Chapter one

The study and application of criminology

1.1. Defining Criminology

Criminology maybe defined as "the scientific study of the causation, correction, and prevention of crime". Criminology (from Latin crīmen, "accusation"; and Greek -λογία, -logia) is the social science approach to the study of crime as an individual and social phenomenon. Although contemporary definitions vary in the exact words used, there is considerable consensus that criminology involves the application of the ―scientific method‖ to the study of variation in criminal law, the causes of crime, and reactions to crime (Akers 2000).

Criminological research areas include the incidence and forms of crime as well as its causes and consequences. They also include social and governmental regulations and reactions to crime. Criminology is an interdisciplinary field in the behavioral sciences, drawing especially on the research of sociologists and psychologists, as well as on writings in law. An important way to analyze data is to look at quantitative methods in criminology. In 1885, Italian law professor Raffaele Garofalo coined the term "criminology" (in Italian, criminologia). The French anthropologist Paul Topinard used it for the first time in French (criminologie) around the same time. And it is defined by different scholars, such as, Webster defined criminology as the scientific study of crime as a social phenomenon or of criminals and their behaviors and family conditions. Criminology can thus be said to be and academic discipline that employs scientific methodology's to study crime, its major forms, its reasons for existence or causations and how the criminal justice system can respond to crime. In its narrower sense, criminology looks at criminal behavior of individuals in society and how they come to be perceived as such. i.e. their

social, cultural and economic background. In a wider sense, it looks at how the criminal is dealt with. For example, how he punished and therefore includes penology.

Criminology as a subject therefore deals with

• Criminal acts

• The criminal

• It indirectly deals with the victim of the crime

• Crime causation and theory

• Crime prevention and detection of potential offenders

• The efficacy of the criminal justice system

• Criminology borrows heavily from other sciences including biology (genetically make up of individuals) psychology (thinking process of criminal mind) psychiatry (mental stability and inclination of a criminal), philosophy, general medicine etc.

Donald Taft:

 Criminology may be divided into two branches

1. General

2. Specific

Criminology in general sense is the study of crime and criminals. In a specific sense it seeks to study criminal behavior and its goal being to reform the behavior or conduct of the individual which society condemns.

1.2. Nature and Scope of Criminology

Criminology is an inter-disciplinary field of study, involving scholars and practitioners representing a wide range of behavioral and social sciences as well as numerous natural sciences. Sociologists played a major role in defining and developing the field of study and criminology emerged as an academic discipline housed in sociology programs. However, with the establishment of schools of criminology and the proliferation of academic departments and programs concentrating specifically on crime and justice in the last half of the 20 century, the criminology emerged as a distinct professional field with a broad, interdisciplinary focus and a shared commitment to generating knowledge through systematic research. One of the ultimate goal of criminology has been the development of theories expressed with sufficient precision that they can be tested, using data collected in a manner that allows verification and replication.

As a subdivision of the larger field of sociology, criminology draws on psychology, economics, anthropology, psychiatry, biology, statistics, and other disciplines to explain the causes and prevention of criminal behavior. Subdivisions of criminology include penology, the study of prisons and prison systems; bio-criminology, the study of the biological basis of criminal behavior; feminist criminology, the study of women and crime; and criminalistics, the study of crime detection, which is related to the field of Forensic Science. Much research related to criminology has focused on the biological basis of criminal behavior. In fact, bio-criminology, attempts to explore the biological basis of criminal behavior. Research in this area has focused on chromosomal abnormalities, hormonal and brain chemical imbalances, diet, neurological conditions, drugs, and alcohol as variables that contribute to criminal behavior.

Criminology has historically played a reforming role in relation to Criminal Law and the criminal justice system. As an applied discipline, it has produced findings that have influenced

legislators, judges, prosecutors, lawyers, Probation officers, and prison officials, prompting them to better understand crime and criminals and to develop better and more human sentences and treatments for criminal behavior.

Criminologists also study a host of other issues related to crime and the law. These include studies of the Victims of Crime, focusing upon their relations to the criminal, and their role as potential causal agents in crime; juvenile delinquency and its correction; and the media and their relation to crime, including the influence of Pornography.

Significance of Criminology

 The true effect of criminology upon practices in the criminal justice system is still subject to question. Although a number of commentators have noted that studies in criminology have led to significant changes among criminal laws in the various states, other critics have suggested that studies in criminology have not directly led to a reduction of crime

In Mc Cleskey v. Kemp, 481 U.S. 279, 107 S. Ct. 1756, 95 L. Ed. 2d 262 (1987), an individual who had been sentenced to death for a murder in Georgia demonstrated to the U.S. Supreme Court that a criminologist's study showed that the race of individuals in that state impacted whether the defendant was sentenced to life or to death. The study demonstrated that a black defendant who had killed a white victim was four times more likely to be sentenced to death than was a defendant who had killed a black victim. The defendant claimed that the study demonstrated that the state of Georgia had violated his rights under the EQUAL PROTECTION CLAUSE of the Fourteenth Amendment, as well as under the Eigth Amendment's protection against Cruel and Unusual Punishment.

The high court disagreed. Although the majority did question the validity of the findings, of study's it held that the study did not establish that officials in Georgia had acted with discriminatory purpose, and that it did not establish that racial bias had affected the officials' decisions with respect to the death sentence. Accordingly, the death sentence violated neither the Fourteenth Amendment nor the Eighth Amendment.

Criminology has had more of an effect when states and the federal government consider new criminal laws and sentencing provisions. Criminologists' theories are also often debated in the context of the death penalty and crime control acts among legislators and policymakers. In this light, criminology is perhaps not at the forefront of the development of the criminal justice system, but it most certainly works in the background in the determination of criminal justice policies

1. the most significant purpose of criminology is its concern for crime and criminals.

There is a basic assumption that no one is born criminal. Reformation is therefore treated as the ultimate object of punishment while individualization. I.e. according individualized understanding and treatment is the preferred method for such reformation.

2.It is important for lawyers(when dealing with criminal clients it helps to understand their set and particular circumstances for purpose of giving proper legal advice as well as for pursuing a logical line of defense), judicial officers (for the purpose of awarding appropriate sentencing, it is important for a judicial officer to not only understand the offender, but the society/ communities perception and emotions on a given offences), law enforcement officers (for purpose of investigations, prosecutions, surveillance and crime prevent, for those holding

criminals such as prison officers),social workers, psychologists, etc. to understand the criminal more.

3. It enhances official understanding of criminals, offenders, the types and prevalence of offenders committed, generally or specifically by a class of people or in certain localities. This kind of understanding supported by data is important for crime detection and control. The government is enabled to plan better in terms of allocation of resources towards fighting different types of crimes.

4. The ultimate objective of criminology is to render a crimeless society. (This of course a very remote possibility especially considering how crimes are created and the fact that sometimes very legitimate behavior. i.e. change drinking is criminalized).

1.4. Definitions of Important Terms

Deviance: Deviance is a violation of social norms defining appropriate or proper behavior under particular set of circumstances. Deviance often includes criminal acts. Deviance is also referred to as deviant behavior. It is behavior that is sharply different from a customary, traditional, or generally accepted standard.

Delinquent: means one who fails to do that which is required by law or by duty when such failure is minor in nature. A delinquent is often used to refer to a juvenile who commits minor criminal act juvenile delinquents.

Juvenile Delinquency: It refers to criminal acts performed by juveniles. Most legal systems prescribe specific procedures for dealing with juveniles, such as juvenile detention centers. Juvenile delinquency may refer to either violent or non-violent crime committed by persons who are (usually) under the age of eighteen and are still considered to be a minor. There is much

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debate about whether or not such a child should be held criminally responsible for his or her own actions.

Crime: Crime is an act 'or omission 'which is prohibited by criminal law. Each State sets out a limited series of acts (crimes) which are prohibited and punishes the commission of these acts by fine, imprisonment or some other form of punishment. In exceptional cases, an omission to act can constitute a crime, such as failing to give assistance to a person in peril or failing to report a case of child abuse.

1.5. Inter-Relation between Criminology, Penology and Criminal Law

It must be reiterated that criminology is one of the branches of criminal science which is concerned with social study of crimes and criminal behavior. It aims at discovering the causes of criminality and effective measures to combat crimes. It also deals with custody, treatment, prevention and control of crimes which, for the purposes of this study, is termed as penology. The criminal policies postulated by these twin sister branches (i.e., criminology and penology) are implemented through the agency of criminal law. Thus for the sake of convenient study the entire subject may be classified under the following heads:

It is generally said that criminal law is an index of civilization because it is sensitive to the changes in social structure and reflects mental fiber of a given society. This is why Prof. Friedman calls it a barometer of moral thinking. According to Wechsler, ―crime is a formal social condemnation of forbidden conduct buttressed by sanction calculated to prevent it‖. Criminologists are thus confronted with three major problems, namely:

1. What conducts should be forbidden and an inquiry into the effect of environment on these conducts;

2. What condemnation is appropriate in such cases; and

3. What kinds of sanctions are best to prevent these conducts?

It is thus evident that criminology, penology and criminal law are inter-related and one cannot really function without the other. The formulation of criminal policy essentially depends on crime causation and factors correlated therewith while its implementation is achieved through the instrumentality of criminal law. It has been rightly observed by Prof. Sellin that the object of criminology is to study the sequence of law-making, law-breaking and reaction to law-breaking from the point of view of the efficacy of law as the method of control. According to Donald Taft, criminology is the scientific analysis and observation of crime and criminals whereas penology is concerned with the punishment and treatment of offenders. In his view, the development of criminology has been much later than that of penology because in early periods the emphasis was on treatment of offenders rather than scientific investigation into the causation of crime.

1.6. Criminology and Criminal Justice System

The term Criminal Justice System is relatively new. It became popular only in 1967, with the publication of the report of the President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in the Free Society. The discovery that various ways of dealing with law breaking form a system was itself the result of criminological research. Research into the functioning of the system and its component parts, as well as into the work of functionaries within the system, has provided many insights over the last few decades. Scientists who study the criminal justice system are frequently referred to as criminal justice specialists. 'This term suggests a separation between criminology and criminal justice. In fact, the two fields are closely interwoven. Scholars of both disciplines use the same scientific research methods.

They have received the same rigorous education, and they pursue the same goals. Both fields rely on the cooperation of many other disciplines, including sociology, psychology, political science, law, economics, management, and education. Their origins, however, do differ. Criminology has its roots in European scholarship, though it has undergone refinements, largely under the influence of American sociology. Criminal justice is a recent American innovation. The two fields are also distinguished by a difference in focus. Criminology generally focuses on scientific studies of crime and criminality, whereas criminal justice focuses on scientific studies of decision-making processes, operations, and such justice-related concerns as the efficiency of police, courts, and corrective systems; the just treatment of offenders; the needs of victims; and the effects of changes in sentencing philosophy.

Historical Development of Criminology The history of primitive societies and early medieval period reveals that human thinking in those days was predominated by religious mysticism and all human relations were regulated through myths, superstitious and religious tenets prevailing in a particular society. This in other words, meant that little attention was devoted to the motive, environment and psychology of the offender in the causation of crime. Moreover, in absence of any definite principle for the guidance of those who were concerned with the criminal justice administration, punishments were often haphazard, arbitrary and irrational. This situation prevailed until the end of seventeenth century. Thereafter, with the change in human thinking and evolution of modern society, certain social reformers took up the cause of criminals and devoted their attention to analysis of crime causation. This finally led to the emergence of criminology as a branch of knowledge through development of different schools of criminology.

The theoretical dimension of criminology has a long history and ideas about the causes of crime can be found in philosophical thought over two thousand years ago. For example, in Politics,

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Plato's student, Aristotle (384-322 B.C.), stated that ―poverty engenders rebellion and crime (Quinney 1970).‖ Religious scholars focused on causes as diverse as natural human need, deadly sins, and the corrupting influence of Satan and other demons. The validity of such theories was founded in religious authority and they were not viewed as theories, subject to verification through any form of systematic observation, measurement and analysis.

Rational, naturalistic philosophies about people and society grew in prominence during the 18 century. Enlightenment philosophers such as Montesquieu, Voltaire, Cesare Beccaria and Jeremy Bentham criticized political and legal institutions and advocated social reforms based on the assumption that people were rational, deliberative beings. Such ideas constituted the first major school of organized, ―naturalistic‖ thought about criminal law, criminality, and appropriate responses to crime--the Classical School. Such perspectives were called ―naturalistic‖ because they constructed theories locating the causes of crime in natural characteristics of human beings as opposed to ―supernatural‖ theories emphasizing demonic causes. Classical theorists assumed that most people were capable of rational calculation of gains and costs and that criminality was a choice. Laws were to be designed and enforced based on that principle. Contemporary ―deterrence theory,‖ ―rational choice theory,‖ and ―social learning theory‖ in criminology incorporate these same assumptions.

The origins of a more systematic criminology, however, are located in the late eighteenth-century writings of those who sought to reform criminal justice and penal systems that they perceived as cruel, inhuman, and arbitrary. These old systems applied the law unequally, were subject to great corruption, and often used torture and the death penalty indiscriminately.

The leading theorist of the classical school of criminology, the Italian CESARE BONESANO BECCARIA (1738–94), argued that the law must apply equally to all, and that punishments for

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specific crimes should be standardized by legislatures, thus avoiding judicial abuses of power. Both Beccaria and another classical theorist, the Englishman Jeremy Bentham (1748–1832), argued that people are rational beings who exercise free will in making choices. Beccaria and Bentham understood the dominant motive in making choices to be the seeking of pleasure and the avoidance of pain. Thus, they argued that a punishment should fit the crime in such a way that the pain involved in potential punishment would be greater than any pleasure derived from committing the crime. The writings of these theorists led to greater codification and standardization of European and U.S. laws.

Criminologists of the early nineteenth century argued that legal punishments that had been created under the guidance of the classical school did not sufficiently consider the widely varying circumstances of those who found themselves in the gears of the criminal justice system. Accordingly, they proposed that those who could not distinguish right from wrong, particularly children and mentally ill persons, should be exempted from the punishments that were normally meted out to mentally capable adults who had committed the same crimes. Along with the contributions of a later generation of criminologists, known as the positivists, such writers argued that the punishment should fit the criminal, not the crime.

Later in the nineteenth century, the positivist school of criminology brought a scientific approach to criminology, including findings from biology and medicine. The leading figure of this school was the Italian Cesare Lombroso (1836–1909). Influenced by Charles R. Darwin's theory of evolution, Lombroso measured the physical features of prison inmates and concluded that criminal behavior correlated with specific bodily characteristics, particularly cranial, skeletal, and neurological malformations. According to Lombroso, biology created a criminal class among the human population. Subsequent generations of criminologists have disagreed harshly

with Lombroso's conclusions on this matter. However, Lombroso had a more lasting effect on criminology with other findings that emphasized the multiple causes of crime, including environmental causes that were not biologically determined. He was also a pioneer of the case-study approach to criminology.

Other late-nineteenth-century developments in criminology included the work of statisticians of the cartographic school, who analyzed data on population and crime. These included Lambert Adolphe Quetelet, (1796– 1874) of France and André Michel Guerry, of Belgium. Both of these researchers compiled detailed, statistical information relating to crime and also attempted to identify the circumstances that predisposed people to commit crimes.

The writings of French sociologist Emile Durkheim (1858–1917) also exerted a great influence on criminology. Durkheim advanced the hypothesis that criminal behavior is a normal part of all societies. No society, he argued, can ever have complete uniformity of moral consciousness. All societies must permit some deviancy, including criminal deviancy, or they will stagnate. He saw the criminal as an acceptable human being and one of the prices that a society pays for freedom.

Durkheim also theorized about the ways in which modern, industrial societies differ from nonindustrial ones. Industrial societies are not as effective at producing what Durkheim called a collective conscience that effectively controls the behavior of individuals. Individuals in industrial societies are more likely to exhibit what Durkheim called anomie—a Greek word meaning "without norms." Consequently, modern societies have had to develop specialized laws and criminal justice systems that were not necessary in early societies to control behavior.

Early efforts to organize criminologists in the United States attracted law enforcement officials and others who were interested in the criminal justice system. In 1941, a group of individuals in

California organized for the purpose of improving police training and the standardization of police-training curricula. In 1946, this movement developed into the establishment of the Society for the Advancement of Criminology, which changed its name to the American Society of Criminology in 1957. Initial efforts of this organization focused upon scientific crime detection, investigation, and identification; crime prevention, public safety, and security; law enforcement administration; administration of criminal justice; traffic administration; and probation.

The American Society of Criminology has since attracted thousands of members including academics, practitioners, and students of the criminal justice system. Studies of criminology include both the theoretical and the pragmatic, and some combined elements of both. Although some aspects of criminology as a science are still considered radical, others have developed as standards in the study of crime and criminal justice.

Chapter two

Crime Prevention

2.1. Definition

Crime prevention has been defined as "the anticipation, recognition and appraisal of a crime risk and the initiation of some action to remove or reduce it." Crime prevention means using your instinct, commons sense and action to reduce a criminal's opportunity. The Department of Public Safety provides proactive crime prevention programs and safety services to assist members of the campus community in reducing their risks of becoming a victim of crime. Plainly speaking, crime prevention is recognizing that a crime risk exists and taking some corrective action to eliminate or reduce that risk. Crime prevention means risk reduction. A close working relationship among the crime prevention unit, management, patrol and investigations units, and the campus community is essential to eliminating crime risk. Reporting suspicious persons and/or activities, locking unoccupied rooms, securing doors and windows at the end of the day, securing university and personal property and being aware of your surroundings are all important risk reduction strategies. Crime prevention is the attempt to reduce and deter crime and criminals. It is applied specifically to efforts made by governments to reduce crime, enforce the law, and maintain criminal justice. It comprises strategies and measures that seek to reduce the risk of crimes occurring their potential harmful effects on individuals and society. Including, fear of crime by intervening to influence their multiple causes. Effective crime prevention is any action that causes a reduction in the levels of criminal activity and the resulting harm or in the level of criminal activity and the resulting harm or in the number of criminal offenders and their victims. The focus is on the causes of crime rather than its effects and the goal is to significantly reduce or eliminate the factors that can be lead crime.

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2.2 Types of crime prevention

Several factors must come together for a crime to occur:

1. An individual or group must have the desire or motivation to participate in a banned or prohibited behavior;

2. At least some of the participants must have the skills and tools needed to commit the crime; and,

3. An opportunity must be acted upon

An estimated 25.9 million victimizations occurred in the United States in 2000. The lowest level recorded since 1973 (Ibid).

The violent crime rate fell 15 percent (15%) and the property crime rate fell 10 percent (10%) within the past year. The 15 percent decline in violent crime represents the largest single year decline ever measured by the National Crime Victimization Survey (Ibid)

Forty-one percent (41 %) of inhabitants report feeling afraid of walking home alone at night within a mile radius of their own neighborhood (Ibid).

Although crime and victimization rates have steadily declined since the early 1990's, society's perception and fear of crime is still very high. Greater participation between community members and local law enforcement is needed to help ensure that crime and victimization rates continue to decline. Crime prevention is a concept that can help reduce crime and public fear and perception of crime.

Many individuals have taken steps to protect themselves and their property by attending self-defense courses, acquiring dogs, or engraving their property with some form of identification.

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Businesses have initiated crime prevention measures in the workplace, ranging from hiring security officers to installing security alarms, as well as training staff to recognize potential problem situations.

Many large businesses have instituted employee assistance programs to not only educate employees about crime prevention measures, but also to provide assistance to victimized employees.

Perhaps the most significant area of growth has been the involvement of communities in crime prevention programs. Twenty years ago, numerous communities established block home programs for children. Children were taught that if they were afraid for any reason, they should go to the house with the block home sign in the window for assistance. This type of community response has expanded into programs that include neighborhoods, schools, businesses and local police departments.

Primary Crime Prevention

Crime prevention is usually described by using the medical model. Primary, secondary, and tertiary crime prevention models all involve some level of community involvement. However, each type of prevention focuses on a specific developmental stage of crime. Primary prevention addresses the conditions in the natural environment that may lead to the development and prevalence of crime. Lack of street maintenance, broken windows, abandoned buildings, and broken down cars are a few examples of a disorganized community. Primary prevention seeks to directly alleviate these factors that may lead to crime. It is directed at stopping the problem before it happens. This could involve

☐ Reducing opportunities for a crime

☐ Strengthening community and social structure.

It focuses on social and situational factors. Social crime prevention addresses factors that influence on individuals likelihood of committing crime. Such as, poverty and unemployment, poor health and low educational performance. They use different prevention methods, like school based programs and community based programs. One type of primary prevention is that of neighborhood crime prevention.

Neighborhood Crime Prevention

By addressing the factors that may lead to crime, neighborhood crime prevention affects the fear and perception of crime as well as the actual prevalence of crime. If members of the community are participating in crime prevention, their perception and fear of crime may reduce.

There are many different approaches to neighborhood crime prevention. The attempt is to establish a cohesive and socially aware community where crime cannot flourish. Some examples of neighborhood crime prevention are neighborhood watch programs, citizen patrols, organized community clean up days, social events with local law enforcement (picnics, festivals, etc..), and physical design.

Neighborhood crime prevention programs are most successful if there is active participation from both citizens and local resources. The more actively involved members are in the overall well-being of the community, the more successful the program will be at reducing crime.

Secondary Crime Prevention

Secondary crime prevention attempts to prevent crime by focusing on at-risk offenders or potential opportunities that may foster criminal activity. The main tool used in secondary crime

prevention is identification and prediction. There are many theoretical basis for the implementation of secondary crime prevention programs. Once we are able to identify potential places, people, situations, or opportunities that are at-risk for criminal activity it may be possible to predict and prevent any future criminal occurrence. By reducing the potential opportunities to commit crime, increasing the risk(s) of the crime, and by minimizing the potential gain of the criminal act, it is more likely that the criminal will not engage in such behavior.

Citizens can take individual steps to protect themselves from victimization. Organizing large groups for crime prevention may be very difficult at times. Certain programs like situational crime prevention allow citizens to individually participate in crime prevention.

Situational crime prevention

Situational crime prevention (SCP) is a relatively new concept that employs a preventive approach by focusing on methods to reduce the opportunities for crime. It was first outlined in a 1976 report released by the British Home Office. SCP focuses on the criminal setting and is different from most criminology as it begins with an examination of the circumstances that allow particular types of crime. By gaining an understanding of these circumstances, mechanisms are then introduced to change the relevant environments with the aim of reducing the opportunities for particular crimes. Thus, SCP focuses on crime prevention rather than the punishment or detection of criminals and its intention is to make criminal activities less appealing to offenders.

SCP focuses on opportunity-reducing processes that:

• Are aimed at particular forms of crime;

• Entail the management, creation or manipulation of the immediate environment in as organized and permanent a manner as possible; and

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• Result in crime being more difficult and risky or less rewarding and justifiable

The theory behind SCP concentrates on the creation of safety mechanisms that assist in protecting people by making criminals feel they may be unable to commit crimes or would be in a situation where they may be caught or detected, which will result in them being unwilling to commit crimes where such mechanisms are in place. The logic behind this is based on the concept of rational choice that every criminal will assess the situation of a potential crime, weigh up how much they may gain, balance it against how much they may lose and the probability of failing, and then act accordingly.

One example of SCP in practice is automated traffic enforcement. Automated traffic enforcement systems (ATES) use automated cameras on the roads to catch drivers who are speeding and those who run red lights. Such systems enjoy use all over the world. These systems have been installed and are advertised as an attempt to keep illegal driving incidences down. As a potential criminal, someone who is about to speed or run a red light knows that their risk of getting caught is nearly 100% with these systems. This completely disincentives the person from speeding or running red lights in areas in which they know ATES are set up. Though not conclusive, evidence shows that these type of systems work. In a Philadelphia study, some of the city's most dangerous intersections had a reduction of 96% in red light violations after the installation and advertisement of an ATES system.

There are many techniques that are used in situational crime prevention. Situational crime prevention focuses on preventing a specific type of crime and criminal behavior. However, no one technique is guaranteed to prevent all crime. A few techniques of situational crime prevention are categorized under the following goals.

Reducing the opportunity to commit crime

Target hardening. This technique makes it physically more difficult for the potential offender to engage in criminal activity. Installing dead-bolt locks in doors, using steering wheel locks for cars, and putting iron bars on windows are a few examples of target hardening. The recent surge of computer crimes has made it increasing necessary to address issues of privacy. Computer users can protect themselves from victimization by installing software that defends against potential intrusion by hackers and other criminals. Software that protects against computer viruses are a form of target hardening that is widely implemented.

Increasing the risk associated with the crime.

Formal Surveillance. This technique is used by many companies and corporations. It can also be used in a residential environment. There are many ways to conduct formal surveillance. Some examples of formal surveillance include night desk attendants, security guards, security cameras, speeding cameras, and alarm systems. Potential criminals may be less likely to engage in illegal activity if they perceive a greater risk at being apprehended.

Natural Surveillance. In Defensible Space (1972) Oscar Newman proposed natural surveillance as a technique of crime prevention through physical design. The physical space is designed in a manner in which legitimate users can monitor the activities that occur in that area. For example, by increasing street lighting legitimate users can better see any unusual activity. This increases the exposure of any potential criminal behavior and increases the chance someone will be able to identify the criminal. Residential motion lights are an example of increased lighting. Physical surroundings may be conducive to the formation of crime. Criminals are more liking to offend in an area that they feel more confident in not getting caught in. There may be easy access and exits

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to the location of the crime. Once the crime has been committed the criminal knows he/she can escape with relative ease. One way to address this is to create speed bumps that would slow down a potential fleeing felon or to limit road access to the neighborhood.

Reducing the potential reward(s) of the crime.

Denial of benefits. Reducing benefits of a criminal activity may deter the offender from committing the crime. Retail store owners who fear theft of merchandise have used the ink-marking technique of situational crime prevention. If the offender knows that the merchandise will be stained once he tries to illegally remove the tag the monetary benefits of the crime have been removed. Car manufacturers have long ago designed face-less car stereo players. The idea is to reduce the potential reward of the criminal activity by removing the target of the crime. Another example of reducing potential reward is property identification. By marking and tagging one's property the monetary gains the criminal anticipates to receive is reduced. If they are unable to dispose of the stolen property it is useless to them.

Tertiary Crime Prevention

Tertiary prevention, unlike primary and secondary prevention focuses on prevention after a crime has occurred. The focus is to reduce the recidivism rate of criminals and insure that steps are taken so that a victim will not be re-victimized. The primary form of tertiary prevention in the United States today is that of incapacitation. Although it does not prevent criminals from committing crimes once they leave prison, it does protect the larger population from present victimization at the hands of the criminal.

2.3.   Crime prevention through environmental design

Crime Prevention through Environmental Design (CPTED) is a set of design principles used to discourage crime. The concept is simple: Buildings and properties are designed to prevent damage from the force of the elements and natural disasters; they should also be designed to prevent crime. CPTED principles are based on anticipating the thought processes of a potential offender and creating an environment that discourages follow-through. CPTED has the added advantage of creating a sense of security and well-being among employees and tenants. When CPTED is put into practice, the resulting environment - including the building and its surroundings - will discourage or impede criminal behavior, and at the same time encourage honest citizens to keep a watchful eye.

Crime prevention through environmental design (CPTED) is an agenda for manipulating the built environment to create safer neighborhoods. It originated in America around 1960, when urban renewal strategies were felt to be destroying the social framework needed for self-policing. Architect Oscar Newman created the concept of 'defensible space', developed further by criminologist C. Ray Jeffery who coined the term CPTED. Growing interest in environmental criminology led to detailed study of specific topics such as natural surveillance, access control and territoriality. The 'broken window' principle demonstrated how neglected zones invite crime, and reinforced the need for good property maintenance to assert visible ownership of space. Appropriate environmental design can also increase the perceived likelihood of detection and apprehension, known to be the biggest single deterrent to crime. And there has been new interest in the interior design of prisons as an environment that significantly affects decisions to offend. Wide-ranging recommendations to architects include the planting of trees and shrubs, the elimination of escape routes, the correct use of lighting, and the encouragement of pedestrian and

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bicycle traffic in streets. Tests show that the application of CPTED measures overwhelmingly reduces criminal activity.

2.3.1 Strategies for the built environment

CPTED strategies rely upon the ability to influence offender decisions that precede criminal acts. Research into criminal behavior shows that the decision to offend or not to offend is more influenced by cues to the perceived risk of being caught than by cues to reward or ease of entry. Certainty of being caught is the main deterrence for criminals not the severity of the punishment so by raising the certainty of being captured, criminal actions will decrease. Consistent with this research, CPTED based strategies emphasize enhancing the perceived risk of detection and apprehension.

Consistent with the widespread implementation of defensible space guidelines in the 1970s, most implementations of CPTED as of 2004 are based solely upon the theory that the proper design and effective use of the built environment can reduce crime, reduce the fear of crime, and improve the quality of life. Built environment implementations of CPTED seek to dissuade offenders from committing crimes by manipulating the built environment in which those crimes proceed from or occur. The six main concepts according to Moffat are territoriality, surveillance, access control, image/maintenance, activity support and target hardening. Applying all of these strategies is key when trying to prevent crime in any neighborhood crime ridden or not.

Natural surveillance and access control strategies limit the opportunity for crime. Territorial reinforcement promotes social control through a variety of measures. Image/maintenance and activity support provide the community with reassurance and the ability to stop crime by them. Target hardening strategies round up all of these techniques to resolve crime into one final step.

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2.3.2 Natural surveillance

Natural surveillance increases the perceived risk of attempting deviant actions by improving visibility of potential offenders to the general public. Natural surveillance occurs by designing the placement of physical features, activities and people in such a way as to maximize visibility of the space and its users, fostering positive social interaction among legitimate users of private and public space. Potential offenders feel increased scrutiny, and thus inherently perceive an increase in risk. This perceived increase in risk extends to the perceived lack of viable and covert escape routes.

2.3.3 Natural access control

Natural access control limits the opportunity for crime by taking steps to clearly differentiate between public space and private space. By selectively placing entrances and exits, fencing, lighting and landscape to limit access or control flow, natural access. Natural access control is used to complement mechanical and operational access control measures, such as target hardening.

2.3.4 Natural territorial reinforcement

Territorial reinforcement promotes social control through increased definition of space and improved proprietary concern. An environment designed to clearly delineate private space does two things. First, it creates a sense of ownership. Owners have a vested interest and are more likely to challenge intruders or report them to the police. Second, the sense of owned space creates an environment where "strangers" or "intruders" stand out and are more easily identified. By using buildings, fences, pavement, signs, lighting and landscape to express ownership and define public, semi-public and private space, natural territorial reinforcement occurs.

Territorial reinforcement measures make the normal user feel safe and make the potential offender aware of a substantial risk of apprehension or scrutiny. When people take pride in what they own and go to the proper measures to protect their belongings, crime is deterred from those areas because now it makes it more of a challenge. Criminals don't want their job to be hard; if it was hard they wouldn't do it. The more difficult it is to commit a crime in certain areas, the less crime will occur.

Maintenance

Maintenance is an expression of ownership of property. Deterioration indicates less control by the intended users of a site and indicates a greater tolerance of disorder. The Broken Windows Theory is a valuable tool in understanding the importance of maintenance in deterring crime. Broken Windows theory proponents support a zero tolerance approach to property maintenance, observing that the presence of a broken window will entice vandals to break more windows in the vicinity. The sooner broken windows are fixed, the less likely it is that such vandalism will occur in the future. Vandalism falls into the broken windows category as well. The faster the graffiti is painted over, the less likely one is to repeat because no one saw what has been done. Having a positive image in the community shows a sense of pride and self-worth that no one can take away from the owner of the property.

Effectiveness and criticism

CPTED strategies are most successful when they inconvenience the end user the least and when the CPTED design process relies upon the combined efforts of environmental designers, land managers, community activists, and law enforcement professionals. The strategies listed above can't be fulfilled without the community's help and it requires the whole community in the

location to make the environment a safer place to live. A meta-analysis of multiple-component CPTED initiatives in the United States has found that they have decreased robberies between 30 and 84% (Casteel and Peek-Asa, 2000. In terms of effectiveness, a more accurate title for the strategy would be crime deterrence through environmental design. Research demonstrates that offenders cannot be literally prevented from committing crimes by using CPTED. CPTED relies upon changes to the physical environment that will cause an offender to make certain behavioral decisions. Those changes are crafted so as to encourage behavior, and thus they deter rather than conclusively "prevent" behavior.

Beyond the attraction of being cost effective in lowering the incidence of crime, CPTED typically reduces the overall costs of preventing crime. Retrofitting an existing environment to meet CPTED can sometimes be costly, but when incorporated in the original design phase of facility planning, cost of designing to CPTED principles are often lower than with traditional approaches. Operational costs are often lower also, as CPTED lighting designs can significantly lower energy use. Adding to the attraction of CPTED is that it lowers liability. At times the entire street style must be changed and buildings have to be up to code with more windows and changing their view and access points to other areas around the building like the parking lot or store front.

Child sexual abuse prevention programs

Child sexual abuse is any interaction between a child and an adult (or another child) in which the child is used for the sexual stimulation of the perpetrator or an observer. Sexual abuse can include both touching and non-touching behaviors. Non-touching behaviors can include voyeurism (trying to look at a child's naked body), exhibitionism, or exposing the child to pornography. Children of all ages, races, ethnicities, and economic backgrounds may experience

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sexual abuse. Child sexual abuse affects both girls and boys in all kinds of neighborhoods and communities. Child sexual abuse prevention programs are programs designed to lower the incidence of sexual abuse amongst those that access them. Programs can be provided to children and young people, those employed in childcare, people who would have otherwise have abused a young person and situations where abuse can take place.

Child sexual abuse prevention programs provided to children are said to be the most common type of primary prevention of child sexual abuse. Child-focused, school-based sexual abuse prevention programs were first developed in the United States in the 1970s in response to growing concerns about the prevalence and effects of child sexual abuse. Studies had shown that offenders targeted children perceived as being more compliant and less likely to disclose any molestation. Such programs are now popular in America; one study suggests more children have been involved in such programs than not.

Child-focused, school-based sexual abuse prevention programs aim to increase the knowledge and skills of children and to increase their confidence that they can do things to prevent abuse. Types of knowledge that programs try to improve include being able to identify abusers, potentially abusive situations, and boundary violations. Children are instructed in how to refuse approaches and invitations, break off interactions, and report abuse. It has been argued that the programs "empower" children to act against attempts at abuse by teaching that CSA is wrong and not the victim's fault, and by reinforcing children's right to say who can touch them and where. It is suggested this strategy strengthens their sense of control in a sexual conflict, confirms children's preference for harmless refusal strategies, and demonstrates that disclosing abuse can lead to getting help for both the victim and the offender. Some programs offer a safe and private context for children to talk to the teacher or trainer about incidents of abuse.

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The media and crime prevention

The media is a prime source of information on crime and safety for a significant proportion of the world's population. Within the context of Canada, Judith Dubois, a researcher at the University duQuébec à Montréal, refers to several national studies recorded by the Canadian Sentencing Commission that reveal 95% of interviewees use the media as the main source of information on crime-related issues. Despite the impressive figure, there have been endless debates on the degree to which media coverage of crime-related events influences public opinion and policy. The role of the media as main providers of information must be seen in the onset and evolution of crime prevention policies, and in shaping public perceptions about crime and its response. However, it is important to note that the impact or "effects" of the media on the development of feelings of insecurity, and stigmatization remains difficult to accurately assess. Media coverage on crime can contribute to crime prevention strategies

Media exposure to crime and crime-related events can be an effective crime prevention strategy, and useful tool for sensitizing and educating the public on underestimated or overlooked social problems. In an interview with Joe Friesen, a Canadian journalist at the Globe and Mail, Mr. Friesen explains that the media's role in crime prevention could be as a source of information on the causes and trends of crime. Public education campaigns are another example, whereby the media can play an active role in mobilizing support and advancing nationwide and international commitment to crime prevention, while distributing information to a vast audience at a fast pace.

Several campaigns on human trafficking, victim's support, mobilization for women's safety and child sexual abuse cases have all contributed as successful crime prevention initiatives, which have promoted improvements in the quality of facts and dissemination of information. In the1990s, increasing media coverage on human trafficking resulted in the expansion of

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resources, awareness and support towards the sexual slavery of women and girls. It triggered a 'world-wide 'response to the crime: "portrayals of prostitution through media discourse, and anti-trafficking legislation make a difference in the effectiveness that these governments have in the fight against trafficking in women for sexual exploitation" (Burrows & Lagos 2005). Moreover, internet initiatives are increasingly emerging, such as State safe and humantrafficking.org, which offer tools, discussion space and prevention information. There has also been enhanced attention of crime victims in media coverage, which has impacted on the increasing number of victim support movements and training manuals for the media (Rentschler 2007). In this case, the Ethical Guidelines for the Media's Coverage of Crime Victims aims to avoid harmful media constructional crime and victims, as well as the United Nations Office on Drugs and Crime (UNODC) 'Victim Empowerment Programs' (Simpson & Cote 2006).

The media can help to improve the state of violence and crime in society, especially for women and children. Media coverage of violence against women began taking force in the1970s. Such coverage has led to heightened social awareness, policy for protection of women and girls (adoption of CEDAW), expansion of social services for female victim support, and a rise in the number of reported cases. Groups like Isis-International, the National Criminal Justice Reference Service and Women's International Network offer online and hardcopy toolkits and reports on this issue. Media coverage on child sexual abuse has also been proven to have a positive impact. Jane Divita Woody (2002) states that the media can be useful for providing responsible coverage of sexual behavior and raise awareness of issues on high-risk sexual behavior. It supports open dialogue within the family and community, encourages awareness and helps therapists offer services and information to families and children. In Switzerland, the government has partnered with independent initiatives, like La Prevention Suisse de laICPC conducted an interview with

Joe Friesen on July 16, 2008.Criminality, to provide online information and a system that tracks child pornography on the

Internet: "the media makes sense of intimate experiences of violence within the domestic space" (Kitzinger 2001, p.93). The media can also affect cultural standards on child sexual abuse and incest in order to help victims confront the issue, and to reduce stigma (Kitzinger 2001).

The media equally participates in disseminating public information on self-protection and safety strategies against crime. Due to the impressive amount of individuals who rely on the media for crime information, the media can therefore be highly efficient for denouncing certain types of crime. Media campaigns on prevention against residential burglary and information on the risks of using illegal drugs and alcohol, exemplify the means by which the media can have an important role in crime prevention. Initiatives such as Crime Concern, the Initiative for Change and Internet Watch Foundation provide up-to-date information on prevention strategies against crimes such as residential burglary and a space to report incidents.

Governments and independent groups in the U.S., Canada, France and Belgium have launched media campaigns to spread awareness on the risks of consuming and distributing drugs (prescription and illegal) and alcohol (specifically 'drinking and driving'). Such initiatives include national anti-drug media campaigns and information networks on drug and alcohol abuse. On an international level, the United Nations Office on Drugs and Crime and in France, the Mission Interministérielle de Lutte Contre les Drogues et la Toxicomanie both launched media campaigns On prevention of drug abuse.

The media can play a democratic role when it comes to the question of crime prevention. With more information being made public, the media educates the population on certain issues, which

therefore encourages critical thinking on the part of the population and promotes responsibility on the part of institutions, agencies, organizations and the government. The government of South Africa's Communication & Information Systems Department suggests that the media has a key role to play in strengthening democracy.

The media can help to guarantee transparency of institutions specializing in crime prevention and Safety. For example, in 2002 Nacro, an independent UK organization, called upon government, police, judiciary and the media to be "honest with the public about crime" and to collaborate in order to "inform, not mislead". Therefore, the media may advance the surveillance or monitoring of the police system; for cases of abuse and corruption, the justice system; on arbitrary treatment and discrimination, and the education system. The media's role in crime prevention may encourage proper policies as well as government initiative to allocate resources to local communities or crime prevention agencies that lack the means to implement prevention strategies. In the end, the media plays an active part in encouraging accountability of decision makers who control the design and implementation of public policies.

Chapter Three

Terrorism and organized Crime

3.1 Definition

Terrorism is not a 21st century phenomenon and has its roots in early resistance and political movements. The Sicarii were an early Jewish terrorist organization founded in the first century AD with the goal of overthrowing the Romans in the Middle East. Judas of Galilee, leader of the Zealots and a key influence on the Sicarii, believed that the Jews should be ruled by God alone and that armed resistance was necessary.

Unlike the Zealots, the Sicarii targeted other Jews they believed to be collaborators or traitors to the cause. The tactics employed by the Sicarii were detailed by the historian Josephus around 50AD: "they would mingle with the crowd, carrying short daggers concealed under their clothing, with which they stabbed their enemies. Then when they fell, the murderers would join in the cries of indignation and, through this plausible behavior, avoided discovery. There are many other key examples of terrorism throughout history before the modern terrorism of the 20th century. Guy Fawkes' failed attempt at reinstating a Catholic monarch is an example of an early terrorist plot motivated by religion. Meanwhile, The Reign of Terror during the French Revolution is an example of state terrorism.

The use of terrorism to further a political cause has accelerated in recent years. Modern terrorism largely came into being after the Second World War with the rise of nationalist movements in the old empires of the European powers. These early anti-colonial movements recognized the ability of terrorism to both generate publicity for the cause and influence global policy. Bruce Hoffman, director of the Centre of Security Studies at Georgetown University writes that, "The ability of

these groups to mobilize sympathy and support outside the narrow confines of their actual "theaters of operation" thus taught a powerful lesson to similarly aggrieved peoples elsewhere, who now saw in terrorism an effective means of transforming hitherto local conflicts into international issues. This development paved the way for international terrorism in the 1960s.

Terrorism is the unlawful use of force or violence against persons or property to intimidate or coerce a government or its citizens to further certain political or social objectives. Law enforcement generally recognizes two types of terrorism: domestic and international. Domestic terrorism is based and executed in the United States by our own citizens without foreign direction. International terrorism, which is connected to foreign governments or groups, transcends our nation's boundaries. Terrorist acts against U.S. citizens can occur anywhere in the world.

3.2. Types of Terrorism

Types of Terrorism According to the National Advisory Committee on Criminal Justice Standards and Goals, there are six distinct types of terrorism. All of them share the common traits of being violent acts that destroy property, invoke fear and attempt to harm the lives of civilians.

1. **Civil disorder** – is a sometimes violent form of protest held by a group of individuals, usually in opposition to a political policy or action. They are intended to send a message to a political group that "the people" are unhappy and demand change. The protests are intended to be non-violent, but they do sometimes result in large riots in which private property is destroyed and civilians are injured or killed.

2. **Political terrorism** – is used by one political faction to intimidate another. Although government leaders are the ones who are intended to receive the ultimate message, it is the citizens who are targeted with violent attacks.

3. Nonpolitical terrorism – is a terrorist act perpetrated by a group for any other purpose, most often of a religious nature. The desired goal is something other than a political objective, but the tactics involved are the same.

4. Quasi terrorism – is a violent act that utilizes the same methods terrorists employ, but does not have the same motivating factors. Cases like this usually involve an armed criminal who is trying to escape from law enforcement utilizing civilians as hostages to help them escape. The law breaker is acting in a similar manner to a terrorist, but terrorism is not the goal.

5. Limited political terrorism – acts are generally one time only plots to make a political or ideological statement. The goal is not to overthrow the government, but to protest a governmental policy or action.

6. State terrorism – defines any violent action initiated by an existing government to achieve a particular goal. Most often this goal involves a conflict with another country.

Every type of terrorism utilizes distinct methods of violence to get their message across. They can be anything from assault weapons or explosive devices to toxic chemicals that are released into the air. These attacks may occur at any time or place, which makes them an extremely effective method of instilling terror and uncertainty into the general public. Many definitions of terrorism restrict it to acts by non-state actors.

But it can also be argued that states can, and have, been terrorists. State terrorists can use force or the threat of force, without declaring war, to terrorize citizens and achieve a political goal. Germany under Nazi rule has been described in this way.

It has also been argued that states participate in international terrorism, often by proxy. The United States considers Iran the most prolific sponsor of terrorism because Iran arms groups, such as Hizballah, that help carry out its foreign policy objectives. The United States has also been called a terrorist, for example through its covert sponsorship of Nicaraguan Contras in the 1980s

3.3. The Intent of Terrorist Groups

A terrorist group commits acts of violence to -

- ✓ Produce widespread fear

• Obtain worldwide, national, or local recognition for their cause by attracting the attention of the media

• Harass, weaken, or embarrass government security forces so that the government overreacts and appears repressive

• Steal or extort money and equipment, especially weapons and ammunition vital to the operation of their group

• Destroy facilities or disrupt lines of communication in order to create doubt that the government can provide for and protect its citizens

• Discourage foreign investments, tourism, or assistance programs that can affect the target country's economy and support of the government in power

• Influence government decisions, legislation, or other critical decisions

• Free prisoners

• Satisfy vengeance

• Turn the tide in a guerrilla war by forcing government security forces to concentrate their efforts in urban areas. This allows the terrorist group to establish itself among the local populace in rural areas.

Organized/Organizational Crime

3.2. Definition and Scope

The term Organized crime is a group of individuals, local, national or international, that engage in criminal enterprises for profit. The rationale behind why they are formed varies because they may be politically motivated, financially motivated or an organized criminal 'gang.' We will look at the makeup of these organizations in this lesson. It refers to the unlawful activities of members of criminal organizations that supply illegal goods and services. Organized crime or criminal organizations are groups or operations run by criminals, most commonly for the purpose of generating a monetary profit. The Organized Crime Control Act (U.S., 1970) defines organized crime as "The unlawful activities of ... a highly organized, disciplined association..."

Some criminal organizations, such as terrorist organizations, are politically motivated. Gangs sometimes become "disciplined" enough to be considered "organized". An organized gang or criminal set can also be referred to as a mob. The act of engaging in criminal activity

There are three ways in which networks are formed within organized crime. The first is within a family, what we often refer to as a mafia. This form of organized crime operates based on the

hierarchies of the related families, training of family members, and reliance on religion, tradition and culture.

The second way in which a network is formed is through a business. These organized crime groups are rigid, have a complex authority hierarchy and are impersonal. These tend to be particularly dangerous for the members due to the impersonal nature of the organizational members, the lack of familial or interpersonal loyalties to other members, and the importance of power relationships rather than protection of family members as in the prior network.

An example of a business that has incorporated organized crime would be to conduct illegal activities, such as insider trading, racketeering or drug trafficking. These legal corporations incorporate illegal organized crime methods in order to help them succeed and earn more money. An infamous example would be Bernard Madoff and his corporate associates who orchestrated a $65 billion Ponzi scheme, which was considered one of the biggest frauds in U.S. history, taking the life savings of over 1,000 investors.

The third way in which a network is formed is through a 'gang.' These members are often recruited through members' involvement in crime as youths and the connections made in the correctional facilities. Members often join a gang for protection or the need to belong, typically due to their lack of a support system in their homes. Some gangs have a loose hierarchy, especially when dealing with drugs, firearms or sex trafficking. Infamous criminal gangs around the United States include the Aryan Brotherhood, Latin Kings and Hells Angels.

3.2.1. Criminal Organizations and Crimes against Humanity

Another use of the term "criminal organization" exists in human rights law and refers to an organization which has been found guilty of crimes against humanity. Once an organization has

been determined to be a criminal organization, one must only demonstrate that an individual belonged to that organization to be punished and not that the individual actually individually committed illegal acts.

This concept of the criminal organization came into being during the Nuremberg Trials. Several public sector organizations of Nazi Germany such as the SS and Gestapo were judged to be criminal organizations, while other organizations such as the German Army High Command were indicted but acquitted of charges. This conception of criminal organizations was, and continues to be, controversial, and has not been used in human rights law since the trials at Nuremberg. Demonstrate that an individual belonged to that organization to be punished and not that the individual actually individually committed illegal acts.

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3.**1.2. Ideological Crime**

In addition to what is considered traditional organized crime involving direct crimes of fraud swindles, scams, racketeering and other acts motivated for the accumulation of monetary gain, there is also non-traditional organized crime which is engaged in for political or ideological gain or acceptance. Such crime groups are often labeled terrorist organizations and include such groups as Al-Qaeda, Lashkar- e -Toiba and Hamas.

3.1.3. Typical Activities of Criminal Organizations

Organized crime often victimize businesses through the use of extortion or theft and fraud activities like hijacking cargo trucks, robbing goods, committing bankruptcy fraud (also known as "bust-out"), insurance fraud or stock fraud (inside trading). Organized crime groups also victimize individuals by car theft (either for dismantling at "Chop shops" or for export), burglary, credit card fraud, and stock fraud ("pump and dump" scam). Some organized crime groups defraud national, state, or local governments by bid-rigging public projects, counterfeiting money, smuggling or manufacturing untaxed alcohol (boot legging) or cigarettes (butt legging), and providing immigrant workers to avoid taxes. Organized crime groups seek out corrupt public officials in executive, law enforcement, and judicial roles so that their activities can avoid, or at least receive early warnings about, investigation and prosecution.

Organized crime groups also provide a range of illegal services and goods, such as loan sharking of money at very high interest rates, bookmaking and gambling, prostitution, drug trafficking, gunrunning, providing murder for hire, illegal dumping of toxic waste, people smuggling and trafficking in human beings . Organized crime groups also do a range of business and labor racketeering activities, such as casino skimming, Insider trading, setting up monopolies in industries such as garbage collecting, construction and cement pouring, bid rigging, getting "no-show" and "no-work" jobs, using non-union labor and pocketing the wage difference, money laundering, political corruption, bullying and ideological clamping.

Drug crimes

The drug-crime category encompasses a range of offenses connected with the use, transportation, purchase, and sale of illegal drugs. Illegal drugs are related to crime in multiple ways. Most

directly, it is a crime to use, possess, manufacture, or distribute drugs classified as having a potential for abuse (such as cocaine, heroin, morphine and amphetamines). Drugs are also related to crime as drug trafficking and drug production are often controlled by drug cartels, organized crime and gangs.

3.2. Organized and International Crime:

Organized crime reaches into communities and ruins lives by driving other crime and instilling fear. It manifests itself most graphically in drug addiction, sexual exploitation and gun crime, but is also strongly linked to:

☐   Immigration crime

☐   Fraud

☐   Money laundering

☐   Internet-related crime

☐   Other threats – including armed robbery, kidnap and extortion, vehicle crime, freight crime, cultural property crime, counterfeit currency and environmental crime. Organized crime groups are essentially businesses that exist to make money. Players at the top often resort to extreme violence, intimidation and corruption to protect their businesses. These groups operate across global frontiers in tight-knit gangs, display in-depth knowledge of law enforcement methods and exploit sophisticated technologies to conceal their activities from the authorities.

The two most profitable and harmful enterprises controlled by organized crime groups are drugs trafficking, and people smuggling.

3.2.1. Drug Trafficking:

Trafficking in heroin and cocaine, particularly crack cocaine, poses the greatest single threat to the different parts of the world in terms of the scale of serious organized criminal involvement, the illegal proceeds secured and the overall harm caused. Home Office (The Serious Organized Crime Agency (SOCA UK) estimates put the harm caused by Class A drugs at around £13bn a year. This largely arises from the profits from sales, the crimes addicts commit to fund their habit, and the damage caused to family life and communities, as well as from costs to addicts' health.

3.2.2. Fraud-Individual & Private Sector:

Fraud involves the obtaining of other people's money or assets by deception. A lot of fraud is committed directly against the Government —against the tax and the benefits systems. Fraud is also committed against individuals and companies, in a wide variety of ways, and often by organized gangs. Some examples of such frauds include:

 against banks, often involving false or stolen identities;

 Investment and advance fee frauds, in which individuals are enticed to pay over money against false promises of returns; and

 Forms of e-fraud exploiting the use of the internet by banks and commerce.

Much fraud goes unreported, and despite the fact that frauds can cause companies and individuals significant damage, it is sometimes, mistakenly, seen as victimless.

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As well as generating money that can be used for future crimes, fraud means that everyone pays for more goods and services. In addition, it can cause significant personal difficulties and distress.

3.2.3. Money Laundering:

Money laundering is any action taken to conceal, arrange, use or possess the proceeds of any criminal conduct. Criminals try to launder 'dirty money' in an attempt to make it look 'clean' in order to be able to use the proceeds without detection and to put them beyond the reach of law enforcement and taxation agencies.

3.2.4. Internet-Related Crime/Cyber Crime/Hi-tech Crime:

Internet-related crime is a term used to describe a range of different crime types that are committed or facilitated online, including:

☐ Pedophilia

☐ Internet fraud,

☐ Junk email or 'spam',

☐ Viruses, and

☐ Hacking.

This sort of crime is also referred to as cybercrime, e-crime and hi-tech crime. The cost of Internet crime in human and economic terms is high, and it's still growing. In 2006-07, the vast majority of all credit card fraud cases involved so-called 'card not present' fraud, in which cards were, used illegally either online or over the phone. This has been the largest type of card fraud in the UK for more than four years.

Computer crime, cybercrime, e-crime, hi-tech crime or electronic crime generally refers to criminal activity where a computer or network is the source, tool, target, or place of a crime. These categories are not exclusive and many activities can be characterized as falling in one or more category. Additionally, although the terms computer crime and cybercrime are more properly restricted to describing criminal activity in which the computer or network is a necessary part of the crime, these terms are also sometimes used to include traditional crimes, such as fraud, theft, blackmail, forgery, and embezzlement, in which computers or networks are used. As the use of computers has grown, computer crime has become more important.

Computer crime can broadly be defined as criminal activity involving an information technology infrastructure, including illegal access (unauthorized access), illegal interception (by technical means of non-public transmissions of computer data to, from or within a computer system), data interference (unauthorized damaging, deletion, deterioration, alteration or suppression of computer data), systems interference (interfering with the functioning of a computer system by inputting, transmitting, damaging, deleting, deteriorating, altering or suppressing computer data), misuse of devices, forgery (ID theft), and electronic fraud.

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Chapter Four

Urban crime

4. Definition

Early twentieth century criminology might reasonably be considered the criminology of urban places. During the 1920s and 1930s much of the attention of criminologists focused on the "criminogenic city," however, by the close of the century researchers had moved away from the notion that the city is itself criminogenic. Instead research on urban crime has become concerned mainly with explaining why urban crime rates vary, why some social, economic, and spatial characteristics are correlated with variations in urban crime rates, and how certain crime characteristics of urban places affect individual criminality.

Concern that the city might have a crime-causing effect did not begin with American criminologists. Émile Durkheim (1897), Max Weber (1958), Ferdinand Toennies (1887), and other European sociologists wrote about the changes that occurred as a result of the transition of societies from agrarian and village-based forms to industrial and urban-based ones. They proposed that during rapid social change, growing and expanding cities would be hotbeds of crime (and experience a number of other problems). One can safely assume that most eighteenth- and nineteenth-century philosophers and social scientists believed that even without rapid change, city life itself would be criminogenic. That is, they believed that in circumstances of slow change or even social stability that negative influences of cities themselves would lead to higher levels of crime than would occur in nonurban populations. This belief was not without reason. London and other major European cities were difficult places to live. To go out at night

before the advent of gaslights meant moving about with a large group of men carrying weapons and torches. To do otherwise was to invite nearly certain mayhem and robbery (Stark).

American sociologists shared similar beliefs. Social Darwinists at the turn of the century saw pathology in urban life itself (Wirth; Davis). Early social workers, taking their intellectual justification from the Social Darwinists, created the juvenile court and other social service agencies (for example, Hull House founded by Jane Addams in Chicago) to try to control crime and delinquency among wayward urbanites, many of whom were thought to be negatively influenced by life in the city.

In the period between 1920 and World War II, sociologists associated with the University of Chicago began to construct explanations concerning why cities might have higher crime rates than the hinterland. But more importantly, they were interested in documenting and explaining variations in crime levels within cities (Park, Burgess, and McKenzie; Shaw and McKay). At the time, many believed that crime in the city, and especially in particular sections of the city, was caused by the influx of immigrants, and especially those from "crime prone" ethnic groups. However, researchers from the Chicago School observed in their studies that some sections of cities consistently had higher crime rates than others, regardless of who populated those areas. They argued and demonstrated with data that crime rates can be explained more accurately by focusing on the ecology of areas in the city, rather than on the ethnic composition of the population inhabiting those areas. They described a process whereby immigrants, upon arrival into the United States, typically moved into the poor, blighted neighborhoods because that is where they could afford to live. Crime in these areas was high and reflected poor living conditions, as these neighborhoods experienced great levels of poverty, racial heterogeneity, transience, and family disruption. However, as succeeding generations of these immigrant

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families improved their lot they moved to better neighborhoods, and as a result, their ethnic groups' crime rate declined. Meanwhile, new immigrants from different ethnic groups repopulated the neighborhoods that the earlier arrivals had vacated. Despite the near complete change in population composition, crime levels in these transitory areas remained high. Chicago School criminologists thus concluded that it was not criminogenic characteristics of ethnic groups that led to elevated rates of crime, but the nature of the urban ecology in which they lived.

Nearly seven decades later, theories that address urban crime rely on the earlier findings from the Chicago School studies and continue to adopt an approach that emphasizes the importance of urban ecology. Thus, the roots of modern criminology's examination of urban crime can be traced to the theories of the Chicago School and their contemporaries. At the dawn of the twenty-first century, while criminologists use new analytic techniques, new research tools, and modified explanations, even the casual reader of the current literature cannot help but be impressed by the debt that modern researchers owe to their predecessors in the effort to understand and explain crime in urban areas.

Explaining urban crime

The research literature on urban crime is generally of two types. There are studies that compare cities, seeking to understand why some have higher crime rates than others. And there are studies that focus on explaining variations in crime levels within cities. However, both types of studies use similar theories and focus on the same social forces to understand their observations. The primary theories used to study urban crime are social disorganization, subculture, and conflict theories.

Social disorganization theory (discussed earlier) is concerned with the way in which characteristics of cities and neighborhoods influence crime rates. The roots of this perspective can be traced back to the work of researchers at the University of Chicago around the 1930s. These researchers were concerned with neighborhood structure and its relationship to levels of crime. Classical Chicago School theorists, and Shaw and McKay in particular, were most concerned with the deleterious effects of racial and ethnic heterogeneity, residential mobility, and low socioeconomic status on an area's ability to prevent crime. However, since the work of Shaw and McKay and others, researchers who adopt the macro social approach to the study of urban crime have identified a number of additional "disorganizing" factors including family disruption (Sampson and Groves), relative poverty (Messner, 1982), and racial segregation (Peterson and Krivo).

Researchers in this area believe that characteristics such as these are likely to lead to high levels of social disorganization, which in turn increases the likelihood of crime and criminal violence. In general terms, social disorganization refers to the inability of a community structure to mobilize the common values of its residents to maintain effective social controls (Kornhauser). Empirically, the intervening dimensions of community social organization can be measured in terms of the prevalence and interdependence of social networks in a community (both formal and informal) and in the span of collective supervision that the community directs toward local problems 02(Thomas and Znaniecki; Shaw and McKay; Kornhauser). Given this, neighborhoods characterized by high levels of poverty or economic deprivation, residential mobility, ethnic heterogeneity, family disruption, poor housing conditions, and low levels of education are most likely to be disorganized and have higher levels of crime and violence. Disorganization, a lack of solidarity and cohesion, and the absence of a shared sense of community and mutual

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commitment between residents allows crime to flourish because the community's capacity for informal social control (that which does not depend on the less efficient formal criminal justice institutions) is inhibited. Social disorganization theory has been criticized for failing to appreciate the diversity of values that exist within urban areas (Matza), for not recognizing that communities in urban areas indeed may be organized, but around unconventional values, and for failing to define clearly its main concept, social disorganization, thereby making the identification and operationalization of variables difficult (Liska).

Subcultural theories to explain urban crime are of two types—subculture of violence and subculture of poverty. Common to both types is the belief that certain groups carry sets of norms and values that make them more likely to engage in crime. The subculture of violence thesis holds that high rates of violence result from a culture where criminality in general and violence in particular, are more acceptable forms of behavior. Carriers of a subculture of violence are quicker to resort to violence than others. Situations that normally might simply anger others could provoke violence by those carrying subculture of violence values. In the formulation of these ideas, subcultural theorists claim that social institutions themselves contribute to the development and persistence of a subculture conducive to criminality and violence. For example, the disintegration of particular institutions (i.e., churches, families, and schools) denies certain populations (and in particular, minorities) the opportunity to learn conventional norms and values. The result of such processes is that certain groups are more likely to use violence in their day-to-day encounters, and violence is seen as an acceptable means to solving disputes. The classic statement on the subculture of violence is Wolfgang and Ferracuti's The Subculture of Violence: Towards an Integrated Theory in Criminology (1967), although others have contributed as well (Elkins; Curtis, 1975). According to critics, the main drawbacks with this

perspective are that it tends to overlook the interrelation of normative processes and institutional deterioration with more structural features of a given community, and that it is difficult to operationalize it in a testable fashion (how is the presence of subcultural values measured in individuals other than by the behavior that is being predicted?).

Subcultures of poverty explanations have focused more on urban crime than have subculture of violence explanations. Subculture of violence explanations have been used to explain crime in urban and nonurban settings, but those who have written about the subculture of poverty have been concerned primarily with the criminal behavior in the ghettos and barrios of central cities (Banfield). The central thesis here is that values and norms that discourage work and investment of money or energies are likely to develop in poor communities. Because carriers of this subculture are disinclined to strive to achieve, have limited patience, and are less likely to defer gratification, they act impulsively. Too often these impulses lead to crime. Critics of this theory cite a biased, middle-class perspective that seems to neither understand the plight of the poor—the effects of social structures and institutions on their behavior—nor accurately describe their lives, options, or behavior.

The most notable expression of conflict theories as an explanation of urban crime has focused on income inequality (Blau and Blau). Here scholars have argued that frustration is a byproduct of income gaps that are viewed as unjust by those in subordinate positions. Social structural cleavages based on race have also been used to explain why poor urban blacks and Latinos have higher crime rates than the general population (Blau and Blau). Marxist scholars (Chambliss; Quinney; Lynch and Groves) describe how the contradictions inherent in advanced capitalism make crime—particularly where populations are concentrated, such as in the city—more likely.

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Most of their critics assert that conflict theorists are inaccurate (e.g., it is not income inequality that predicts crime, but absolute poverty), or too political.

Explaining variation in urban crime

Although there is general consensus among criminologists that urban areas have higher rates of crime than rural areas, of less certainty is why certain urban settings have higher crime rates than other urban settings. That is, not all cities or neighborhoods experience similar levels of crime and violence; there is widespread variation in crime levels across urban spaces. Thus, the question of interest for criminologists is what is the source of this variation? What causes certain cities or neighborhoods to experience high levels of crime while other cities or neighborhoods enjoy relatively low levels of crime?

Criminologists address these questions by attempting to uncover the correlates of urban crime rates. In line with social disorganization theory mentioned earlier, most research of this type focuses on city or neighborhood characteristics associated with high crime levels in an area. Although the range of correlates studied is quite extensive, the most common characteristics include socioeconomic and demographic characteristics of the area, such as the poverty level, racial composition, residential mobility, labor force characteristics, age structure, and divorce rate. These correlates appear again and again in studies of urban crime rates. Here we will focus on three important correlates that have received continued attention among criminologists— poverty and other economic characteristics, racial composition, and labor force characteristics. Poverty, inequality, and urban crime. Within the extensive body of literature on the relationship between social class and crime exists a smaller but nonetheless important group of studies that examine the effects of poverty on crime. Interestingly enough, this smaller group of studies

mirrors the larger body of literature from which it extends; essentially, there seems to be as much controversy and disagreement over whether poverty is related to crime.

The significance of urban socioeconomic conditions for the incidence of crime was early recognized in ecological studies at the University of Chicago. In the most famous of these, Shaw and McKay compared delinquency rates in various areas within twenty-one cities and concluded that three urban conditions promote high delinquency rates: poverty, racial heterogeneity, and mobility, with poverty surfacing as the most important factor.

Over the decades, numerous aggregate studies have empirically supported the poverty and crime relationship. Many of these studies have observed the highest crime rates within the poorest urban slums (Curtis, 1974). A linkage between crime and economic conditions has also been found at higher levels of aggregation, such as cities and states (Loftin and Hill; Smith and Parker). Many leading criminologists believe that the poverty-crime relationship is clear and direct.

This positive relationship between poverty and crime, for the most part, went uncontested until Blau and Blau put forth the hypothesis that racial economic inequality, more than poverty, spells the potential for violence. Socioeconomic inequalities associated with ascribed positions (i.e., being a minority), they argue, engender pervasive conflict in a democracy. While great economic inequalities generally foster conflict and violence, ascriptive inequalities do so particularly. Pronounced ascriptive inequalities transform the experience of poverty for many into the hereditary permanent state of being one of the poor. Blau and Blau also argue that ascriptive socioeconomic inequalities undermine the social integration of a community by creating social differences and conflict that widen the separations between ethnic groups and social classes. The Blaus tested these ideas using data collected on the 125 largest Standard Metropolitan Statistical

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Areas (SMSAs). Their findings show that once economic inequality is controlled, the positive relationship between poverty and criminal violence disappears. That is, poverty no longer plays a role in explaining crime. The authors conclude their study by pointing out that in a society founded on the principle that "all men are created equal," economic inequalities rooted in ascribed positions violate the spirit of democracy and are likely to create alienation, despair, and conflict—all of which are associated with higher crime rates.

At the same time, a 1982 study by Messner examined the relationship between poverty, inequality, and violent crime for a sample of 204 SMSAs. Messner tested whether relative poverty (poor relative to those in one's community) is more important than absolute poverty (poor with reference to a fixed set of human needs) for explaining crime. What Messner discovers is quite surprising. While his economic measure of family income inequality proves to be insignificant, his second economic measure, size of the poverty population, exhibits a significant negative correlation with the homicide rate. That is, the size of the impoverished population is inversely related to the homicide rate.

Together, the work of Messner and Blau and Blau challenged common conceptions concerning the relationship between poverty and crime and pointed out that areas with high populations of people in poverty do not necessarily have corresponding higher rates of violent crime, as previously theorized. More recent studies on the poverty-crime relationship continue to report conflicting results. Thus, many argue that it is too premature to make a confident conclusion about the role that poverty plays in the production of criminal violence. A promising line of inquiry focuses on underclass neighborhoods that are characterized by the isolation and concentration of people in poverty. It may be that in the context of these "concentration effects" urban poverty may be related to higher crime rates (Sampson and Wilson).

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Racial composition and urban crime

Unlike poverty, studies that analyze racial composition and crime clearly find that there is a strong positive relationship between criminal violence and an area's racial composition. This has been shown to be true across all levels of aggregation, including states (Huff-Corzine et al.), SMSAs (Balkwell), cities (Sampson), and neighborhoods (Warner and Rountree), as well as for all types of crime, including both violent (Messner, 1982) and property (Kubrin). In many of these studies, racial composition is defined in terms of the percentage of the population that is black. More recently, however, there have been attempts to incorporate additional racial groups outside of blacks and whites into measures of racial composition. These measures more accurately represent racial heterogeneity or levels of racial diversity within an area. Interestingly, race effects have been documented in both studies that use percent black and white heterogeneity as their measure of racial composition. Given consistent findings, researchers interested in the race-crime relationship have moved away from the question of whether race effects exist to a more difficult question: Why do race effects exist?

To a great extent, the answer to this question is linked to the type of racial composition measure used in the study. For example, studies that use percent black as a proxy for racial composition, and find that it is a significant predictor of the crime rate, often proposes subcultural explanations to explain the race effect (Messner, 1982, 1983). These researchers argue that if the subcultural explanations are correct, there should be an effect of racial composition on the crime rate that is independent of socioeconomic and demographic factors. When such an effect appears, it is frequently interpreted as support for the subculture of violence thesis. At the same time, studies that document race effects using a measure of racial heterogeneity have very different explanations for why race and crime are correlated at the city and neighborhood levels. These

studies are usually more concerned with racial diversity and its relationship to crime, highlighting the "disorganizing" effects of racial heterogeneity on social control or interpersonal interactions at the neighborhood level (Warner and Rountree). Regardless of the measure, studies that examine the relationship between racial composition and crime find evidence of strong race effects.

Significant race effects have also been documented in criminological literature that focuses on changes in an area's racial composition and its relation to changes in violent and property crime rates. One of the most important findings of the classic Shaw and McKay delinquency research is that the spatial distribution of delinquency in a city was the product of "larger economic and social processes characterizing the history and growth of the city and of the local communities which comprise it" (p. 14). Further, in a 1982 study by Bursik and Webb using neighborhoods in Chicago, the authors find that changes within the ecological structures of localities had an appreciable impact on changes in community delinquency levels during the 1950s and 1960s. They interpret these findings in terms of the disruptive influence that community reorganization (processes of invasion and succession) has on the maintenance of social institutions, social networks, and informal social controls. In light of their findings, Bursik and Webb remind researchers of the crucial differences between static and dynamic spatial approaches to crime and delinquency. Since their work, recent studies that examine the relationship between changes in racial composition and changes in urban crime levels continue to find a strong positive relationship between the two (Miethe, Hughes, and McDowall; Kubrin).

Labor market conditions and crime.

 One possible line of inquiry that bridges debates about economics and crime and race and crime in the city is the research that focuses on how the labor market is related to crime. Historically

criminologists have tried to sort out the relationship between unemployment and crime, but the literature is inconclusive. Some studies find that unemployment is positively associated with crime while others do not find a significant relationship. Examinations that go beyond the simple consideration of employed versus unemployed persons have found that areas with unstable unemployment circumstances for relatively large portions of adults have higher crime rates (Crutchfield; Crutchfield, Glusker, and Bridges). Labor market segmentation research seeks to explain how job allocation perpetuates systems of stratification, which regulate the poor and some minority populations to economic disadvantage across generations. The line of research may help to explain why underclass urban neighborhoods, composed heavily of African American and Latino residents, have higher crime rates.

Major Crimes

Crime supply functions are estimated in this paper using data corrected for victim underreporting. It is found in both a mean-variance specification and a conventional crime supply function, which includes measures of the offender's gains and losses involved in property crimes, that certainty and severity of punishment still deter. When correction for underreporting is made, the effects on the rates of robbery, burglary, gambling, larceny, and auto theft of increases in prison admission rates and prison sentence lengths remain negative. This seeming support for the "deterrence hypothesis" must be balanced against the strong evidence that improved legitimate opportunities have a negative effect on crime. Use of improved crime data and a more intuitive economic specification of the offense supply function leads to the conclusion that higher income is a better deterrent to some crimes than increased punishment.

Burglary

At common law, burglary was defined by Sir Matthew Hale as

The breaking and entering the house of another in the night time, with intent to commit a felony therein, whether the felony be actually committed or not. Breaking can be either actual, such as by forcing open a door, or constructive, such as by fraud or threats. Breaking does not require that anything be "broken" in terms of physical damage occurring. A person who has permission to enter part of a house, but not another part, commits a breaking and entering when they use any means to enter a room where they are not permitted, so long as the room was not open to enter.

Entering can involve either physical entry by a person, or the insertion of an instrument to remove property. Insertion of a tool to gain entry may not constitute entering by itself. Note that there must be a breaking and an entering for common-law burglary. Breaking without entry or entry without breaking is not sufficient for common-law burglary**.**

Burglary, also called breaking and entering and sometimes housebreaking is an unlawful entry into a building or other location for the purposes of committing an offence. Usually that offence is theft, but most jurisdictions include others within the ambit of burglary.

Larceny

Larceny is what most people think of as common theft - the taking of someone else's property without the use of force. The Model Penal Code and the laws of several states place larceny and certain other property crimes under the general category of theft. However, there are some states that retain the traditional common-law distinctions in which larceny is its own crime, separate from other property crimes like embezzlement or robbery.

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The crime of larceny involves the theft of assets or property from another person. In order for an individual to be charged with the larceny, certain specific elements must be in place. If one or more of these elements is missing, it can result in different charges such as burglary, robbery, or theft. There are four main elements of larceny. It is the unlawful taking and carrying away of personal property with the intent to deprive the rightful owner of it permanently.

Robbery

Unlawful taking away of goods or property by force or intimidation, with the intention of permanently depriving the owner of those items. Robbery, and assault with intent to rob, is commonly punishable with a maximum sentence of life imprisonment. Robbery is taking or attempting to take something of value from another by violence or the threat of violence. Robbery can be committed against individuals, businesses, and institutions like banks. It is a felony in all states.

Motor vehicle theft

Motor vehicle theft is a very common charge in Jackson and all around the Metro Area. Taking a vehicle without permission with the intent of permanently or temporarily depriving the owner of the vehicle can get you slapped with motor vehicle theft charges. In most cases, due to the monetary value of automobiles, motor vehicle theft is almost always a felony. This means that if you're convicted, in addition to hefty fines, you could spend more than a year in a correctional facility. Since many cases of so-called motor vehicle theft can be misinterpreted, whether it was a misunderstanding between family members or retracted permission from a friend with a car, it's important to speak with a criminal defense attorney as soon as possible if you're facing motor vehicle theft .

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Causes and Solution

In this chapter we will discuss the definitions of crime, the major crimes committed within cities, why people commit crimes, root causes, government policies that have decreased and increase crime rates, and some possible solutions to lower our crime rates.

When it comes to our cities, our urban centers here in North America, crime is as much of a problem as it is elsewhere, although our crime rates seem to be higher than is found in other westernized nations, such as Western European nations and Japan . There are always reasons for crime, these reasons can change over time, and the punishments for these crimes can also change. As urban centers learn the reasons behind different crimes, their governments purposely try to develop the means to combat them. And, as these governments try to establish laws, policies, and social programs to combat crime and its causes, it also tends to trigger controversy, as people and organizations disagree with the policies, politics, and monetary appropriations directed towards social programs meant to combat those crimes.

So, what are some of the bigger crimes at issue in our urban centers? What are the reasons behind criminal activity, and how have these reasons changed over time? What are the historical trends in crime in North America? How do we punish those who commit crimes? These questions will be answered shortly.

So, what is crime? Crime is defined by the Merriam-Webster dictionary as "an act or the commission of an act that is forbidden or the omission of a duty that is commanded by a public law and that makes the offender liable to punishment by that law; especially : a gross violation of law" . A legal definition of crime would be: "a violation of a law in which there is injury to the public or a member of the public and a term in jail or prison, and/or a fine as possible penalties.

There is some sentiment for excluding from the "crime" category crimes without victims, such as consensual acts, or violations in which only the perpetrator is hurt or is involved in something such as the personal use of illegal drugs.

Reasons Why People Commit Crimes

So, what are some of the main reasons for why people commit crimes? The answers are numerous, but they seem to fit into a few different general categories. They are:

Losing control of one's emotions or physiology – There are many stories, very diverse from one another, all of which seem to derive from the lack of control of one's emotions. Your girlfriend or wife wants to leave you, so you physically assault them, or even kill them in your rage. Someone is arguing with you over issues as mundane as a sporting event, and tempers fly out of control, and before you know it, a fight has broken out, and someone is left in the hospital, and someone is left dead. You don't think you were treated right, or fairly, at your workplace, and so you decide to take matters into your own hands. Someone keeps harassing you, or bullying you, so you also take the matter into your own hands. Whatever the case may be, whether it leads to hatred, anger, impatience, revenge, ambition, pride, or other emotional states, losing control of one's emotional state can lead to reactions that end in crime. You get extremely sexually aroused, and don't have someone to take care of your needs, and instead of realizing that it might be better to take care of yourself, you force it on someone – you rape some woman rather than practicing self-control. Poor judgment may also be included in this category, because if you were better able to practice risk-benefit-consequence analysis, you might have better controlled your behavior.

Connections with drugs and alcohol – Perhaps the person is impaired because of too much alcohol, and ends up doing something that they wouldn't have done without impaired judgment, which would have left them in a state to more clearly see consequences to their actions, and developed the mindset to fight the feeling or thought. We have, of course, heard many times the story of an abusive father and husband, who are in that state because of being an alcoholic. Or, there are the people who are addicted to hard street drugs, and don't have any more money to pay for their next ounce of whatever it is they're taking, so, in desperation, they rob someone at gunpoint, or rob a store, or attack someone for their money, or burglarize a house, in the hopes of getting that cash they need for that next hit, so as not to go through the pain of withdrawal. Then, of course, there are the street venders and the more powerful drug lords who, in order to maintain control of their territory, or gain control of someone else's, decide to perform violent acts, such as murdering their competition, in order to keep their upper hand.

Bad influences – We find that many times a person, especially people who are habitual criminal offenders, commit crimes because that is all they know, from the environment that surrounds them, and/or because of the peer influence around them. Perhaps they're from a bad neighborhood, and the only people they see getting ahead in life, or getting out of the misery of poverty and hopelessness, are the people who do some sort of illegal, or criminal activity. They learn the techniques for burglarizing a property, or stealing a motor vehicle, and get all the 'encouragement' they need to go into such endeavors from the people around them. There are also the young people that feel very threatened by their surroundings, or may have even been attacked or hurt before, maybe on many occasions, and feel they need some protection, and the only protection they seem to find is offered in street gangs, many of which go about committing a plentitude of crimes.

Wrong Moral Choices – A good number of the crimes committed by people who aren't influenced by substance abuse or losing control of their emotions, particularly when it comes to property crimes like theft, larceny, and motor vehicle theft, do so, out of deliberately choosing to do that act, even though it is considered unethical and immoral. Making the wrong moral choices is closely linked to the bad influences mentioned above. In these cases, the person knows that they shouldn't steal or perform other violent acts, but don't care, and decide to do it anyways.

Mental Disorders – There is no telling how many crimes are done by people who have some kind of mental disorder, one which is difficult to control, even with proper medications or psychological treatments. We are often seeing stories in the news about people who commit violent acts because of a mental illness they have. Of course, there are different factors that confound the information, distort the numbers, don't account for different things such as the effects of medications on those people, and substance abuse. Another study suggests that it is substance abuse, the abusing of alcohol and using of drugs that lead to much of the mental illness that we see today; this study showed that if we accounted for this substance abuse, the effects of mental illness on causing crime would be minimal.

Poverty and Homelessness – There are those that believe that there is a strong connection between poverty and homelessness, and the amount of crime in an area. This theory is known as strain theory, in that social strains on individuals, to achieve upward financial mobility, are causing those individuals to act out in ways that are illegal, since legal means to achieve that upward mobility are not available to them. It was this strain theory of crime that motivated the Great Society welfare programs to be developed, that eventually became policy under the presidency of Lyndon B. Johnson in the 1960's. There seems to be some evidence to suggest that poverty is not a cause of crime, but is reflective of the kind of social behavior that also leads a

person to want to commit crimes. In other words, criminal activity has more of a correlation to poverty and homelessness rather than being caused (causation) by it. More will be talked about this later.

Government Policies That Have Helped to Lower Crime Rates

There are several government policies, many of which are controversial, and a couple which are based on court decisions which are disputed, that have been the possible causes for why the crime rates have lowered over the course of the last two decades.

More Prisons: One of these reasons is the fact that in the last few decades we have built more prisons, incarcerated more criminal offenders, and leave them in prison longer. All of this adds up to the fact that in times past, criminals were more likely to be on the street, especially repeat offenders, committing criminal acts and hurting people, but that today those same people are more likely to be kept behind bars. This means less people out there in our cities committing crimes because they are, for the most part, locked up. This reduces the chances of crimes occurring. The number of people who were incarcerated reached an all-time high of 2.3 million by the end of 2007, when the numbers actually started to decline, possibly due to decreasing crime, so that by the end of 2010, the numbers were down to 1.6 million . The number of people in prisons has skyrocketed since the 1980's, when many states greatly increased the length of prison sentences, helping to remove potential offenders, including repeat offenders, from the streets. In fact, we have twice as many people, per capita, behind bars than the USSR did in their heyday, and 7 times as many people per capita as China does.

More Police: We also find that there are now more police officers employed per capita than there were in the past, especially in the larger cities like Chicago and New York City, but also in

medium-sized cities like Indianapolis and Kansas City. Right now, there are over 800,000 people working within law enforcement, with 79% being employed by local governments, 11% by state governments, and 10% by the federal government. In the past, it was always difficult to determine which came first – cities with more police officers have more crime; more crime happens in places with more police officers. Finally, someone noticed that as terror alert levels went from yellow (elevated) to orange (high) that the amount of police around the nation's capital would increase, so they set out to measure the effects of the increased police patrolling on crime levels. Jonathan Klick and Alexander Tabarrok discovered that during the 15 ½ month testing period, the terror alert level rose and fell four times. What they discovered is that the increased police presence during the heightened alert levels actually saw a decrease in the crime rate on average about 6.6% a day, with a 15% daily drop in the Capitol district, a 15% drop in burglaries, and a whopping 40% drop in classic street crimes such as car theft. When putting these in useful numbers it is estimated that when taken nationally, every extra $1 spent to hire police means a $4 drop in the costs of crime, and that a 10% increase in the number of police would mean a 4% decrease in the amount of crime.

Theft Deterrent Technologies and Services: Another possible reason for lowered crime rates are that people who see themselves, and their property, as potential threats to thefts are more likely to protect themselves by home security systems, car theft deterrent systems, OnStar and equivalent services, and so forth. Increased amounts of police cameras can also be included in this category. All these theft deterrent technologies and services help to ward off potential thieves, thereby helping to reduce the amount of robbery and theft that takes place. Since 65% of all home burglaries happen to houses without any security system, it could be argued that you are

only 1/3 as likely to get burglarized without that service. There seems to be no proof of whether a car alarm system really works, or whether thieves just ignore them.

Shrinking Cocaine Use: Reduced consumption of cocaine is another argument for the decrease in crime. When one looks on a graph and sees the sharp increase in crime rates throughout the 1970's, and then again in the late 1980's, before the crime rates began to start falling in the 1990's, one will notice that this trend, particularly the late 1980's trend, paralleled the increased use, and then decreased use of crack cocaine, especially as a younger, newer generation of individuals saw the negative effects of that drug on older individuals, and wanted nothing to do with it. This decrease in crack cocaine use, and other addictive drugs, starting in the 1990's, has helped to trigger less crime by those people who do things like stealing and murder, as part of their efforts to get more money to buy their next hit. Of course, it wasn't just the users that were committing violent crimes, but gangs and drug trafficking networks, and their use of violence to protect their turf started to decrease as demand for their drugs started to decrease.

Abortion: Another argument, although one that is politically acceptable to those on the left, and isn't accepted by many on the right, is that the increased availability of abortion has caused for a future decrease in crime because of the associated decrease in the amount of people who grew up unwanted and being raised by single mothers in crime-prone circumstances. This theory was argued by Steve Levitt, who is one of the co-authors of the best-selling book, Freakonomics. He states his case quite well. He claims in his paper, written with John Donohue, that crime started to fall roughly 18 years after the national legalization of abortion, at about the same time hat unwanted children would have come of age and reached the time in their lives when they are most likely to commit crimes; that the crime rates started falling sooner in the ve states that legalized abortion before the 1973 Roe vs. Wade decision; that the arrest rate in states with

higher rates of abortion fell faster than states with lower levels of abortion; and that abortion legalization seems to account for at least 50% of the decrease in crime between 1991 and 1999, when the paper was written, as there was a theoretical 50% drop in the amount of unwanted children.

<center>**Chapter Five**</center>

5. Victimology

5.1. Definition and Scope

Victimology in a broader sense describes the study of people who have experienced any of the wide range of victimization experiences from any one of the following perspectives: the victim, the offender, family and society.

Victimology is the study of victimization, including the relationships between victims and offenders, the interactions between victims and the criminal justice system that is, the police and courts, and corrections officials and the connections between victims and other societal groups and institutions, such as the media, businesses, and social movements (Andrew Karman, 2003). A victim of a crime (or crime victim) is in criminology and criminal law, the identifiable person who has been harmed individually and directly by the perpetrator or defendant, rather than merely society as a whole. However, this may not always be the case, as with victims of white collar crime, who may not be clearly identifiable or directly linked to the crime, and are often denied their status as victims by the social construction of the concept. (Croall, 2001). Not all criminologists even accept the concept of victimization or victimology.

The aim of victimology as a science is to help such sufferers of crime and remove the social confusion by addressing to the problems of victims of crime. It is a relatively new area which is considered as a field of specialization within criminology. In other words, criminology encompasses within it the study of law making, law-breaking and societal reactions to law-breaking whereas victimology forms a part of specialized study in the field of societal reaction to law-breaking. Thus it has been generally accepted that criminology comprises four sub-fields:

1. Penology and the sociology of law;

2. Delinquency;

3. Comparative and historical criminology; and

4. Victimology.

Victimology as a branch of criminology encompasses the study of the following:

1. Victimization;

2. Victim-offender relationships;

3. Victim-criminal justice relationships;

4. Victim and the media relationship;

5. Victims and costs of crime;

6. Victims and societal reactions; and

7. Compensatory remedy for victims.

5.2. Victimology and Its Variants

Victimology as a field of study is a recently developed sub-discipline of criminology. Whereas the latter is very broadly concerned with the study of crime and criminals, victimology focuses equally broadly on crime and its victims. As within criminology itself, however, individual victimologists have tended to focus on very different sets of issues, as a result of which a number of variants within the sub-discipline may now be differentiated.

The position within victimology is further complicated by the fact that the academic study of victimology is closely intertwined with and is consequently almost impossible to disentangle from the equally diverse philosophies and practices that have been adopted by various sets of activists who have championed the cause of victims (Fattah, 1989). In this section, three principal variants within the field of victimology – positivist, radical and critical victimology are briefly described and linked with the discrete tendencies within the diverse victims 'movement with which they are most closely associated.

5.2.1. Positivist Victimology

Positivist victimology, like its counterpart in criminology (see Cavadino and Dignan, 2002: 49) is influenced by the view that crime, along with all other natural and social phenomena, is caused by factors and processes which can be discovered by scientific investigation. But whereas positivist criminologists attribute the causes of crime to various forces (including environmental and genetic factors) that act upon offenders and are beyond their control, early positivist victimologists were interested in the possibility that certain victims might in some way contribute to their own victimization. Von Hentig (1941, 1948) and Mendelsohn (1956, 1974), for example, were interested in

Observing and identifying regularities or non-randomized patterns of victimizing events, and in linking these to particular types of victim who could then be categorized within various typologies.

For instance, victims were classified according to how victim prone 'they were, in von Hentig's case, or even (and far more controversially) according to the degree of culpability 'exhibited by the victim, in Mendelssohn's case. The influence of positivist victimology can be discerned at

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the policymaking level with regard to both the development and deployment of victim survey techniques and also the launch of official campaigns to encourage victims who may be susceptible to various types of victimization to take steps to reduce the risks involved.

A major weakness with positivist victimology, however, is that it assumes that the identity of victims is self-evident, since it is linked to the harm that they have sustained and the fact that their status is defined and recognized by the criminal law. Thus, there is a tendency to concentrate almost exclusively on victims of conventional interpersonal crimes, particularly those involving violence and predatory attitudes towards the property of others.

2.2.2. Radical Victimology

Radical victimology likewise resembles its criminological counterpart in rejecting the theoretical underpinnings of positivist victimology. Instead of seeing victimization as a product of the personal attributes of individual victims, early radical criminologists such as Quinney (1972) drew attention to structural factors relating to the way society is organized, and also the role of the state itself and the legal system in the social construction of both victims and offenders. Viewed from this perspective, the definition and identity of victims is far from self-evident since it extends to those who are oppressed, and thus victimized, both by the powerful', and also by those who act on behalf of the state, including the police and correctional agencies. For many radical criminologists (see, for example, Taylor et al., 1973; Platt, 1975; Pearce, 1976), such insights resulted in a tendency to see offenders as the principal victims of state oppression and to downplay or ignore altogether those who were in turn victimized by them.

For others, including a group who became known as radical left realists'(see, for example, Lea and Young, 1984; Young, 1986) the findings of the first British Crime Survey alerted them to the

fact that most predatory crime was directed not against the wealthy bourgeoisie but against the poorest members of society who tend to live among those responsible for such crime. Other radical victimologists have been motivated less by empirical findings than their own normative predilections. Robert Elias (1985) for example, sought to place a human rights perspective on the victimological agenda. His aim was partly to devise a more objective and less parochial criterion by which victimization might be defined and measured, and partly to mobilize support in favor of measures to relieve human suffering' on the part of victims.

This realignment within the field of radical victimology is also reflected in certain specific tendencies within the wider victims 'movement. At a political and policymaking level the concerns of new left realism were mirrored in a commitment to improving the lot of ordinary' victims without necessarily adopting the highly repressive responses towards offenders that are associated with more conservative law and order advocates. At a practitioner level, the quest for a human rights approach was manifested in a search for more constructive ways of dealing with both victims and offenders that sought as far as possible to meet the needs and interests of both. Thus, certain strands within radical victimology are reflected in more liberal approaches with regard to penal policy, such as the promotion of state-funded compensation schemes, support for restitution or compensation for victims by their offenders and even attempts at reconciliation (see also Karmen, 1990: 8). In this respect, some of the early progenitors of the restorative justice movement espoused aims that were certainly consistent with, even if they were not directly inspired by, some of these developments within radical victimology. However, radical victimology has in turn been criticized for its partial and incomplete portrayal of the processes of victimization since it tends to confine its analysis to the impact of social class relationships while neglecting other factors such as gender, race and age (Jefferson et al., 1991; see also Mawby and

Walklate, 1994: 16). Attempts to overcome these limitations have drawn on two main perspectives:

The first derived from an approach within critical criminology that is known as symbolic interactionism'(see e.g. Miers, 1989, 1990a); and the second from feminist accounts (see e.g. Mawby and Walklate, 1994). Despite the differences between them, both approaches have appropriated the label critical victimology', which represents the third main variant within the field of victimology.

5.2.3. Critical Victimology

For David Miers, the key questions for a critical victimology are who has the power to apply the label? ', and what factors are significant in determining whether or not to bestow it? ' While acknowledging that such questions represent an advance on positivist victimology by emphasizing the contingent and culturally specific nature of our assumptions about who victims are Mawby and Walklate do not accept that it takes us far beyond the portrayal provided by radical victimologists. This is mainly because it fails to explain how those labels are constituted and why it is that certain conceptions of who, really, are the victims, come to prevail at different times and in different sets of social and political circumstances. Mawby and Walklate (1994) themselves have been inspired by a feminist perspective rather that one derived from symbolic interactionism as in David Miers's case. Although not initially directly concerned with criminal victimization per se, feminism did highlight the importance of neglected issues such rape, sexual harassment, domestic violence and child abuse. It also drew attention to an additional pervasive mechanism patriarchy which, like social class, helps to shape both the process and pattern of victimization and also our ability or willingness to recognize them for what they are. It is by no means the only one, however. Race, for example, is another factor that, like gender, is implicated

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in the process of victimization and, through its effect on social attitudes, one that may also obscure these processes unless and until they are revealed by campaigners, social commentators and other opinion formers. Critical victimology has highlighted the importance of historical and cultural contexts in shaping both victimizing practices and our sensitivities towards them. Even more importantly, perhaps, critical victimology should alert us to the fact that concepts such as victim 'and victimization 'are contested and, being historically and culturally specific, are both malleable and far from universal. It is also worth pointing out that, perhaps because of the

sympathy that it evokes, the image of the victim' is capable of being invoked and sometimes even manipulated or exploited, whether to serve the interests of victims per se, particular groups of victims or even other objectives altogether. We will come across examples of all of these tendencies in the two chapters that follow, which examine victim-focused policymaking.

5.3. Victimization

The noun "victimization" has two meanings, "an act that exploits or victimizes someone" and "adversity resulting from being made a victim" (Victimization, N.d). Despite these two descriptions of the same word, both illustrate the problem of victimization. One of the most controversial sub-topics within the broader topic is victimization. The concept of "victim-proneness" is a "highly moralistic way of assigning guilt" to the victim of a crime, also known as victim-blaming. Victim blaming is holding the victims of a crime, an accident, or any type of abusive maltreatment to be entirely or partially responsible for the unfortunate incident that has occurred in their life, often when the victim had performed no actions to facilitate the incident. It is also about blaming individuals for their personal distress or for social difficulties, rather than the other parties involved or the overarching social system in place.

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There have been some studies recently to quantify the real existence of victim-proneness. Contrary to the urban legend that more women are repeat victims, and thus more victim-prone than men, actually men in their prime (24 to 34 year old males) are more likely to be victims of repeated crimes. While each study used different methodology, their results must be taken seriously and further studies are warranted.

The study of victimology may also include the "culture of victimhood," wherein the victim of a crime reveals in his status, proclaiming that self-created victimhood throughout a community by winning the sympathy of professionals and peers. In the case of juvenile offenders, the study results also show that people are more likely to be victimized as a result of a serious offense by someone they know; the most frequent crimes committed by adolescents towards someone they know were sexual assault, common assault, and homicide. Adolescents victimizing people they did not know generally committed common assault, forcible confinement, armed robbery, and robbery.

One particularly well known example of a class at increased risk to varying forms of attacks is the prostitute. These people have been known anecdotally to have an abnormally high incidence of violent crime, and such crimes go unresolved frequently. Victimological studies of the matter might investigate current societal mores (expectations, roles, social status), legal status of prostitutes, typical working/living conditions, statistical analysis of the actual increased risk and secondary risk factors, and the economic activity of a prostitute. Another example is when the victim actively precipitates or initiates the crime scene, for example, by starting a fight or baiting another individual.

5.4. Victimization and Its Effects:

Victimization is a highly complex process encompassing a number of possible elements:

The first element (often referred to as primary victimization') comprises whatever interaction may have taken place between offender and victim 'during the commission of the offence, plus any after effects arising from this interaction or from the offence itself.

The second element encompasses the victim's 'reaction to the offence, including any change in self-perception that may result from it, plus any formal response that s/he may choose to make to it. The third element consists of any further interactions that may take place between _the victims 'and others, including the various criminal justice agencies with whom s/he may come into contact as a result of this response. Where this interaction has a further negative impact on the victim, it is often referred to as secondary victimization'.

5.4.1. Primary Victimization and Its Consequences:

With regard to the primary victimization 'phase of the process, it may be helpful to begin by distinguishing between the effects 'or consequences that are known to result from crimes of different kinds and their impact 'on victims themselves. It is a relatively straightforward task (see e.g. Newburn, 1993) to identify and categorize the different types of effects with which various crimes may be associated, even though in practice (and particularly from the victim's own perspective) it may be much more difficult to compartmentalize them in this way. Certain crimes entail physical effects, which are likely to involve some degree of pain and suffering, and may also entail loss of dexterity, some degree of incapacity and/or possible temporary or permanent disfigurement. Many crimes also have financial effects, which may be either direct – where they are attributable to the theft of or damage to property – or indirect. Very often crime can result in

additional costs that might be incurred, for example, in seeking medical treatment or legal advice, or loss of income as a result of attending to the crime and its aftermath, or possible loss of future earning potential.

Certain crimes can also have psychological and emotional effects upon victims including depression, anxiety and fear, all of which can adversely affect their quality of life. Finally, though it is often overlooked, crime can also adversely affect victims 'social relationships with family, work colleagues and friends. In principle, at least, it should be possible to quantify most of these effects reasonably objectively, though in practice it is methodologically very difficult to do this (see Maguire, 1991: 387–402), particularly in the case of those effects that do not have direct financial consequences. The measurement of any emotional effects is particularly problematic, not least because both the emotional experience itself and the extent to which people are willing and able to discuss it are themselves highly subjective and, to some extent, culturally specific (see Wortman, 1983).

One additional general observation is that the effect of crime specifically on victims 'social relationships with family friends and associates has largely been neglected by researchers, or if acknowledged has been treated merely as an aspect of the psychological effect of crime. This is somewhat surprising as crime and its aftermath are known to be a stressful experience for victims, and social relationships are also known to be adversely affected by stress of different kinds.

5.4.3. Secondary Victimization

Assuming that a person who has been offended against does actively seek to be recognized and treated by others as a victim, this will normally set in motion a range of other processes over which the victim has little or no control. These processes may or may not result in victim status being granted but, even where successful, they may inflict additional costs and further hardship on the victim: a consequence that is often referred to as secondary victimization'.

A careful analysis of the victimization process may help us to identify an additional range of criteria by which we may seek to assess the performance of various victim-focused measures (including restorative justice) that are designed to alleviate the harmful consequences of victimization. The most obvious of these concern the extent to which they are capable of addressing the following kinds of harm that may result either directly or indirectly from the commission of a criminal offence:

• Financial loss or additional short or longer term economic hardship;

• Physical harm including pain and suffering plus any longer term incapacity;

• Short and longer term psychological and emotional effects;

• Damage to social relationships, particularly those involving the victim and other family members, colleagues and acquaintances but also including the offender where known to the victim;

• Subjective impact of any of the above from the victim's own standpoint;

• Any longer term legacy including feelings of insecurity, concern about crime in general or fear of being (re-)victimized;

• Any negative consequences that might be associated with a person's self-perception as a victim;

• The negative consequences associated with any possible secondary victimization'.

5.4.2. Victims" Responses to Victimization:

Having discussed the effects of crime and its impact on different categories of victims, we will now examine the way victims respond to their initial victimization and its impact. These responses may take a number of different forms including the possibility of changes in the attitudes and behavior of the victim, changes in the victim's own self-perception and even self-identity, and attempts to elicit support or reactions from others including formal agencies such as the police and the courts. Once again we will consider each of these in turn. It is reasonably well established that being the victim of a crime is frequently associated with attitudinal changes. Victims of violence and victims of burglary are especially likely to be worried about those particular categories of crime, respectively, though they are also significantly more likely than non-victims to be worried about all other conventional categories of crime as well. Victims of motor vehicle crime, on the other hand, tend to be rather more specifically worried than non-victims about these particular crimes, but are only marginally more concerned than non-victims about other types of crime. Victims of crime are also more likely than non-victims to perceive that they are at risk of being victimized in the future, and once again the general pattern for different offence types is broadly comparable to that described above. Moreover, victims of violence and burglary are also far more likely than non-victims to be afraid of walking alone in the area after dark and to feel insecure when alone at home during the night, whereas victims of motor vehicle crime do not feel any less safe than non-victims in either respect.

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In terms of behavioral changes, such evidence as there is mostly relates to the more serious kinds of conventional offences and is mainly based on intensive interview studies involving victims of more serious forms of violence including rape. Shapland et al. (1985), for example, found that 14 per cent of victims experiencing some form of assault responded by going out much less frequently than before the offence. Rape victims appear to be particularly likely to undergo major behavioral changes including moving house or changing jobs. Williams and Holmes (1981), for example, found that one in four victims identified in a sample drawn from police records moved house following the assault, while Burgess and Holmstrom (1976) found that just under half of their small sample of rape victims (19 out of 45) had changed jobs within six weeks of the attack. Other behavioral effects include withdrawal from social contacts and drug or alcohol abuse (Peters et al., 1976; Herman, 1981; Briere, 1984, all cited in Newburn, 1993).

With some types of offences the behavioral consequences can be even more severe. This is particularly true of crimes involving serious physical or sexual abuse that is directed against child victims. In both instances there is evidence that a cycle of abuse may be instigated, whereby some of those who have been victimized as children go on to perpetrate the abuse against succeeding generations of victims. Indeed, this is another illustration of the fact that, in reality, victims and offenders often belong to overlapping categories rather than the mutually exclusive camps to which they tend to be assigned by popular stereotypes. More generally, another behavioral response that is not restricted to a particular category of offence types is for the victim to engage in direct retaliatory action against the offender or suspected offender (Miers, 2000).

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While such behavior may be relatively uncommon, it, too, serves as a reminder that we should not rush to dichotomize too rigidly between victims and offenders when considering how each needs to be dealt with.

Quite apart from any direct behavioral consequences it might have, however, one of the most important issues when considering the impact of a specific criminal offence is whether it causes the person(s) against whom it is directed to think differently about themselves. Does it result in them seeing themselves as a victim 'and actively seeking to assume the identity and status of a victim, with all that entails, or not? And, if they do seek such status, will it be conferred on them by those who have the power to authoritatively bestow it?

Becoming a victim, in other words, is a social process that starts with a criminal offence but also requires a cognitive decision by the person(s) against whom it is directed to see themselves as, and assume the status of, victims as part of their strategy for coping with it. Not everyone who has been offended against will necessarily regard themselves as a victim. Some, for example, may not recognize that they have in fact been offended against. This could be because the crime itself might not conventionally be recognized as such, as in the case of corporate manslaughter'. Or it might be that the behavior in question forms such in intrinsic part of their everyday experience that the person against whom it is directed does not consider it to be criminal or even abnormal. Children who have been sexually abused by a relative, for example, may not appreciate at the time that they have been victimized. Similarly, women who were raped by their husbands or beaten by their partners were not, until relatively recently, encouraged to think of themselves as victims of criminal offences. Others may consciously reject the victim label', either because they consider it to be pejorative or because they prefer to pursue or promote other coping strategies'. Some of those who work with women who have experienced rape or domestic

violence, for example, have deliberately renounced the victim 'label and prefer to use the term survivors'. Still others may consider a potentially victimizing incident too trivial to bother about or would prefer to deal with it themselves. For example, over half (55 per cent) of those who had experienced a potentially victimizing incident over the previous 12 months reported that they did not want any help or support in dealing with it (Maguire and Kynch, 2000: 8).

5.5 Crime Victims

A victim of a crime, or crime victim, is in criminology and criminal law, the identifiable person who has been harmed individually and directly by the perpetrator or defendant, rather than merely society as a whole. However, this may not always be the case, as with victims of white collar crime, who may not be clearly identifiable or directly linked to the crime, and are often denied their status as victims by the social construction of the concept (Croall, 2001).

5.5.1 Types of Victims:

The term crime 'victim'refers to any person, group or entity who has suffered injury or loss due to illegal activity of someone. The harm can be physical, psychological or economic. Such a person may be called a „primary victim of crime‟. Besides, there are also secondary crime victims‟ who suffer harm or injury as a result of injury or harm to the primary crime victim. For example, the children of a raped woman or a battered woman suffering from lack of paternity and are secondary victims.

5.5.2 Society as Crime Victim:

There is one strain of thought that society itself is the victim of many crimes, especially such homicide felonies as murder and manslaughter. This sentiment has been espoused by many lawyers, judges, and academics. Some district attorneys feel they represent all of society, while

some feel they are the lawyer for the crime victim. John Donne wrote that when one hears a funeral bell, one should not wonder "for whom the bell tolls," because "it tolls for thee," meaning that a part of everyone dies when one person in society dies. In other words, crime is harm to society.

Von Hentig (1948) carried the work of Mendelson further and placed victims in five main categories as follows:

• The innocent who fell a victim in crime being in the wrong place at the wrong time.

• The depressive types who are an easy target, being careless and unsuspecting.

• The greedy type who are easily duped because of craze for money and easy gain.

• The wanton type who are particularly vulnerable to stresses of life such as juvenile victims.

• The tormentor type who is the victim of attack from the target of his/her abuse such as battered women.

5.6. Psychological Consequences affecting Crime Victims:

Emotional distress as the result of crime is a recurring theme for all victims of crime. The most common problem, affecting three quarters of victims, were psychological problems, including: fear, anxiety, nervousness, self-blame, anger, shame, and difficulty sleeping.[2] These problems often result in the development of chronic PTSD (post-traumatic stress disorder). Post crime distress is also linked to pre-existing emotional problems and socio-demographic variables. This has known to become a leading case of the elderly to be more adversely affected. Victims may experience the following psychological reactions:

☐ Increase in the belief of personal vulnerability.

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☐ the perception of the world as meaningless and incomprehensible.

☐ the view of themselves in a negative light.

☐ the experience of victimization may result in an increasing fear of the victim of the crime, and the spread of fear in the community.

5.7. Reluctance of Victims to Report Crimes

The reluctance of victims to report cases to the police remains an issue to be probed in by victimologists. Some of the reasons for non-reporting of crimes are:

1. People's apathy and attitude of indifference;

2. The effect of crime being insignificant or petty;

3. Identity of the offender being unknown;

4. Apprehension of threat or harassment from the culprit;

5. Social and public indignation, particularly in cases of rape, illegal abortion and other sexual offences;

6. Considerable loss of time, money in prolonged criminal litigation;

7. Reluctance of witnesses to testify or possibility of their turning hostile;

8. Lack of faith and confidence in police action.

Needless to say that apathy of victims to report against the offender encourages criminality. Therefore, victimologists should concentrate the problems which hinder victim's approach to the agencies of criminal justice system for redressed of their woes and sufferings. Since the ultimate end of penal justice is to protect and add to the welfare of the people and society as a whole,

victims 'rights should not only be recognized by the State but they should be well protected by the law and victims 'services should be further extended. The emergence of compensatory jurisprudence is indeed a welcome step from the point of view of human rights philosophy.

Chapter Six

Restorative Justice

Definition

Restorative Justice is a theory of criminal justice that focuses on crime as an act against the individual or community rather than the state. Dialog between the offender and the victim is crucial to restorative justice. The person who has harmed takes responsibility for his/her wet ion and the person who has been harmed may take a central role in the process, in many instances receiving an apology and reparation directly or indirectly from the person who has caused them harm.

6.1. Definition of Restorative Justice

"Restorative justice is a broad term which encompasses a growing social movement to institutionalize peaceful approaches to harm, problem-solving and violations of legal and human rights. These range from international peacemaking tribunals such as the South Africa Truth and Reconciliation Commission to innovations within the criminal and juvenile justice systems, schools, social services and communities. Rather than privileging the law, professionals and the state, restorative resolutions engage those who are harmed, wrongdoers and their affected communities in search of solutions that promote repair, reconciliation and the rebuilding of

relationships. Restorative justice seeks to build partnerships to reestablish mutual responsibility for constructive responses to wrongdoing within our communities. Restorative approaches seek a balanced approach to the needs of the victim, wrongdoer and community through processes that preserve the safety and dignity of all." Restorative justice is a theory of justice that emphasizes repairing the harm caused or revealed by criminal behavior. It is best accomplished through cooperative processes that include all stakeholders. Restorative justice is very different from either the adversarial legal process or that of civil litigation. "Court-annexed ADR (Alternative Dispute Resolution) and restorative justice could not be philosophically further apart" because lawyers seek to reduce issues between offenders and victims to only legally relevant ones and to protect their offending client, whereas restorative justice seeks "expanding the issues beyond those that are legally relevant, especially into underlying relationships."

Citing Greif, Liebmann has written that

✓ a way of looking at restorative justice is to think of it as a balance between a number of different tensions:

- A balance between the therapeutic and the retributive models of justice

- A balance between the rights of offenders and the needs of victims

- A balance between the need to rehabilitate offenders and the duty to protect the public.

 6.2. Three principles form the foundation for restorative justice

1. Justice requires that we work to restore those who have been injured.

2. Those most directly involved and affected by crime should have the opportunity to participate fully in the response if they wish.

3. Government's role is to preserve a just public order, and the community's is to build and maintain a just peace

6.3. Applications of Restorative Justice

Restorative justice takes many different forms, but all systems have some aspects in common. In criminal cases, victims have an opportunity to express the full impact of the crime upon their lives, to receive answers to any lingering questions about the incident, and to participate in holding the offender accountable for his or her actions. Offenders can tell their story of why the crime occurred and how it has affected their lives. They are given an opportunity to make things right with the victim—to the degree possible—through some form of compensation.

In social justice cases, restorative justice is used for problem solving. In these cases, impoverished people such as foster children are given the opportunity to describe what they hope for their futures and make concrete plans for transitioning out of state custody in a group process with their supporters.

In criminal cases, types of compensation include, but are not limited to: money, community service in general, community service specific to the deed, self-education to prevent recidivism, and/or expression of remorse.

In the courtroom, a case in relation to petty or first-time offenses may be referred to restorative justice as a pretrial diversion, with charges being dismissed after fulfillment of the restitution agreement. In more serious cases, restorative justice may be part of a sentence that includes prison time or other punishments.

In the community, concerned individuals meet with all affected parties to determine what the experience and impact of the crime were for all. Those called out for offenses listen to others' experiences first, preferably until they are able to reflect and feel what those experiences were for the others. Then they speak to their experience: how it was for them to do what they did. A plan is made for prevention of future occurrences, and for the offender to heal the damage to the injured parties. All agree, Community members hold offender accountable for adherence to the plan. Most academic and government definitions of restorative justice restrict that definition to those programs that involve an encounter between the offender and the victim. Some grassroots organizations, like the Mennonite Central Committee Canada, define restorative justice programs less on who the clientele of the program is, and more on the programs values. This means that programs that only serve victims (or offenders for that matter), but have a restorative framework, are considered a restorative justice program. Restorative justice pioneer Howard Zehr was honored as the recipient of the 2006 Community of Christ International Peace Award.

Many Libertarians support restorative justice because it is a victim-centric rather than state-centric approach to law enforcement.

6.4. Programs to Attain Restorative Justice:

Practices and programs reflecting restorative purposes will respond to crime by:

1. Identifying and taking steps to repair harm,

2. Involving all stakeholders, and

3. Transforming the traditional relationship between communities and their governments in responding to crime

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The following are some such programs aiming at ensuring restorative justice

6.4.1. Victim-Offender Mediation:

Victim-offender mediation or VOM (also called victim-offender dialogue, victim-offender conferencing, victim-offender reconciliation, or restorative justice dialogue), is usually a face-to-face meeting, in the presence of a trained mediator, between the victim of a crime and the person who committed that crime. This system generally involves a small number of participants, and often is the only option available to incarcerated offenders, due to limits on visitors. VOM originated in Canada where it formed part of an alternative court sanction in a 1974 Kitchener, Ontario case involving two accused vandals who met face-to-face with their many victims.

6.4.2. Family Group Conferencing:

Family group conferencing (FGC) has a much wider circle of participants than VOM. In addition to the primary victim and offender, participants may include people connected to the victim, the offender's family members, and others connected to the offender (for example, friends, and professionals). FGC is often the most appropriate system for juvenile cases, due to the important role of the family in a juvenile offender's life. Examples of the use of FGC in a juvenile justice setting can be found in the statutory scheme operating in New South Wales (Australia) under the Young Offenders Act 1997, and in New Zealand under the Children, Young Persons, and their Families Act, 1989. The New South Wales scheme has been favorably evaluated by the New South Wales Bureau of Crime Statistics and Research.

6.4.3. Restorative or Community Conferencing:

Restorative Conferencing has a much wider circle of participants than VOM. Restorative conferences, which have also been called restorative justice conferences, family group

conferences and community accountability conferences originated as a response to juvenile crime (Doolan, 1999; O'Connell, 1998).

A conference is a structured meeting between offenders, victims and both parties' families and friends, in which they deal with the consequences of the crime and decide how best to repair the harm. Neither a counseling nor a mediation process, conferencing is a victim-sensitive, straightforward problem-solving method that demonstrates how citizens can resolve their own problems when provided with a constructive forum to do so (O'Connell, Wachtel, & Wachtel, 1999). In Brazil, a style of restorative conferencing inspired by Nonviolent Communication has begun to be used in the youth criminal justice system and in the schools. Like other restorative conferencing practices, the Brazilian "restorative circles" minimize the role of the facilitator, in the interest of empowering circle participants to own the process and feel that in the future they can use the process without an outside facilitator. The approach strives to break free from the retributive model more fully than is in the case in some other restorative practices by emphasizing thinking of participants as human beings, rather than being an "offender," "victim," or other label, and by focusing on each person's choices and the human needs that motivated them. Each person is encouraged to take responsibility for their part in what happened and co-create what will happen next. The International Institute for Restorative Practices provides training in restorative conferencing and other restorative practices throughout the world.

6.4.4. Community Restorative Boards

A community restorative board, also referred to by other names internationally such as community justice committees in Canada and referral order panels in England & Wales, is typically composed of a small group of citizens, prepared for this function by intensive training, who conduct public, face-to-face meetings with offenders who have been sentenced by the court

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to participate in the process or who have been referred by police officers on a pre-charge basis or as part of a peripheral, extra-judicial process. Victims of the offender are invited to participate in the process by meeting with the board and offender, or by submitting a written statement which is shared with the offender and the board. During a meeting, board members discuss with the offender the nature of the offense, impact of the behavior, and negative consequences. Then board members discuss a set of actions with the offender, until they reach agreement on the specific actions the offender will take within a given time period to make reparation for the crime. Subsequently, the offender must document his or her progress in fulfilling the terms of the agreement. After the stipulated period of time has passed, the board submits a report to the court on the offender's compliance or a written documentation to the referring police officer, with the agreed.

Restorative Circles

In Hawaii, Restorative Circles are provided for individual imprisoned people who meet with their families and friends in a group process to address their needs for a successful transition back into the community. One of the needs addressed is the need for reconciliation. A Modified Restorative Circle has also been developed and used in Hawaii for individual incarcerated people whose loved ones are unable or unwilling to attend full Restorative Circles. Instead other imprisoned friends sit in the Circle and are supporters in developing a transition plan that includes how the incarcerated individual having the Circle may reconcile with those harmed by the crime and/or imprisonment.

4.5.6. Circles of Support and Accountability

Circles of Support and Accountability (COSA) originated as a project of the "Welcome In," a Mennonite church in Hamilton, Ontario. This thoroughly Canadian innovation is now an internationally regarded, evidence-based practice with a demonstrable capacity to enhance the safe integration of otherwise high risk sex offenders with their community. In Canada, some sex offenders are released to the community after serving their entire sentence. They have been judged too dangerous to be released on any form of conditional release (e.g. a parole certificate), and have therefore been "detained." Upon further reconviction (and therefore, further victimization), many of these offenders would likely be designated as a "Dangerous Offender," under current Canadian law. Prior to 1994 many of these offenders were released without any form of meaningful community-based support or accountability network apart from police surveillance. Since 1994, COSA has assisted with the integration of well over 120 such offenders by offering them support while holding them accountable. Research now indicates that surrounding a 'core member' with between 5 and 7 carefully selected and trained volunteer circle members significantly reduces sexual re-offence by upwards of 50%. Further, a significant "harm reduction" effect has also been noted in those cases where sexual re-offence has occurred. Offences were less invasive and less brutal in nature than previous offences. COSA projects now exist in every Canadian province and every major urban center. COSA projects are also operational in several U.S. states.

6.5. Key Values of Restorative Programs

1. Encounter: Create opportunities for victims, offenders and community members who want to do so to meet to discuss the crime and its aftermath.

2. Amends: Expect offenders to take steps to repair the harm they have caused.

3. Reintegration: Seek to restore victims and offenders to whole, contributing members of society.

4. Inclusion: Provide opportunities for parties with a stake in a specific crime to participate in its resolution.