CHAPTER 3

ARMSHALS OPERATION

FALCON III

 Locality

Warrants Cleared: 13,333 625
Fugitives Arrested: 10,773 548

Sex Offenders Arrested: 1,659
Unregistered Sex Offenders Arrested: 971
Documented Gang Members Arrested: 364
Suicide Warrants Cleared: 140
OCDETF Warrants Cleared: 222
Defining and Measuring Crime

Chapter outline
- Classification of Crimes
- The Uniform Crime Report
- Alternative Measuring Methods
- Crime Trends Today
- Criminal Justice in Action—Legalizing Drugs

Learning objectives
After reading this chapter, you should be able to:

LO1 Discuss the primary goals of civil law and criminal law and explain how these goals are realized.

LO2 Explain the differences between crimes *mala in se* and *mala prohibita*.

LO3 Identify the publication in which the FBI reports crime data and list the three ways in which the data are reported.

LO4 Distinguish between Part I and Part II offenses as defined in the Uniform Crime Report (UCR).

LO5 Distinguish between the National Crime Victimization Survey (NCVS) and self-reported surveys.

LO6 Identify some of the reasons given to explain the high rate of delinquent and criminal behavior by adolescents and young adults.

LO7 Explain some of the links between income level and crime.
“How often did you think about your family?” Oprah Winfrey asked fifteen-year-old Shawn Hornbeck. “Every day,” replied the boy. In the autumn of 2002, Hornbeck, then eleven years old, had disappeared while riding his bicycle in Richwoods, Missouri. On January 12, 2007, while searching for another missing child, police stumbled on Hornbeck in an apartment complex in Kirkwood, Missouri, a suburb of St. Louis. Hornbeck had been kidnapped and held captive by a man named Michael Devlin, and his rescue set off a firestorm of media attention, including the appearance on The Oprah Winfrey Show.

“Did you ever write or try to call them?” Winfrey inquired, gently. “No,” said Hornbeck. This four-year silence was one aspect of the case that fascinated the public. Another was how Hornbeck and Devlin’s Kirkwood neighbors could have failed to notice something suspicious about the pair’s strange relationship. Speculation on these matters clogged the nation’s airwaves and newspapers. Newscasters and columnists offered helpful hints on “how to keep this from happening to your child,” and, for the most part, succeeded in scaring America’s parents out of their wits.

Lost in the commotion was one significant detail: child abductions such as Shawn Hornbeck experienced are exceedingly rare. Just how rare, however, is a bit of a mystery. Even though such cases dominate the headlines whenever they occur, the federal government does not classify child abduction or kidnapping as a major criminal offense. Consequently, no authoritative national statistics on these crimes exist.

Teaching Tip: Before beginning the chapter, ask students what they think are the most prevalent crimes in our society. Ask them to discuss their perceptions of crime trends over the past decade.

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Every year the Federal Bureau of Investigation (FBI) gathers data on crimes ranging from murder and sexual assault to curfew violations and drunkenness. In contrast, over the past two decades the federal government has released only one report on kidnappings, a 2002 study that put the annual number of stereotypical kidnappings, or lengthy abductions by a complete stranger, at 115. During the media storm following Shawn Hornbeck’s liberation, many observers expressed dismay at this situation. “You only have to think about a comparable situation in public health,” said University of New Hampshire sociologist David Finkelhor, who worked on the 2002 study. “If there were some disease killing even a few hundred kids a year, and parents were anxious, you know the Centers for Disease Control would have good statistics.”

What difference would “good statistics” make in keeping children safe? The information these statistics would provide could be helpful in various ways. For example, the data that have been collected on child abductions show that a young person is vastly more likely to be kidnapped by a family member or friend than by someone he or she does not know. Therefore, parents would be well advised to supplement the “don’t talk to strangers” lesson with advice on how to recognize and avoid specific threatening behaviors and situations. As you will see in this chapter, definitions and measurements of crime are tools that both the police and other members of the community can use to help fight crime. We start our examination of these subjects with an
overview of how crimes are classified, move on to the various methods of measuring crime, and end with a discussion of some statistical trends that give us a good idea of the “state of crime” in the United States today.

Classification of Crimes

The huge body of the law can be broken down according to various classifications. Three of the most important distinctions are those between (1) civil law and criminal law, (2) felonies and misdemeanors, and (3) crimes mala in se and mala prohibita.

CIVIL LAW AND CRIMINAL LAW

All law can be divided into two categories: civil law and criminal law. (See Mastering Concepts on the following page for a comparison of civil and criminal law.) As U.S. criminal law has evolved, it has diverged from U.S. civil law. The two categories of law are distinguished by their primary goals. The criminal justice system is concerned with protecting society from harm by preventing and prosecuting crimes. A crime is an act so reprehensible that it is considered a wrong against society as a whole, as well as against the individual victim. Therefore, the state prosecutes a person who commits a criminal act. If the state is able to prove that a person is guilty of a crime, the government will punish her or him with imprisonment or fines, or both.

Civil law, which includes all types of law other than criminal law, is concerned with disputes between private individuals, as well as other entities. Proceedings in civil lawsuits are normally initiated by an individual or a corporation (in contrast to criminal proceedings, which are initiated by public prosecutors). Such disputes may involve, for example, the terms of a contract, the ownership of property, or an automobile accident. Under civil law, the government provides a forum for the resolution of torts—or private wrongs—in which the injured party, called the plaintiff, tries to prove that a wrong has been committed by the accused party, or the defendant. (Note that the accused party in both criminal and civil cases is known as the defendant.)

Guilt and Responsibility A criminal court is convened to determine whether the defendant is guilty—that is, whether the defendant has, in fact, committed the offense charged. In contrast, civil law is concerned with responsibility, a much more flexible concept. For example, after seventeen-year-old Benjamin White stabbed thirteen-year-old Casey Hilmer several years ago, a Cincinnati civil jury partially blamed White’s parents. Lance and Diane White, the jury ruled, were liable, or legally responsible, for their son’s actions because they failed to properly supervise or control him.

Most civil cases involve a request for monetary damages to compensate for the wrong that has been committed. Thus, the Cincinnati jurors ordered the Whites to pay Hilmer and her family $6.5 million for medical bills and the “pain and suffering” caused by her injuries.

The Burden of Proof Although criminal law proceedings are completely separate from civil law proceedings in the modern legal system, the two systems do...
have some similarities. Both attempt to control behavior by imposing sanctions on those who violate the law. Furthermore, criminal and civil law often supplement each other. In certain instances, a victim may file a civil suit against an individual who is also the target of a criminal prosecution by the government.

Because the burden of proof is much greater in criminal trials than civil ones, it is usually easier to win monetary damages than a criminal conviction. In 1998, for example, a nineteen-year-old Ohio woman named Kimberly Riley vanished, leaving behind only a drop of blood in the trunk of her car. Police suspected Riley’s boyfriend, Omar Seymore, of foul play, but never charged him with any crime. In 2007, however, a Lorain County, Ohio, judge decided in a civil trial that Seymore was responsible for Riley’s death and ordered him to pay Riley’s mother $4.5 million in damages. In this case, law enforcement agents did not believe they had enough evidence to prove, beyond a reasonable doubt, that Seymore killed Riley. Nevertheless, the civil trial established, by a preponderance of the evidence (the burden of proof in civil cases), that Seymore was behind Riley’s disappearance and murder.

**FELONIES AND MISDEMEANORS**

Depending on their degree of seriousness, crimes are classified as felonies or misdemeanors. Felonies are serious crimes punishable by death or by imprisonment in a federal or state penitentiary for one year or longer (some states, such as North Carolina, consider felonies to be punishable by at least two years’ incarceration). The Model Penal Code, a general guide for criminal law that you will learn more about in the next chapter, provides for four degrees of felony:

1. Capital offenses, for which the maximum penalty is death.
2. First degree felonies, punishable by a maximum penalty of life imprisonment.
3. Second degree felonies, punishable by a maximum of ten years’ imprisonment.
4. Third degree felonies, punishable by a maximum of five years’ imprisonment.

Though specifics vary from state to state, some general rules apply to the grading of crimes. For example, most jurisdictions punish a burglary that involves a nighttime forced entry into a home more seriously than one that takes place during the day and involves a nonresidential building or structure.

**Murder and Manslaughter Classifications**

Murder in the first degree occurs under two circumstances:

1. When the crime is premeditated, or considered beforehand by the offender, instead of being a spontaneous act of violence.
2. When the crime is *deliberate*, meaning that it resulted from a decision-making process. Deliberation does not require lengthy planning; a person can be found guilty of first degree murder even if she or he made the decision to murder only seconds before committing the crime.

Second degree murder occurs when no premeditation or deliberation was present, but the offender did have *malice aforethought* toward the victim. In other words, the offender acted with wanton disregard for the consequences of his or her actions.

The difference between first and second degree murder is clearly illustrated in a case involving a California man who beat a neighbor to death with a partially full brandy bottle. The crime took place after Ricky McDonald, the victim, complained to Kazi Cooksey, the offender, about the noise coming from a late-night barbecue Cooksey and his friends were holding. The jury could not find sufficient evidence that Cooksey's actions were premeditated, but he certainly acted with wanton disregard for his victim's safety. Therefore, the jury convicted Cooksey of second degree murder rather than first degree murder.

A homicide committed without malice toward the victim is known as *manslaughter* and is usually punishable by up to fifteen years in prison. *Voluntary manslaughter* occurs when the intent to kill was present, but malice was lacking. Voluntary manslaughter covers crimes of passion in which the emotion of an argument between two friends leads to a homicide. Voluntary manslaughter can also occur when the victim provoked the offender to act violently. *Involuntary manslaughter* covers incidents in which the offender's acts may have been careless, but she or he had no intent to kill. In 2007, for example, Kevin Eckenrode of Philadelphia was convicted of involuntary manslaughter for his role in his girlfriend's fatal fall from a twenty-third-story apartment window. Even though there was no evidence that Eckenrode intended for his girlfriend to slip from his grasp while he was playfully dangling her out the window, a jury found that he was responsible for her death nonetheless.

**Degrees of Misdemeanor** Under federal law and in most states, any crime that is not a felony is considered a *misdemeanor*. Misdemeanors are crimes punishable by a fine or by confinement for up to a year. If imprisoned, the guilty party goes to a local jail instead of a penitentiary. Disorderly conduct and trespassing are common misdemeanors. Like felonies, misdemeanors are graded by level of seriousness. In Illinois, for example, misdemeanors are either Class A (confinement for up to a year), Class B (not more than six months), or Class C (not more than thirty days).

Most states similarly distinguish between *gross misdemeanors*, which are offenses punishable by thirty days to a year in jail, and *petty misdemeanors*, or offenses punishable by fewer than thirty days in jail. The least serious form of crime is a *violation* (such as a traffic offense), which is punishable only by a small fine and does not appear on the wrongdoer's criminal record. Whether a crime is a felony or a misdemeanor can also determine whether the case is tried in a magistrate's court (for example, by a justice of the peace) or in a general trial court (for example, a superior court).
Probation and community service are often imposed on those who commit misdemeanors, especially juveniles. Also, most states have decriminalized all but the most serious traffic offenses. These infractions are treated as civil proceedings, and civil fines are imposed. In many states, the violator has “points” assessed against her or his driving record.

**MALA IN SE AND MALA PROHIBITA**

The distinction between *mala in se* and *mala prohibita* crimes relates to the social function of criminal law. A criminal act is referred to as *mala in se* if it would be considered wrong even if there were no law prohibiting it. *Mala in se* crimes are said to go against “natural laws”—that is, against the “natural, moral, and public” principles of a society. Murder, rape, and theft are examples of *mala in se* crimes. These crimes are generally the same from country to country and culture to culture. In contrast, the term *mala prohibita* refers to acts that are crimes because they have been declared such by statute—“human-made” laws. A *mala prohibita* crime is considered wrong only because it has been prohibited; it is not inherently wrong, though it may reflect the moral standards of a society at a given time. Thus, the definition of a *mala prohibita* crime can vary from country to country and even from state to state. Bigamy could be considered a *mala prohibita* crime (as it is legal in some countries).

**A Difficult Distinction** Some observers question the distinction between *mala in se* and *mala prohibita*. In many instances, it is difficult to define a “pure” *mala in se* crime; that is, it is difficult to separate a crime from the culture that has deemed it a crime. Even murder, in certain cultural circumstances, is not considered a criminal act. In a number of traditional areas of the Middle East and Asia, for example, the law excuses “honor killings” in which men kill female family members suspected of sexual indiscretion. Our own legal system excuses homicide in extreme situations, such as self-defense or when a law enforcement agent kills in the course of upholding the law. Therefore, “natural” laws can be seen as culturally specific. Similar difficulties occur in trying to define a “pure” *mala prohibita* crime. (For an example of how different cultures have different views on such crime, see the feature *International CJ—The World’s Oldest Profession*.)

**The Drug Dilemma** In spite of these difficulties, however, the *mala in se/mala prohibita* split can sometimes be useful in explaining seeming contradictions in criminal law. Take the law’s treatment of *stimulants*, which are drugs that act on the nervous system to produce feelings of well-being and euphoria. Nicotine, a naturally occurring substance in the tobacco plant, and caffeine, found in coffee, tea, and soft drinks, are both stimulants. So are cocaine, an active ingredient in the South American coca plant, and amphetamine, developed in the 1920s to treat asthma. Nicotine and caffeine are considered *licit drugs*, or legally acceptable substances, as long as they are kept out of the hands of children. In contrast, cocaine and many amphetamines are considered *illicit drugs*, or drugs whose sale and use have been made illegal. The most widely used drug in the United States is *alcohol*, consumed, at least occasionally, by approximately two-thirds of adult Americans.

Why has society prohibited the use of certain drugs while allowing the use of others? The answer cannot be found in the risk of harm caused by the substances. Both licit and illicit drugs, if abused, can have serious consequences for the health of the user. Nor is illegality linked to the addictive quality of the drug. According

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**Teaching Tip:** In a short writing assignment, have students answer “Questions for Critical Analysis” number four, in which they consider murder as a *mala in se* offense.
to the American Medical Association, nicotine is the most addictive substance, with over two-thirds of people who smoke cigarettes becoming addicted. Rather, the answer lies in the concept of *mala prohibita*: certain drugs are characterized as illicit while others are not because of prevailing social norms and values. Alcohol and tobacco are legal not because their pharmacological effects are considerably different from those of illicit drugs, but rather because the law, as supported by society, says so.

### Self Check Fill in the Blanks

____ law is concerned with disputes between private individuals and other entities, whereas criminal law involves the _____’s duty to protect society by preventing and prosecuting crimes. A _____ is a serious crime punishable by more than a year in prison or the death penalty, while a person found guilty of a ______ will usually spend less than a year in jail or pay a fine. ________ occurs when a homicide is premeditated and deliberate. If there is no premeditation or malice on the part of the offender toward the victim, the homicide is classified as _________. Check your answers on page 70.
Suppose that a firefighter dies while fighting a fire at an office building. Later, police discover that the building manager intentionally set the fire. All of the elements of the crime of arson have certainly been met, but can the manager be charged with murder? In some jurisdictions, the act might be considered a form of manslaughter, but according to the U.S. Department of Justice, arson-related deaths and injuries of police officers and firefighters due to the “hazardous natures of their professions” are not murders.\textsuperscript{11}

The distinction is important because the Department of Justice provides the most far-reaching and oft-cited set of national crime statistics. Each year, the department releases the \textit{Uniform Crime Report} (UCR). Since its inception in 1930, the UCR has attempted to measure the overall rate of crime in the United States by organizing “offenses known to the police.”\textsuperscript{12} To produce the UCR, the FBI relies on the voluntary participation of local law enforcement agencies. These agencies—approximately 17,500 in total, covering 95 percent of the population—base their information on three measurements:

1. The number of persons arrested.
2. The number of crimes reported by victims, witnesses, and the police themselves.
3. The number of officers and law enforcement support specialists.\textsuperscript{13}

Once this information has been sent to the FBI, the agency presents the crime data in three ways:

1. As a \textit{rate} per 100,000 people. In 2007, for example, the violent crime rate was XXXX, and the property crime rate was XXXXXXX. In other words, for every 100,000 inhabitants of the United States, XXXX violent crimes and XXXX property crimes were reported to the FBI. These statistics are known as \textit{crime rates} and are often cited by media sources when discussing the level of crime in the United States.
2. As a \textit{percentage} change from the previous year or other time periods. From 2006 to 2007, there was a X percent rise in the violent crime rate and a X.X percent decrease in the property crime rate.
3. As an \textit{aggregate}, or total, number of crimes. In 2007, the FBI recorded XXXXXXX violent crimes and XXXXXX property crimes.\textsuperscript{14}

The Department of Justice publishes these data annually in \textit{Crime in the United States}. Along with the basic statistics, this publication offers an exhaustive array of crime information, including breakdowns of crimes by city, county, and other geographic designations and by the demographics (gender, race, age) of the individuals arrested for crimes.

\textbf{PART I OFFENSES}

The UCR divides the criminal offenses it measures into two major categories: Part I and Part II offenses. \textbf{Part I offenses} are crimes that, due to their seriousness and frequency, are recorded annually by the FBI to give a general idea of the “crime picture” in the United States in any given year. For a description of the Part I offenses, see Figure 3.1.

Part I offenses are those most likely to be covered by the media. Consequently, they inspire the most fear of crime in the population. These crimes have come to dominate crime coverage to such an extent that, for most Americans, the first image that comes to mind at the mention of “crime” is one person physically attacking another person or a robbery taking place with the use or threat of force.\textsuperscript{15} Furthermore, in the stereotypical crime, the offender and the victim do not know each other.

Given the trauma of violent crimes, this perception is understandable. It is not, however, accurate. According to UCR statistics, relatives or other acquaintances of
Every month, local law enforcement agencies voluntarily provide information on serious offenses in their jurisdictions to the FBI. These serious offenses, known as Part I offenses, are defined here. The FBI collects data on Part I offenses in order to present an accurate picture of criminal activity in the United States. Arson is not included in national crime rate figures, but it is sometimes considered a Part I offense nonetheless, so it is included here.

**Criminal Homicide.**

a. Murder and nonnegligent manslaughter. The willful (nonnegligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded. Justifiable homicides are limited to (1) the killing of a felon by a law enforcement officer in the line of duty; and (2) the killing of a felon, during the commission of a felony, by a private citizen.

b. Manslaughter by negligence. The killing of another person through gross negligence. Traffic fatalities are excluded. Although manslaughter by negligence is a Part I offense, it is not included in the national crime rate figures.

**Forcible rape.** The carnal knowledge of a female forcibly and against her will. Included are rapes by force and attempts or assaults to rape. Statutory offenses (no force used—victim under age of consent) are excluded.

**Robbery.** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated assault.** An unlawful attack by one person on another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.

**Burglary—breaking or entering.** The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

**Larceny/theft (except motor vehicle theft).** The unlawful taking, carrying, leading, or riding away of property from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear. Statutory offenses (no force used—victim under age of consent) are excluded. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket picking, or the stealing of any property or article that is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, “con” games, forgery, worthless checks, and the like are excluded.

**Motor vehicle theft.** The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on the surface and not on rails. Specifically excluded from this category are motorboats, construction equipment, airplanes, and farming equipment.

**Arson.** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, and the like.

The victims commit at least XX percent of the homicides in the United States. Furthermore, as is evident from Figure 3.2, the majority of Part I offenses committed are property crimes. Notice that XX.X percent of all reported Part I offenses are larcenies/thefts, and another XX.X percent are burglaries.

**PART II OFFENSES**

Not only do violent crimes represent the minority of Part I offenses, but Part I offenses are far outweighed by Part II offenses, which include all crimes recorded by the FBI that do not fall into the category of Part I offenses. While information gathered on Part I offenses reflects those offenses “known,” or reported to the FBI by local agencies, Part II offenses are measured only by arrest data. In 2007, the FBI recorded more than XX.X million arrests for Part I offenses in the United States. That same year, more than XX.X million arrests for Part II offenses took place. In other words, Part II offenses were about six times more common than Part I offenses (for a description of Part II offenses and their rates, see Figure 3.3 on the next page). Such statistics have prompted Marcus Felson, a professor at Rutgers University School of Criminal Justice, to comment that “most crime is very ordinary.”

**THE NATIONAL INCIDENT-BASED REPORTING SYSTEM**

In the 1980s, the Department of Justice began seeking ways to revise its data-collecting system. The result was the National Incident-Based Reporting System (NIBRS). In the NIBRS, local agencies collect data on each single crime occurrence within twenty-two offense categories made up of forty-six specific crimes called Group A offenses. These categories...
### Part II Offenses

<table>
<thead>
<tr>
<th>Offense</th>
<th>Estimated Annual Arrests</th>
<th>Offense</th>
<th>Estimated Annual Arrests</th>
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<tbody>
<tr>
<td>Drug abuse violations</td>
<td>xxxx</td>
<td>Offenses against family and children</td>
<td>xxxx</td>
</tr>
<tr>
<td>Driving under the influence</td>
<td>xxxx</td>
<td>Stolen property</td>
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<td>Other assaults</td>
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<td>Disorderly conduct</td>
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<td>Liquor laws</td>
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<td>Drunkenness</td>
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<td>Fraud</td>
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<td>Vandalism</td>
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<tr>
<td>Weapons</td>
<td>xxxx</td>
<td>Gambling</td>
<td>xxxx</td>
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<tr>
<td>Curfew and loitering law violations</td>
<td>xxxx</td>
<td>Suspcion</td>
<td>xxxx</td>
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**Curfew and loitering laws (persons under age eighteen).** Offenses relating to violations of local curfew or loitering ordinances where such laws exist.

**Disorderly conduct.** Breach of the peace.

**Driving under the influence.** Driving or operating any vehicle or common carrier while drunk or under the influence of liquor or narcotics.

**Drug abuse violations.** State and/or local offenses relating to the unlawful possession, sale, use, growing, and manufacturing of narcotic drugs. The following drug categories are specified: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana, synthetic narcotics—manufactured narcotics that can cause true addiction (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

**Drunkenness.** Offenses relating to drunkenness or intoxication. Excluded is “driving under the influence.”

**Embezzlement.** Misappropriation or misapplication of money or property entrusted to one’s care, custody, or control.

**Forgery and counterfeiting.** Making, altering, uttering, or possessing, with intent to defraud, anything false in the semblance of that which is true. Attempts are included.

**Fraud.** Fraudulent conversion and obtaining money or property by false pretenses. Included are confidence games and bad checks, except forgeries and counterfeiting.

**Gambling.** Promoting, permitting, or engaging in illegal gambling.

**Liquor laws.** State and/or local liquor law violations, except “drunkenness” and “driving under the influence.” Federal violations are excluded.

**Offenses against the family and children.** Nonsupport, neglect, desertion, or abuse of family and children.

**Other assaults (simple).** Assaults and attempted assaults where no weapon is used and that do not result in serious or aggravated injury to the victim.

**Prostitution and commercialized vice.** Sex offenses of a commercialized nature, such as prostitution, keeping a bawdy house, procuring, or transporting women for immoral purposes. Attempts are included.

**Runaways (persons under age eighteen).** Limited to juveniles taken into protective custody under provisions of local statutes.

**Sex offenses (except forcible rape, prostitution, and commercialized vice).** Statutory rape and offenses against chastity, common decency, morals, and the like. Attempts are included.

**Stolen property: buying, receiving, possessing.** Buying, receiving, and possessing stolen property, including attempts.

**Suspicion.** No specific offense; suspect released without formal charges being placed.

**Vagrancy.** Vagabondage, begging, loitering, and the like.

**Vandalism.** Willful or malicious destruction, injury, disfigurement, or defacement of any public or private property, real or personal, without consent of the owner or persons having custody or control.

**Weapons: carrying, possessing, and the like.** All violations of regulations or statutes controlling the carrying, using, possessing, furnishing, and manufacturing of deadly weapons or silencers. Included are attempts.


Teaching Tip: In a short writing assignment, ask students to consider the advantages that the NIBRS has over the UCR in terms of the collection and analysis of crime data.

Include variations of each of the UCR’s Part I offenses and some of its Part II offenses while adding several new classifications, such as bribery and extortion. NIBRS data are recorded on computerized systems provided—though not completely financed—by the federal government.

Though the NIBRS became available to local agencies in 1989, twenty years later only XX states had been NIBRS certified, with XX other states in the process of testing the new process. Even in its still-limited form, however, criminologists have responded enthusiastically to the NIBRS because the system provides information about four “data sets”—offenses, victims, offenders, and arrestees—unavailable through the UCR. The NIBRS also presents a more complete picture of crime by monitoring all criminal “incidents” (including kidnappings and abductions, as discussed in the opening to this chapter) reported to the police, not just those that lead to an arrest. Furthermore, because jurisdictions involved with the NIBRS must identify bias motivations of offenders, the procedure is very useful in studying hate crimes, a topic we address in the next chapter.
Alternative Measuring Methods

The UCR is generally considered the “official” record of crime in the United States, but it is only one of many sources of crime data in this country. Law enforcement professionals and academics also rely on victim surveys and self-reported surveys to collect such data, and we discuss these two popular crime measurement methods in this section.

**VICTIM SURVEYS**

In victim surveys, criminologists or other researchers ask the victims of crime directly about their experiences, using techniques such as interviews or electronic mail and phone surveys. The first large-scale victim survey took place in 1966, when members of 10,000 households answered questionnaires as part of the President’s Commission on Law Enforcement and the Administration of Justice. The results indicated a much higher victimization rate than had been previously expected, and researchers felt the process gave them a better understanding of the dark figure of crime, or the actual amount of crime that occurs in the country.

The National Crime Victimization Survey  Criminologists were so encouraged by the results of the 1966 experiment that the federal government decided to institute an ongoing victim survey. The result was the National Crime Victimization Survey (NCVS), which started in 1972. Conducted by the U.S. Bureau of the Census in cooperation with the Bureau of Justice Statistics of the Justice Department, the NCVS is an annual survey of more than 75,000 households with nearly 135,000 occupants over twelve years of age. Participants are interviewed twice a year concerning their experiences with crimes in the prior six months. As you can see in Figure 3.4 on the next page, the questions cover a wide array of possible types of victimization.

Supporters of the NCVS highlight a number of aspects in which the victim survey is superior to the UCR. For example, it measures both reported and unreported crime and does not rely on the accuracy of “intermediaries”—the local police agencies that report crime to the FBI.22 Most important, some supporters say, is that the NCVS gives victims a voice in the criminal justice process.

**SELF-REPORTED SURVEYS**

Based on many of the same principles as victim surveys, but focusing instead on offenders, self-reported surveys are a third source of data for criminologists. In this form of data collection, persons are asked directly—through personal interviews or questionnaires—about specific criminal activity to which they may have been a party. Self-reported surveys are most useful in situations in which the group to be studied is already gathered in an institutional setting, such as a juvenile facility or a prison. One of the most widespread self-reported surveys in the United States, the Drug Use Forecasting Program, collects information on narcotics use from arrestees who have been brought into booking facilities. These kinds of surveys can often get forthright information from students, as can be seen in Figure 3.5 on the next page.
Self-reported studies can also be particularly helpful in finding specific information about groups of subjects. When professors Peter B. Wood, Walter R. Grove, James A. Wilson, and John K. Cochran wanted to learn how criminals “felt” when committing crimes, for example, they used self-reported surveys. By comparing these results with those gathered from a group of male students at a state university, the researchers were able to draw conclusions on the “high” a criminal experiences during a crime.23 Another advantage is that self-reported surveys allow researchers to control aspects of the data collection themselves, thereby assuring that race, class, and gender will not bias the results.

As part of a national effort to monitor health-risk behaviors of high school students, the Wisconsin Department of Public Instruction administers a self-reported survey each year. Some of the questions (without the corresponding multiple-choice answers) from that survey are reprinted here.

- During the past 30 days, on how many days did you carry a weapon such as a gun, knife, or club on school property?
- During the past 12 months, how many times were you in a physical fight on school property?
- How much do you approve or disapprove of people using violence against another person?
- During the past 12 months, did you ever seriously consider attempting suicide?
- During the past 30 days, how did you usually get your own cigarettes?
- During the past 30 days, on how many days did you have at least one drink of alcohol?
- How old were you when you tried marijuana for the first time?
- During your life, how many times have you used any form of cocaine, including powder, crack, or freebase?

Because there is no penalty for admitting to criminal activity in a self-reported survey, subjects tend to be relatively forthcoming in discussing their behavior. The researchers mentioned above found that a significant number of the students interviewed admitted to committing minor crimes for which they had never been arrested. This fact points to the most striking finding of self-reported surveys: the dark figure of crime, referred to earlier in the chapter as the actual amount of crime that takes place, appears to be much larger than the UCR or NCVS would suggest.

**Self Check Fill in the Blanks**

______ surveys rely on those who have been subjected to criminal activity to discuss the incidents with researchers. ________ surveys ask participants to detail their own criminal behavior. Both methods show that the ________ of crime, or the actual amount of crime that takes place in this country, is much ________ than official crime data would suggest. Check your answers on page 70.

**Crime Trends Today**

The UCR, NCVS, and other measures we have discussed so far in this chapter, though important, represent only the tip of the iceberg of crime data. Thanks to the efforts of government law enforcement agencies, educational institutions, and private individuals, more information on crime is available today than at any time in the nation’s history. These figures provide a crucial litmus test for the criminological theories discussed in the previous chapter and help us establish a detailed picture of crime trends in the United States.

**DROPPING CRIME RATES**

The late 1990s and 2000s have been something of a golden era for anticrime efforts in the United States. With only a few exceptions, both the UCR and the NCVS have shown consistently dropping crime rates, and, at least statistically, most Americans are as safe as they have been in decades. According to the NCVS, in 2006 property crime rates were at their lowest levels in more than thirty years. As you can see in Figure 3.6, even when the UCR recorded increases in the nation’s violent crime rates in 2005 and 2006, the rates were still relatively low compared with rates in the early 1990s.

It is often helpful to keep two factors in mind when reviewing crime statistics. First, nationwide statistics often obscure geographical differences. In the first half of 2007, for example, the murder rates in America’s largest cities fell 6.5 percent.

**Teaching Tip:** Ask students to brainstorm potential explanations for the consistent drop in crime rates during the 1990s and the start of this decade. What factors could explain the increases seen in 2005 and 2006?

![Figure 3.6 Violent Crime Rates, 1990–2007](https://www.fbi.gov/ucr/xxxxxxxxxxxxxxxxxxxxxxxxx)

The Uniform Crime Report’s violent crime statistics cover murders, forcible rapes, robberies, and aggravated assaults. As you can see, these rates are considerably lower today than they were in the early 1990s.

while, over the same period, smaller cities saw a 3.2 percent increase in killings. Second, despite an abundance of theories, nobody knows for sure why crime rates increase or decrease. Generally, when the rates are on the decline, experts point to factors such as a strong economy (which leads to high employment) and innovative law enforcement strategies, many of which we explore in Chapter 6. When crime rates creep upward, the three primary culprits are guns, gangs, and illegal drugs.

Guns and Crime About XXX percent of all homicides in the United States during 2007 were committed with firearms. In addition, guns were used in XXX percent of all robberies and XXX percent of all aggravated assaults recorded in that year. A report released by the Police Executive Research Forum (PERF) suggests that the slight increase in violent crime from 2004 to 2006 was, to a certain extent, fueled by illegal firearms. Specifically, PERF researchers found that aggravated assaults with a firearm increased 10 percent between 2004 and 2006.

As we saw in Chapter 1, many law enforcement officials argue that there is a connection between violent crime in the United States and the ease with which firearms are available to its citizens. Boston authorities believe that a recent upswing in violence in that city is at least partly attributable to an influx of firearms from Maine, New Hampshire, and Vermont—neighboring states where the gun laws are less strict than in Massachusetts. Philadelphia police commissioner Sylvester Johnson says that his city’s murder problem is, in essence, a gun problem, also caused by lax regulations. In general, law enforcement officials believe that fewer and fewer murders are premeditated. Rather, these crimes are the result of quick anger and frustration that turn deadly only because a weapon is involved. “We seem to be dealing with an awful lot of people who have zero-conflict resolution skills,” says Chris Magnus, police chief of Richmond, California, a city that recorded a 20 percent rise in homicides and a 65 percent surge in aggravated assaults with a firearm in the PERF report.

The issue of guns and crime is widely debated on the Internet. The Coalition to Stop Gun Violence offers the pro-gun control view, while the National Rifle Association provides arguments against gun control. Find their Web sites by clicking on Web Links under Chapter Resources at www.cjinaction.com.
Gangs and Crime  Gangs, in particular, are known for settling disputes with bullets. Although national statistics on gang violence remain elusive, local statistics highlight the problem. In Houston, for example, officials attribute a 15 percent rise in homicides in 2006 to gang members who moved to the city after evacuating New Orleans after Hurricane Katrina. In Los Angeles, nearly half of all homicides are gang related, as are 84 percent of homicides with victims age thirty-five or younger. The trend extends to smaller cities as well. In Palm Beach County, Florida, 55 to 75 percent of all violent crimes result from gang activity.

Like other upsurges in gang violence over the past several decades, particularly in the late 1980s, the latest activity is closely related to the illegal drug trade and the use of firearms to protect that trade. Today, one of every three gangs runs drug-dealing operations, and according to a spokesperson for the Chicago Police Department, the modern street gang is “much more violent than the Mafia ever was.” The difference, say some experts, is that more people are becoming involved in gangs for purely economic reasons, rather than for the cultural or territorial motives that have historically driven gang membership. (We look at why young people join gangs as part of the larger discussion of juvenile crime in Chapter 14.) In addition, the major gangs appear to have “weapons superiority” over most police forces, making it very difficult for law enforcement to control their illegal operations.

Illegal Drugs and Crime  Many observers blamed the explosion in violent crime that shook this country in the late 1980s and early 1990s on the widespread use and sale of crack cocaine. Today, murder rates are still seen as a reflection of illegal drug activity. Indeed, Baltimore crime statistics show that about 90 percent of the city’s homicide victims have criminal records, typically for drug-related convictions. In other words, as one official commented, “Baltimore is actually a very safe city if you are not involved in the drug trade.” Nationally, about 4 percent of all homicides are drug related. In 2007, police made nearly 11.2 million arrests for drug violations in the United States, up from about 581,000 in 1980.

The impact of illegal drug use is much greater than even these statistics would indicate. Drug use appears to be an intricate part of criminal culture. About one-third of all state prisoners and a quarter of federal prisoners were under the influence of illegal drugs at the time they committed the offenses that landed them behind bars. Furthermore, 53 percent of state inmates and 45 percent of federal prisoners are addicted to, or physically dependent on, illegal drugs. The controversial issue of how the criminal justice system should respond to illegal drug use and abuse is the subject of the Criminal Justice in Action feature at the end of this chapter.

AGE AND CRIME: THE PEAK YEARS

We mentioned earlier that Boston experienced an upswing in violence in recent years. Part of that upswing was a rise in murders—a 23 percent increase from 2005 to 2007. Officials in Boston partly attribute the increase to the growing number of young people involved in drug-related gang activity. In fact, the strongest statistical determinant of criminal behavior appears to be age. Criminal behavior peaks during the teenage years. For most offenses, rates are at their highest between the ages of eighteen and twenty-four. As Figure 3.7 on the following page shows, criminal activity declines with age. According to research conducted by Avshalom Caspi of the University of Wisconsin–Madison and Terrie Moffitt of Duke University, 85 percent of former delinquents are no longer involved in wrongdoing by the time they reach age twenty-eight.

Why is the crime rate dramatically higher for young people? There is no single, simple answer. As already noted, biological theories of crime point to high testosterone levels in young males, which increase levels of aggression and violence (see page 33). Adolescents are also more susceptible to peer pressure, and sociological
and social process theories of crime in this area are backed by studies showing that juvenile delinquents tend to socialize with other juvenile delinquents. 40

**CRIME, RACE, AND POVERTY**

Homicide data also reveal a disturbing relationship between murder and race. According to government statistics, African Americans are about six times more likely to be murder victims than Caucasians, and blacks are about seven times more likely to commit murder than whites. 41 In general, poor people and members of minority groups commit more crimes—and are more often the victims of crimes—than wealthier people and whites. But the relationship among race, income level, and crime is more complicated than any generalization. Studies have shown that, even in low-income neighborhoods, the rate of violent crime is associated much more strongly with family disorganization (lack of a father in the household, family members committing crimes) than with race. 42

**Class and Crime** The highest crime rates in the United States are consistently recorded in the low-income, urban neighborhoods with the highest unemployment rates. Lack of education, another handicap most often faced by low-income citizens, also seems to correlate with criminal activity. Forty-one percent of all inmates in state and federal prisons failed to obtain a high school diploma, compared with 18 percent in the population at large. 43

It might seem logical that those who believe they lack a legal means to gain the consumer goods and services that dominate American culture would turn to illegal methods to do so. But, logic aside, many criminologists are skeptical of such an obvious class-crime relationship. After all, poverty does not cause crime; the majority of residents in low-income neighborhoods are law abiding. Furthermore, higher-income citizens are also involved in all sorts of criminal activities and are more likely to commit white-collar crimes, which are not included in statistics on violent crime.

In addition, self-reported surveys have shown that as far as are concerned, the behavior of lower-, middle-, and upper-class criminals differs very little. 44 These findings tend to support the theory that high crime rates in low-income communities are at least partly the result of a greater willingness of police to arrest poor citizens, and of the court system to convict them.

**Race and Crime** The class-crime relationship and the class-race relationship are invariably linked. Official crime data seem to indicate a strong correlation between minority status and crime: African Americans—who make up 13 percent of the population—constitute XX percent of those arrested for violent crimes and XX percent of those
In an effort to study the effect of race on perception, Birt Duncan gathered 104 white undergraduate students at the University of California and had them observe an argument between two people in which one person shoved the other. The undergraduates were randomly assigned to view one of four different conditions: (1) white shover/African American victim, (2) white shover/white victim, (3) African American shover/white victim, and (4) African American shover/African American victim. The students were then asked to rate the behavior of the person who did the shoving.

Duncan found that when the shover was African American and the victim was white, 75 percent of the students considered the shove to be “violent behavior” and only 6 percent saw it as “playing around.” In contrast, when the shover was white and the victim black, only 17 percent characterized the shove as violent while 42 percent saw it as playful.

**THE MYTH** The results of Duncan’s study are not, in the end, surprising. Racial stereotyping is still common in our society. Negative stereotypes of minorities, especially African Americans, label them as prone to violence and more likely to be criminals or members of gangs than others.

**THE REALITY** According to the University of Maryland’s Katheryn K. Russell, the best-kept secret in criminology is that the United States has a “white crime” problem. Whites, Russell points out, are the subject of about two-thirds of the arrests in this country each year. Russell believes that public and academic obsession with “black crime” has severely limited discussion of “white crime.” This fascination can be explained, at least from a criminological standpoint, by the different proportional involvement of racial minorities in crime. As Figure 3.8 shows, although white involvement in crime is high, it is relatively low given the percentage of whites in the American population. In contrast, blacks have a disproportionately high involvement in crime—especially as a percentage of prison and jail inmates—relative to their percentage of the population.

**FOR CRITICAL ANALYSIS**

According to Figure 3.8, African Americans account for less than 30 percent of total arrests, compared with 70 percent for whites. Yet they make up a substantially higher proportion of the prison population. How might this anomaly be explained?

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**Figure 3.8 Crime and Race in the United States**

<table>
<thead>
<tr>
<th>Percentage of Total Arrests</th>
<th>Percentage of Total Prisoners</th>
<th>Percentage of Population of United States</th>
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</tbody>
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*Includes American Indians, Native Alaskans, Asian Americans, and Pacific Islanders.

**NOTE:** For purposes of crime statistics, government agencies distinguish between race and ethnicity. Hispanic Americans are seen as a separate ethnicity, not a separate race. Therefore, most crime statistics will make a distinction between “white non-Hispanic” and “black non-Hispanic” if they aim to draw conclusions about ethnicity in the criminal justice system.


arrested for property crimes. Furthermore, although less than half of those arrested for violent crimes are African American, blacks account for more than half of all convictions and approximately 60 percent of prison admissions.

The racial aspect of the crime rate is one of the most controversial areas of the criminal justice system (see the feature Myth versus Reality—Race Stereotyping and
At first glance, crime statistics seem to support the idea that the subculture of African Americans in the United States is disposed toward criminal behavior. Not all of the data, however, support that assertion. Among inmates in state and federal prisons, for example, whites were at least twenty times more likely than African Americans to report recent methamphetamine use.47 A number of other crime-measuring surveys show consistent levels of crime and drug abuse across racial lines.48 In addition, a 2002 study of nearly 900 African American children (400 boys and 467 girls) from neighborhoods with varying income levels showed that, regardless of the different factors often cited by criminologists, family income level had the only significant correlation with violent behavior. The authors of the study were so impressed by the results that they called on their colleagues to make greater efforts to include African American families living outside urban neighborhoods in future research in order to give a more complete—and perhaps less stereotypical—picture of race and crime in this country.49

WOMEN AND CRIME

To put it bluntly, crime is an overwhelmingly male activity. More than 65 percent of all murders involve a male victim and a male perpetrator; in only 2.4 percent of homicides are both the offender and the victim female.50 Only XX percent of the national jail population and XX percent of the national prison population are female, and in 2007 only XX percent of all arrests involved women.51 These statistics, however, fail to convey the startling rate at which the female presence in the criminal justice system has been increasing. In 1970, there were about 6,000 women in federal and state prisons; today, there are more than 112,000.52

Given that the basic nature of American women is unlikely to have changed over the past thirty years, criminologists have looked for other explanations of these statistics. Freda Adler, a professor of criminal justice at Rutgers University, uses the “liberation hypothesis” to partially explain the increase in female arrestees and inmates.53 This theory holds that as women become more and more equal in society as a whole, their opportunities to commit crimes will increase as well. “You can’t embezzle if you’re not near funds,” Professor Adler notes. “You can’t get involved in a fight at the bar if you’re not allowed in the bar.”54 Criminologist Meda Chesney-Lind believes that the “get tough” attitude among politicians and law enforcement agencies has been the main contributor to increased rates of female criminality. “Simply put,” she says, “it appears that the criminal justice system is now more willing to incarcerate women.”55

Discussion Tip: Have students work in groups to discuss “Questions for Critical Analysis” number nine, in which they consider the rise in female offending.

Self Check Fill in the Blanks

According to many crime experts, the upsurge in gang violence over the past few years is closely related to the gangs’ need to protect their _______ trade with _______. In fact, the pattern may have more to do with demographics, as ____ is the strongest statistical determinant of criminal behavior. Despite perceptions, self-reported surveys show that criminal behavior is _________ among people of different income levels and racial backgrounds. It is clear, however, that women commit many ______ total crimes than do men. Check your answers on page 70.
**LEGALIZING DRUGS**

“It helps you stop thinking,” says the thirty-seven-year-old mother of two of her twice-a-week marijuana habit. “I either can’t sleep at night because I’m restless, or I can’t get in the mood with my husband because my mind is spinning.” The Denver resident was one of nearly sixty thousand voters who supported their city’s successful push to legalize the possession of small amounts of marijuana. The vote was mostly symbolic—Denver police can still arrest offenders under Colorado or federal antidrug laws—but when it comes to the legalization of drugs, the subject of this chapter’s Criminal Justice in Action feature, even symbolic measures are bound to stir up controversy.

**The Case for Legalization**

- The “peace dividend” would be substantial. On the one hand, law enforcement agencies could eliminate costly drug-control programs, which cost U.S. taxpayers more than $40 billion annually. On the other hand, the country would reap a windfall in taxes on the controlled sale of previously illegal drugs. One Harvard University economist has estimated that the net economic gain to the United States for legalizing marijuana alone would be between $10.1 billion and $13.9 billion a year.

- The end of the “war on drugs” would mark the end of violent crime associated with drug dealing, as black market organizations would be put out of business or forced to rely on less profitable criminal activities.

- Legalization would result in a more efficient criminal justice system, as scarce law enforcement resources would be diverted away from drug offenses and the pressure on both overloaded courts and overcrowded prisons would be alleviated.

**The Case against Legalization**

- If drugs such as marijuana, cocaine, and heroin were legalized, more people would use and abuse them, with serious health consequences for the nation.

- Minors can often easily obtain legal but controlled drug products such as cigarettes and alcohol. If other drugs were legalized, we can expect that minors would have greater access to them as well.

- The United States already has a problem with alcohol-related violence. Although some illegal drugs, notably marijuana, do not provoke aggressive behavior, others, such as cocaine and certain hallucinogens, do.

**Your Opinion—Writing Assignment**

One commentator has compared the debate over what to do about illegal drugs to the problem that Goldilocks faced on entering the house of the Three Bears. The first bed that Goldilocks tried, Mama Bear’s bed, was too soft. The second, Papa Bear’s bed, was too hard. Only the third, Baby Bear’s bed, was just right. Surely, some suggest, there is a “Baby Bear’s bed” way for America to regulate drugs—something between the “too soft” option of legalization and the “too hard” system under which we now function.

What would be your “Baby Bear” solution to the issue of drug legalization? Or do you think that our current strict antidrug laws are adequate and might even benefit from being strengthened? Or, conversely, do you think that legalization would be the proper policy to follow? Before responding, you can review our discussions in this chapter concerning

- Mala in se and mala prohibita crimes on pages 56–57.
- Self-reported surveys and the dark figure of crime on pages 61–63.
- Illegal drugs and crime on page 65.

Your answer should include at least three full paragraphs.
Discuss the primary goals of civil law and criminal law and explain how these goals are realized. Civil law is designed to resolve disputes between private individuals, as well as other entities, such as corporations. In these disputes, one party, called the plaintiff, tries to win monetary damages by proving that the accused party, or defendant, is to blame for a tort, or wrongful act. In contrast, criminal law exists to protect society from criminal behavior. To that end, the government prosecutes defendants, or persons who have been charged with committing a crime.

Explain the differences between crimes mala in se and mala prohibita. A criminal act is mala in se if it is inherently wrong, while a criminal act mala prohibita is illegal only because it is prohibited by the laws of a particular society. It is sometimes difficult to distinguish between these two sorts of crimes because it is difficult to define a “pure” mala in se crime; that is, it is difficult to separate a crime from the culture that has deemed it a crime.

Identify the publication in which the FBI reports crime data and list the three ways in which the data are reported. Every year the FBI releases the Uniform Crime Report (UCR), in which it presents different crimes as (a) a rate per 100,000 people; (b) a percentage change from the previous year; and (c) an absolute, or aggregate, number.

Distinguish between Part I and Part II offenses as defined in the Uniform Crime Report (UCR). Part I offenses are felonies and include the most violent crimes. Part II offenses include all other crimes recorded in the UCR. They can be either misdemeanors or felonies and constitute the majority of crimes committed.

Distinguish between the National Crime Victimization Survey (NCVS) and self-reported surveys. The NCVS is an annual survey of more than 75,000 households conducted by the Bureau of the Census along with the Bureau of Justice Statistics. The survey, which queries citizens on crimes that have been committed against them, includes crimes not necessarily reported to police. Self-reported surveys, in contrast, involve asking individuals about criminal activity to which they may have been a party.

Identify some of the reasons given to explain the high rate of delinquent and criminal behavior by adolescents and young adults. (a) In some parts of the country, large numbers of young people are involved in drug-related gang activity; (b) young males have high levels of testosterone, which increases aggression; and (c) adolescents are more susceptible to peer pressure and, therefore, can be convinced to misbehave by friends and peers.

Explain some of the links between income level and crime. Statistically, poor people commit more crimes, and are victims of more crimes, than those in the middle- and upper-income levels. Evidence shows, however, that income is not as important as other factors, such as family disorganization, lack of education, and lack of employment. Indeed, the vast majority of all residents in low-income neighborhoods are law abiding.

Key Terms

- beyond a reasonable doubt 54
- civil law 53
- dark figure of crime 61
- defendant 53
- felony 54
- illicit drugs 56
- involuntary manslaughter 56
- liability 53
- licit drugs 56
- mala in se 56
- mala prohibita 56
- misdemeanor 56
- Part I offenses 58
- Part II offenses 59
- plaintiff 53
- self-reported survey 61
- Uniform Crime Report (UCR) 58
- victim survey 61
- voluntary manslaughter 56

Page 57: i. Civil; ii. state/government; iii. felony; iv. misdemeanor; v. First degree murder; vi. manslaughter
Page 61: i. Uniform Crime Report; ii. rate; iii. Part I; iv. Part II
Page 63: i. Victim; ii. Self-reported; iii. dark figure; iv. greater/larger
Page 68: i. illegal drug; ii. firearms/guns; iii. age; iv. consistent/equal; v. fewer
1. Give an example of how one person could be involved in a civil lawsuit and a criminal lawsuit for the same action.

2. What is the difference between a felony and a misdemeanor?

3. Two fathers, John and Phil, get in a heated argument following a dispute between their sons in a Little League baseball game. They come to blows, and John strikes Phil in the temple, killing him. Will John be charged with voluntary manslaughter or involuntary manslaughter? What other details might you need to be sure of your answer?

4. Why is murder considered a *mala in se* crime? What argument can be made that murder is not a *mala in se* crime?

5. What is the distinction between the crime rate and crime in America?

6. Although Part II offenses constitute the bulk of crimes, Part I offenses get the most publicity. Is this necessarily irrational? Why or why not?

7. Why might self-reported surveys be the best method of learning the dark figure of crime?

8. How do self-reported surveys give lie to the stereotype that someone from a low-income neighborhood is more likely to engage in criminal activity than someone from a high-income neighborhood?

9. Why do some experts feel that female crime rates increase as women become more nearly equal to men in our society?

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**Questions for Critical Analysis**

1. **Maximize Your Best Chance for Getting a Good Grade on the Exam.** CengageNOW Personalized Study Plan is a diagnostic study tool containing valuable text-specific resources—and because you focus on just what you don’t know, you learn more in less time to get a better grade. How do you get CengageNOW? If your textbook came with an access code card, follow the directions on the card to access CengageNow via [academic.cengage.com/login](http://academic.cengage.com/login). If your textbook did not come with an access code card, go to [www.ichapters.com](http://www.ichapters.com) to purchase access to CengageNOW before your next exam!

2. **Get the Most Out of Your Textbook** by going to the book companion Web site at [www.cjinaction.com](http://www.cjinaction.com) to access a tutorial quiz, use the flash cards to master key terms, and check out the many other study aids you’ll find there. Under chapter resources you will also be able to access the *Stories from the Street* feature and the Web links mentioned in the textbook.

3. **Learn about Potential Criminal Justice Careers** discussed in this chapter by exploring careers online at [www.cjinaction.com](http://www.cjinaction.com). You will find career descriptions and information about job requirements, training, salary and benefits, and the application process. You can also watch video profiles featuring criminal justice professionals.

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**Notes**


4. Model Penal Code Section 1.04 (2).


13. Ibid.


17. Ibid., at [www.fbi.gov/ucr/xxxxxxxxxxxxxxxxx](http://www.fbi.gov/ucr/xxxxxxxxxxxxxxxxx).


37. Ibid.


