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CRIME AND CRIMINOLOGY



To My Parents

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PREFACE

As a discipline, criminology must deal not only with etiology of crime—the traditional emphasis of sociologists—but also with the criminal justice system and penology. With that dichotomy in mind, this text was written in an attempt to combine my training in sociology and law. During my eleven years of teaching criminology to undergraduates, I was impressed with their eagerness to learn how law related to traditional topics covered in the course, even to the point of enjoying reading judicial opinions. I have thus used excerpts from appellate opinions to illustrate concepts like deterrence and punishment and to show the role of courts in reforms of the criminal justice system. I have also devoted sufficient attention to sociological research on the criminal justice system—both historical and contemporary—to minimize need for supplemental materials. I have summarized and critiqued classic books on criminology, analyzed recent sociological research, and drawn attention to major sociological theorists who have contributed significantly to the study of crime.

The text consists of four parts. Part I serves as an introduction and considers problems of defining crime, the criminal, and criminology. It discusses gathering and analyzing statistics and illustrates the relationship between law and the social sciences in the study of crime. It explores the law generally and the purpose of the law of crimes specifically. It formulates the legal definition of crime in the context of simple cases requiring no legal background for understanding. The final chapter of Part One analyzes the nature and purpose of the scientific method and establishes a frame of reference for the analyses in later chapters of particular sociological theories and specific examples of empirical research.

Part Two is devoted to a discussion of the etiology of crime. I have emphasized sociological theories but not to the exclusion of classical, neo-classical, positive, physiological, psychiatric, and psychological theories. Both classic works and modern theories are summarized and critiqued according to the framework established in Chapter 4.

Part Three combines legal materials with sociological research and attempts to compare the criminal justice system as it is seen in legal theory with the way, according to social scientists' research, it really works.

Part Four contains seven chapters dealing with penology and attempts to provide the student with an integrated picture of how law and sociology respond to persons found guilty of crimes. The chapter on the constitutional rights of prisoners is, I believe, unique among criminology texts. It deals, among other things, with prisoners' right to the mails, to visitation, to treatment and access to the courts as well as proscriptions against corporal punishment and solitary confinement. It focuses from time to time on the role of courts in improving the conditions of prisoners.

Preface

It would be impossible to thank all who helped me write this book, but to the following people I owe a special debt. Professors Charles Suchar of DePaul University, Tom Yacovone of Los Angeles Valley College, Ronald L. Carlson of the Washington University School of Law, Professor Joseph E. Scott of Ohio State and Reece McGee of Purdue University read the entire manuscript at various stages and offered invaluable criticisms; to Reece McGee, I am especially grateful, as much for his encouragement and enthusiasm, as for his scholarly contributions.

Without the cooperation of Dean Carson W. Veach of Coe College, Dean Richard S. L. Roddis of the University of Washington School of Law, and the entire library staff of that law school, the work would have been much more difficult. I also wish to thank my colleague, Professor Robert S. Hunt, Associate Dean of the University of Washington School of Law, for his encouragement during the final year of work and for his assistance in the research for Chapter 12. Ray Ashton, Editor of the Dryden Press, and his predecessor, the late Joseph E. Byers, along with their staff, eased the pains of research and writing with their attitude of understanding and support. My special thanks go to Ray who spent many hours over the work and who responded quickly and enthusiastically when editorial problems arose. The excellent editorial assistance of Ellen Farrow is also appreciated. I also wish to thank Gregory Richards, Marianne Bern, Diane Coleman and Laure Polich who shared the tedious hours of typing and retyping the manuscript. I would like to thank Steve White for his assistance with the "Riots" chapter. Finally, I am grateful to Margo MacKay and Lee M. Hess for their help at various stages and to Robert A. Reid for his encouragement and patience while I was researching and writing the book.

Sue Titus Reid Seattle, Washington January, 1976

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