

CRIMINAL BEHAVIOR SYSTEMS

A Typology • Second Edition

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PIIGRIMAGE

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To Ruth and Valerie

Preface

Criminal behavior covers a great variety of violations of criminal laws. For purposes of explanation this behavior must be broken down into types. In this book, after discussing the construction of types of crime, we formulate and utilize a typology of criminal behavior systems. We believe that continued progress in criminology will depend greatly on the study of types of criminal behavior.

The first edition of this book appeared in 1967. It has been received both as a textbook and as a substantial contribution to criminology. The typology has been reprinted and referred to frequently in other books. Nevertheless, we felt that the book needed considerable revision and were encouraged by others to make some substantive changes. The new edition no longer contains a collection of readings but is a substantive and integrated discussion of a typology of criminal behavior systems. In the original edition, research articles on each type of criminal behavior followed the discussion. In this revision we have increased the discussion of each type and have incorporated the research into our presentation. Those who are interested in the separate research studies may wish to consult the first edition.

In this edition we have developed more fully the dimensions of our typology. In particular, we felt in the original formulation we had not properly considered how certain offenses relating to each type had become defined as crimes nor the differences in the legal processing of each type, a difference that affects each type of behavior. Consequently, we have added to our dimensions, previously consisting of "criminal career of the offender," "group support of criminal behavior," and "correspondence between criminal and legitimate behavior," the dimensions "legal aspects of selected offenses" and "societal reaction and legal processing."

New material has been added to the discussion of each type, particularly those sections on violent personal and political criminal behavior. A new type, *corporate* criminal behavior, has been added to the original eight types of criminal behavior—*violent personal*, *occasional property*, *public order*, *conventional*, *political*, *occupational*, *organized*, and *professional*. We feel that this new type distinguishes between the complex criminal behavior of large corporations and other kinds of occupational criminal behavior. It also relates to the problems inherent in corporate capitalism.

It is our hope that this book will continue to be useful to criminologists in formulating their own theories and research on criminal behavior and to students in the field of criminology.

We are indebted to those who have devoted much time and effort to research on types of criminal behavior. Our typology has grown out of such work.

M. B. C.

R. Q.

Criminal Behavior Systems

A Typology

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Types of Criminal Behavior | 1

We all attempt to give meaning to our existence. Our common goal is to make the world understandable. A principal way we achieve understanding is by generalizing beyond the unique and the particular. Whether we are entirely participants or sometime observers of the social scene, we understand largely by searching for the recurrent and uniform. We thus comprehend the world of concrete experience by abstraction.

All phenomena, of course, are unique in time and space. Nothing ever recurs. But in order to make our experiences intelligible, we make sacrifices in the infinite variety of life. We construct images or concepts in our attempt to "know" the world around us. These constructs are a reduction of our experiences, a reduction that treats occurrences *as if* they were similar, recurrent, and general. Events are placed into categories. Phenomena become comparable.

Thus, as with all human endeavors, the systematic study of behavior is based on an ordering of the diversified world of discrete phenomena. This is accomplished in the sciences by the development of classifications or typologies. Concrete occurrences are ordered and compared by categorizing observations into classes or types. As abstractions, types necessarily deviate from the concrete in that they accentuate attributes relevant to a particular analysis. A type consists of characteristics that have empirical referents, although they may not be experienced directly in the form of a given type.

Typologies have been used for centuries in the study of physical and human phenomena. For example, an important typology was created by the Swedish botanist Linnaeus two centuries ago when he developed the modern scientific classification of plants and animals. The use of typologies is common today, not only in botany, but in zoology, geography, geology, and other physical sciences. Similarly, in the area of human behavior, the scientist attempts to derive types, whether they be types of social organization, occupational types, or types of deviants. The use of types in the ordering of the diversities of observed phenomena has been instrumental in the development of the social sciences.

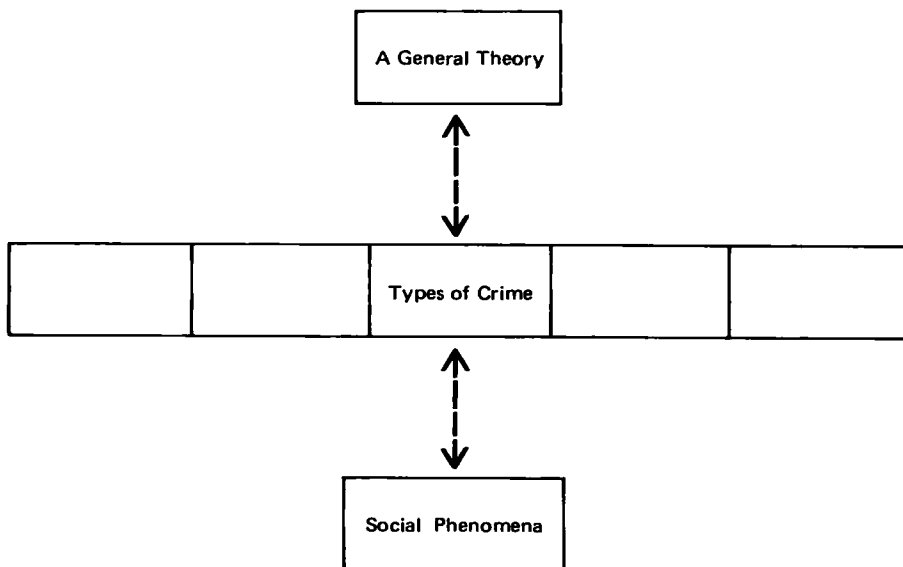
Types not only reduce phenomena to more systematic observation; they also assist in the formulation of hypotheses and serve as guides for research. The construction of types may lead to theoretical formulation. The

constructed type, in fact, as Hempel notes, can serve as a theoretical system in itself by "(1) specifying a list of characteristics with which the theory is to deal, (2) formulating a set of hypotheses in terms of those characteristics, (3) giving those characteristics an empirical interpretation, and (4) as a long-range objective, incorporating the theoretical system as a 'special case' into a more comprehensive theory."¹

Thus the construction of types from a broad range of phenomena is a necessary stage in the development of specific theories; it also offers the possibility of formulating a comprehensive theory for the explanation of all the phenomena under observation. And, conversely, a typology can be derived from a general theory of a specified phenomenon. There is, indeed, an interaction between theory construction and typology. While types may emerge from theory, they also are instrumental in the reformulation and expansion of theory. Typology and its relation to theory construction are essential to the further development of general theory.

TYPOLOGIES IN CRIMINOLOGY

A diverse and wide range of behaviors is included in the category of crime. The one characteristic which all the behaviors have in common is that they have been defined as criminal by recognized political authority. Much of the work in criminology has been concerned with crime in general. Because of the increasing realization, however, that crime refers to a great variety of behaviors, criminologists have in recent years turned their attention to the study of particular types of crime. Thus, criminologists are now



giving greater attention to the identification, classification, and description of types of criminal behavior.

Moreover, efforts are being made to delineate categories of crime and criminal behavior which are homogeneous with respect to a specific explanation. In criminology, considering the wide range of phenomena subsumed under the concept of crime, a general theory may be formulated after specific types of crime have been established. The diagram on the opposite page illustrates a method of theory construction in criminology.

The interdependence of typology and theory construction is clear. Theoretical assumptions are necessary for the formulation of types, and a typology forces the reformulation of general theory. An adequate explanation of crime will show not only how the explanation applies to all crime but how it is specified to explain the various types of crime.

Criminologists in the past have constructed and utilized many different typologies of crime and criminals. The most common typologies have been the legalistic, individualistic, and social.

Legalistic Typologies

The oldest and still the most frequently used forms of classification are based on the legal definition of the offense. A familiar legalistic classification is in terms of the seriousness of the offense as indicated by the kind of punishment provided for the behavior. The most serious offenses are called felonies and are usually punishable by confinement in a state prison or by death. The less serious offenses are called misdemeanors and are usually punishable by fines or by confinement in a local jail. As a classification of crime this is not very useful and is ambiguous because it is difficult to make clear-cut distinctions between the two major types of offenses. For example, many criminal acts classified as felonies in one state are classified as misdemeanors in other states. Also the form of punishment prescribed for a given offense differs from time to time and from place to place.

It is common also to identify the criminal act (or the criminal) in terms of a legal category. Thus, criminals are referred to as murderers, burglars, robbers, embezzlers, and rapists in terms of specific offenses defined in the criminal code. The category of "crimes against the person" includes such illegal acts as murder, assault, and rape; "crimes against property" include burglary, larceny, forgery, and automobile theft; and "crimes against public order" consist of such behavior as prostitution, gambling, drunkenness, disturbing the peace, and the use of narcotics. This method of classifying criminals suffers from a number of disadvantages.² For example (1) it tells nothing about the person and the circumstances associated with the offense, nor does it consider the social context of the criminal act, as in the case of rape or the theft of an auto; (2) it creates a false impression of specialization by implying that criminals confine themselves to the kind of crime for which they happen to be caught or convicted; (3) it is a common

practice in order to secure easy convictions to allow offenders to receive a reduced sentence by "plea copping" or pleading guilty to a lesser charge that may only slightly resemble the original charge or offense; (4) because the legal definition of a criminal act varies according to time and place, the legal classification of crime presents problems for comparative analysis; and (5) most important of all, the use of legal categories in a classification assumes that offenders with a certain legal label, such as burglars, robbers, auto thieves, and rapists, are all of the same type or are a product of a similar process.

There have been a number of attempts to overcome some of the problems of legalistic classifications, while still utilizing the legal categories. Although the categories of crime defined in the criminal law may not be appropriate for sociological purposes, they may nevertheless be used in various ways in forming types of crime. One possibility is that types may be defined *within* specific legal categories. For example, burglars, depending upon their mode of operation, could be divided into housebreakers, safecrackers, professional burglars, and amateur burglars. Another possibility is that legal categories may be *combined*. Criminologists who favor the strategy of defining types according to legal categories claim that the procedure is desirable because official data concerned with criminal histories exist in terms of legal nomenclature, and because the criminal code contains specific operational definitions of criminal behavior.

Roebuck has constructed a criminal typology based on arrest records of 1155 prison inmates in the District of Columbia reformatory.³ On the basis of arrest patterns, Roebuck postulates four main types of careers: the single arrest pattern, the multiple pattern, the mixed pattern, and no pattern. The single pattern refers to those situations in which an individual is arrested three or more times for one type of crime such as narcotic violations or burglaries. The multiple pattern refers to those situations in which an individual presents two or more patterns. The mixed pattern refers to those situations in which an individual is arrested three or more times but no single pattern emerges. The fourth type, no pattern, refers to those situations in which an individual is arrested fewer than three times. Employing this scheme, thirteen different patterns of crime emerge: single robbery, single narcotics, single numbers game, single burglary, single sex offense, single auto theft, single confidence game, single forgery, double pattern (larceny and burglary), double pattern (assault and drunkenness), triple pattern (larceny, assault, and drunkenness), mixed patterns, and no patterns. His typology includes such offender types as "Negro drinkers and assaulters," "Negro drug addicts," "Negro armed robbers," and "Negro jack-of-all-trades offenders." The types are then described and compared according to the social and personal characteristics of the offenders in each respective type.

Whereas typologies such as this have been useful in pointing out the

error of using a single arrest to type an offender and suggesting instead career patterns, they have a number of limitations. One has been the tendency to categorize offenders by race, as a Negro or Caucasian armed robber, which may not be an especially meaningful distinction. Moreover, such inductively derived typologies could mount up indefinitely by this method of using arrests.

Another possibility regarding the use of legal categories is that sociological types may be constructed that *cut across* some of the behaviors included in a number of legal categories. Cressey, for example, included within "criminal violation of financial trust" some of the behaviors officially handled as forgery, confidence game, embezzlement, and larceny by bailee.⁴ As practical as these procedures of using various legal classifications appear, they have largely resulted in innumerable unrelated categories of crime lacking a common frame of reference. They have not generated integrated typological schemes.

An important problem remains in the construction of legal typologies of crime. The problem is in respect to the controversy over what behaviors and what persons should be regarded as criminal.⁵ This controversy is relevant to the construction of typologies of crime. Posed in question form: At what stage of the criminal defining process should persons and behaviors be regarded as criminal? Is it at the stage of official detection, at the stage of official adjudication, or at the stage of official disposition? Or, to state the extreme, should a typology of crime include persons and behaviors irrespective of official legal action? Even if the criterion of official legal action is dropped in the construction of a typology, there is still the problem of how long a person remains a criminal after he violates the criminal law. Ultimately the selection of the stage of legal action that is going to be used in defining the persons and behavior to be included in a typology of crime depends upon the purpose of the typology and the kinds of research problems that are anticipated.

The use of legal categories of crime is valid when the purpose is to understand the process by which behavior becomes defined as criminal.⁶ Since criminality is not inherent in behavior but is a quality conferred upon individuals and acts by others, the study of the formulation and administration of the law is important to the criminologist. The legal definition of crime is the best indication of how the category of crime is created as a form of public policy. Any typology could incorporate the legal aspects of criminal offenses. The legal category itself is a social phenomenon.

Individualistic Typologies

Several Italian criminologists who rejected the legal definitions of crime over seventy-five years ago were instrumental in turning the attention of criminologists to classification and to the use of criteria other than those found in the criminal law.⁷ The early criminologists of the Italian or posi-

tivist school delimited types of offenders in terms of a heterogeneous collection of personal attributes. Lombroso (1835–1909), for example, identified, to his satisfaction at least, a “born criminal” with a unique, inferior physique. Later, Lombroso recognized other types of criminals, including (1) the insane criminal, (2) the criminal by passion, and (3) the occasional criminal, a type that emphasized the social aspects of the offender as well as individualistic characteristics.

Garofalo (1852–1934), an Italian jurist, maintained that criminals are characterized by psychological anomalies. He divided these defectives into four categories: (1) typical criminals, or murderers who kill for enjoyment, (2) violent criminals, (3) criminals deficient in pity and probity, and (4) lascivious criminals. In a not too different fashion, Ferri (1856–1929) distinguished between five types of criminals, namely (1) the insane, (2) the born, (3) the habitual, (4) the occasional, and (5) the passionate.

Clinical psychologists and psychiatrists have subsequently attempted to classify criminal offenders by utilizing either a single personality trait or a syndrome or grouping of traits. Accordingly, criminal offenders have been grouped according to whether they are immature, emotionally insecure, dependent, hostile, antisocial, nonconformists, or aggressive. Sometimes a single trait has been used to apply to a variety of criminal careers differing in both the nature and the seriousness of the activity. Consequently, personality trait syndromes by themselves have little meaning for distinguishing either types of criminal careers or the behavior of criminals from non-criminals who also may have these traits.

In terms of individualistic factors, offenders also have been divided according to their sex, age, rural-urban background, and other personal attributes. Sex is not a meaningful criterion for classification for, with the exception of prostitution, women in the Western world now commit as wide a variety of offenses as men, although not as frequently. It is increasingly difficult to distinguish clearly among offenders merely upon the basis of sex. Likewise, age is a somewhat meaningless classification because all types of crime are committed by persons of varying ages. Offenders committing the most overt serious crimes, however, are more frequently under twenty-five years of age, while the so-called white collar crimes of business and professional persons are committed by older persons. Classification of offenders by age has little merit, for the criminal development of an offender may have little relation to his age. An offender may be considered developed criminally if he has unfavorable attitudes toward laws, property, and the police, professional knowledge of techniques to commit crimes and avoid prosecution, and a framework of rationalizations to support his conduct. These qualities can be present in a teen-age offender and be comparatively absent in a middle-aged one.

The individualistic approach to criminal classification employs the questionable assumption that individuals with particular personal characteristics commit certain types of crime. In addition, the individualistic approach

implies that persons with these characteristics specialize in particular offenses. Finally, while individualistic classifications may have limited diagnostic possibilities for treatment, they have little utility for the construction of sociological theories of criminal behavior.

Social Typologies

If crime is to be studied as a social phenomenon, it is necessary to delineate types of criminal behavior according to the social context of the criminal offender and the criminal act. A number of such types have been developed. Two European criminologists of the last century, Mayhew and Moreau, proposed criminal types based on the way in which crime is related to the various *activities* of the criminal. Mayhew distinguished between professional criminals, who earn their living through criminal activity, and accidental offenders, who commit criminal acts as a result of unanticipated circumstances. Moreau added one other type of criminal to Mayhew's types. Recognizing that many of the criminals who commit crimes against the person cannot be included in either of Mayhew's types, Moreau designated the *habitual criminal* as one who continues to commit criminal acts for such diverse reasons as a deficiency in intelligence and lack of self-control.

Aware of the Mayhew-Moreau criminal types, Lindesmith and Dunham devised a continuum of criminal behavior ranging from the *individualized criminal* to the *social criminal*.⁸ The criminal acts of the individualized criminal are committed for diverse and personal reasons, with the behavior finding little cultural support. The criminal behaviors of the social criminal, on the other hand, are supported and prescribed by group norms. The social criminal through his criminal behavior achieves status and recognition within a group. In addition, although the social criminal uses illegitimate means, the goals he seeks, such as economic gain and security, are valued by the broader culture. The types of criminals found between the extremes share in varying degrees the characteristics of one or the other polar types. In the individualized category is the situational or accidental criminal, for example, a murderer who prior to the crime was a law-abiding person. In the social category is the professional criminal, such as the racketeer or the confidence man. Lindesmith and Dunham also employ a third type, *habitual-situational*. This type is utilized to classify all those criminals who actually are not professional, but are more than situational or accidental offenders. This type of criminal is described as the offender who, while not a professional, is constantly in trouble with the legal authorities, committing in a somewhat fortuitous and free-wheeling manner such crimes as robbery and larceny, intermixed with legitimate economic activities. A slum juvenile delinquent might be described as *habitual-situational*. This trichotomy, while consisting of rather broad categories, does not, however, appear to be exhaustive. For instance, as Lindesmith and Dunham suggest, white collar crime committed by persons in the upper socioeconomic groups, does not