsible for reporting any fire or life safety issues to their supervisor.

What qualities/characteristics are most helpful for this job? Security officers encounter people from all walks of life, so it is vital that the officer remain unbiased and have the ability to keep personal opinions private. The ability to walk, stand, or sit for long periods of time; be flexible in working different posts, listen and respond to visitors and the customer's employees; accurately follow written and oral directions; patience; honesty; and attention to detail are important characteristics of security officers.

What is a typical starting salary? Starting salary varies between companies and locations. The salary for a security officer ranges from \$17k-\$34k. This is supplemented by medical and retirement benefits.

What is the salary potential as you move up into higher-level jobs? The salary potential varies depending on the company and location. Experience does not significantly affect salaries for this career. Moving into management positions does provide a small increase in salary ranging from \$31k-\$37 annually.

What career advice would you give someone in college beginning studies in criminal justice? If you are thinking about a career in the security industry, a bachelor's degree in criminal justice or other helping field is more valuable than an associate's degree. Adding a human resources component to your degree will allow for easier transition into administrative positions within a security company.

Source: Reprinted with permission of Suzette Baker. Photo courtesy of Suzette Baker.

report, jointly authored by the International Association of Chiefs of Police and the 30,000-member ASIS International, says that despite similar interests in protecting people and property in the United States, public police and private security agencies have rarely collaborated.⁶³ The report notes, however, that as much as 85% of the nation's critical infrastructure is protected by private security. It goes on to say that "the need for complex

coordination, extra staffing, and special resources" in the light of possible terror attacks, "coupled with the significant demands of crime prevention and response, absolutely requires boosting the level of partnership between public policing and private security."⁶⁴ The full national policy summit report is available at <http://www.justicestudies.com/pubs/pubprivpart.pdf>.

ethics and professionalism

ASIS International Code of Ethics

Preamble

Aware that the quality of professional security activity ultimately depends upon the willingness of practitioners to observe special standards of conduct and to manifest good faith in professional relationships, the American Society for Industrial Security adopts the following Code of Ethics and mandates its conscientious observance as a binding condition of membership in or affiliation with the Society:

Code of Ethics

1. A member shall perform professional duties in accordance with the law and the highest moral principles.
2. A member shall observe the precepts of truthfulness, honesty, and integrity.
3. A member shall be faithful and diligent in discharging professional responsibilities.
4. A member shall be competent in discharging professional responsibilities.
5. A member shall safeguard confidential information and exercise due care to prevent its improper disclosure.
6. A member shall not maliciously injure the professional reputation or practice of colleagues, clients, or employers.

Article I

A member shall perform professional duties in accordance with the law and the highest moral principles.

Ethical Considerations

1. A member shall abide by the law of the land in which the services are rendered and perform all duties in an honorable manner.
2. A member shall not knowingly become associated in responsibility for work with colleagues who do not conform to the law and these ethical standards.
3. A member shall be just and respect the rights of others in performing professional responsibilities.

Article II

A member shall observe the precepts of truthfulness, honesty, and integrity.

Ethical Considerations

1. A member shall disclose all relevant information to those having the right to know.
2. A right to know is a legally enforceable claim or demand by a person for disclosure of information by a member.

Such a right does not depend upon prior knowledge by the person of the existence of the information to be disclosed.

3. A member shall not knowingly release misleading information nor encourage or otherwise participate in the release of such information.

Article III

A member shall be faithful and diligent in discharging professional responsibilities.

Ethical Considerations

1. A member is faithful when fair and steadfast in adherence to promises and commitments.
2. A member is diligent when employing best efforts in an assignment.
3. A member shall not act in matters involving conflicts of interest without appropriate disclosure and approval.
4. A member shall represent services or products fairly and truthfully.

Article IV

A member shall be competent in discharging professional responsibilities.

Ethical Considerations

1. A member is competent who possesses and applies the skills and knowledge required for the task.
2. A member shall not accept a task beyond the member's competence nor shall competence be claimed when not possessed.

Article V

A member shall safeguard confidential information and exercise due care to prevent its improper disclosure.

Ethical Considerations

1. Confidential information is nonpublic information, the disclosure of which is restricted.
2. Due care requires that the professional must not knowingly reveal confidential information, or use a confidence to the disadvantage of the principal or to the advantage of the member or a third person, unless the principal consents after full disclosure of all the facts. This confidentiality

(continues)

continues after the business relationship between the member and his principal has terminated.

3. A member who receives information and has not agreed to be bound by confidentiality is not bound from disclosing it. A member is not bound by confidential disclosures made of acts or omissions which constitute a violation of the law.
4. Confidential disclosures made by a principal to a member are not recognized by law as privileged in a legal proceeding. The member may be required to testify in a legal proceeding to the information received in confidence from his principal over the objection of his principal's counsel.
5. A member shall not disclose confidential information for personal gain without appropriate authorization.

Article VI

A member shall not maliciously injure the professional reputation or practice of colleagues, clients, or employers.

Ethical Considerations

1. A member shall not comment falsely and with malice concerning a colleague's competence, performance, or professional capabilities.
2. A member who knows, or has reasonable grounds to believe, that another member has failed to conform to the Society's Code of Ethics shall present such information to the Ethical Standards Committee in accordance with Article VIII of the Society's bylaws.

Thinking about Ethics

The ASIS code of ethics says, "A member shall observe the precepts of truthfulness, honesty, and integrity." Why are these qualities important in a security professional?

Why is it important for security personnel to "safeguard confidential information and exercise due care to prevent its improper disclosure"? What might happen if they didn't?

Source: ASIS International. Reprinted with permission.

SUMMARY

- American police departments owe a historical legacy to Sir Robert Peel and the London Metropolitan Police Service (MPS). Although law enforcement efforts in the United States were based to some degree on the British experience, the unique character of the American frontier led to the growth of a decentralized form of policing throughout the United States.
- Police agencies in the United States function to enforce the statutes created by lawmaking bodies, and differing types and levels of legislative authority are reflected in the diversity of police forces in our country today. Consequently, American policing presents a complex picture that is structured along federal, state, and local lines.
- Dozens of federal law enforcement agencies are distributed among 14 U.S. government departments and 28 non-departmental entities, and each federal agency empowered by Congress to enforce specific statutes has its own enforcement arm. The FBI may be the most famous law enforcement agency in the country and in the world. The mission of the FBI is to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership and criminal justice services to federal, state, municipal, and international agencies and partners.
- State law enforcement agencies have numerous functions, including assisting local law enforcement departments in criminal investigations when asked to do so, operating centralized identification bureaus, maintaining a centralized criminal records repository, patrolling the state's highways, and providing select training for municipal and county officers. State law enforcement agencies are usually organized after one of two models. In the first, a centralized model, the tasks of major criminal investigations are combined with the patrol of state highways. The second state model, the decentralized model, draws a clear distinction between traffic enforcement on state highways and other state-level law enforcement functions by creating at least two separate agencies.
- Local police agencies represent a third level of law enforcement activity in the United States. They encompass a wide variety of agencies, including municipal police departments, rural sheriff's departments, and specialized groups like campus police and transit police.
- Private protective services constitute another level of law enforcement. Whereas public police are employed by the government and enforce public laws, private security personnel work for corporate or private employers and secure private interests. Private security personnel outnumber public law enforcement officers in the United States by nearly three to one, and private agencies provide tailored protective services funded by the guarded organization rather than by taxpayers.

KEY TERMS

bobbies, 141
Bow Street Runners, 140
comes stabuli, 139
directed patrol, 146
evidence-based policing (EBP), 146
federal law enforcement agency, 148
hot-spot policing, 155
Kansas City experiment, 145
Law Enforcement Assistance Administration (LEAA), 143
municipal police department, 153
new police, 141
night watch, 139
predictive policing, 155
private protective service, 154
scientific police management, 144
sheriff, 153
smart policing 155
Statute of Winchester, 139
sworn officer, 153
vigilantism, 142
Wickersham Commission, 143

QUESTIONS FOR REVIEW

1. Describe the historical development of policing in America. What impact did the Prohibition era have on the development of American policing?
2. What are the three levels of public law enforcement described in this chapter?
3. Identify a number of significant federal law enforcement agencies, and describe the responsibilities of each.
4. Explain the role that state law enforcement agencies play in enforcing the law, and describe the two major models of state law enforcement organization.
5. What different kinds of local law enforcement agencies exist in the United States today? What role does each agency have in enforcing the law?
6. Describe the nature and extent of private protective services in the United States today. What role do you think they will play in the future?

QUESTIONS FOR REFLECTION

1. Why are there so many different types of law enforcement agencies in the United States? What problems, if any, do you think are created by having such a diversity of agencies?
2. What is evidence-based policing? What assumptions about police work have scientific studies of law enforcement called into question? What other assumptions made about police work today might be similarly questioned or studied?
3. Contrast the current deployment of private security personnel with the number of public law enforcement personnel.
4. How can the quality of private security services be ensured?
5. What is the relationship between private security and public policing in America today? How might the nature of that relationship be expected to change over time? Why?

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