

## Criminology 304

Thursday January 22, 2015

- The first book we need will be on electronic reserve within the next few days and is on the annex 4<sup>th</sup> floor
- Part 1: Definitions and perspectives
- Lecture outline
  - Crime and the media
  - Crime as legal category
  - Sociological Definitions of Crime (Beirne and Messerschmidt, 2000)
  - Hagan (1985): 7 approaches + pyramid approach
- Crime and the Media
  - What are some of the typical images routinely conveyed about crime in the mass media?
    - 1/3 of media deals with crime related information (Law and Order, CSI, news, etc).
  - Amount of crime
  - Types of crime: Violence
    - Property crime is the most common type of crime in society
  - In whose interests?
    - Want to provide stories to maintain interest from the audience.
    - Politicians are involved to get their name out and the belief
  - Perceptions of crime shaped by media
    - The perceptions are different than the representation
  - Crime myths: false beliefs about crime
    - Affects African American young men in the idea that they abuse drugs when in actuality it is white men whose stats are higher
  - Media contributes to crime myths:
    - Select people to be interviewed
    - Use value-laden language
    - Presenting data that are misleading (numbers vs. rates)
    - Emphasizing violent crime
    - Failing to provide the social and or historical context.
- Fear of Crime
  - Structural correlates: concern the social and physical characteristics of locations in which people live.
    -
  - Structural correlates can also refer to socio-demographic factors
    - Gender
    - Race/ ethnicity
    - Population size.

- o In studies it has shown that African Americans are more fearful they are.
- Sociological Criminology
  - o Emphasizes the social roots of crime
  - o If we can change time we can change sociology
  - o Structural Criminology
    - (Hagan 1905)
  - o Structural criminology emphasized the role of communities, and influence of social location (elements of that social structure)
  - o Major Distinction
    - Consensus VS> Conflict
  - o Consensus Approaches
    - Durkheim
      - Agreement in opinion on social agreement
      - When crime occurs, this constitutes a norm violation and punishment of the behavior is necessary to endure social stability (maintains social order)
- Marx and Engels
  - o Disagreement on norms of society reflecting tradition in social structure based on inequality in wealth and power
  - o Crime definition's are more problematic; why do some acts become defined legal, while others are going out
- History of Crime as a concept
  - o Debate among criminologists about the proper definitions of crime can be traced to (1933) report by Michael (the phi delt) and Adler
  - o "The most precise and the least ambiguous definition of crime is that which defines it as criminal foa.
  - o Tappan followed Michael and Agler's argument and claimed that *crime is an intentional violations of the criminal law, committed without defense or excuse and penalized but the star felony or misdemeanor*
  - o **Crime is a legal mist provide a punishment for the crime and**
  - o Legalistic defining of crime holding is that when tried
  - o Criminal law most provide punishment from
- Crime as Legal Category
  - o To constitute the behavior must be prohibited by law
  - o Criminal Law categorized
    - Mala en se
      - Acts that are universally considered evil
    - Mlaa prohibita
      - List of changes over time, they are acts prohibited ny statute
- Criminal law distinguishes between felonies and misdemeanors

- o Felony- a serious offense punishable by a prison term of more than one year, also punishable by death
  - o Misdemeanor: a relatively minor criminal c offense punishable by less than one year in prison, or a fine.
- Crime as a legal category
  - o To constitute a crime, the behavior must be a voluntary act or omission
    - Omission- failing to file a tax texture with the IRS
  - o Culpability for a crime depends on how a defenders mental state
    - Criminal intent or mens rea is the guilty hand
  - o When is a crime not a crime? Defenses:
    - Justification: dures (self-defense), necessity, duty
    - Entrapment (one lacks criminal responsibility)
    - Insanity (no mans rea)
  - o Criminalization: process by which law is selectively applied to social behavior
    - The enactment of legislation hat outlaws certain types of behavior
    - Surveillance and policing of that behavior
    - If detected, the punishment of that behavior.
- Crime as a violation of conduct norms
  - o Sellin (1938) Culture Conflict and Crime
  - o Definition moves beyond the realm of the law
  - o Basic Units of criminological research should be conduct norms
  - o Based on conducting norms, there are right and wrong ways of acting.
- Crime as a social harm
  - o Sutherland (1949) White Collar Crime
  - o Analogous social injury (Michalowski 1985): applies to "legally permissible acts or sets of conditions whose consequences are similar to illegal acts.
- Crime as a violation of human rights
  - o Crime as any behavior that violates human rights
  - o View that all people have certain natural and inalienable human rights (life, liberty and happiness)
- **Crime as a form of Deviance**
  - o Deviance: any social behavior or social characteristic that departs from the conventional norms and standards of a community or society for which the deviant is sanctioned.
  - o (mental illness is a form of deviance but it is not illegal)
  - o Pyramid or Continuous approach
    - 1<sup>st</sup> axis is evaluation of social harm
    - The bottom layer is relatively harmless → somewhat harmful → very harmful