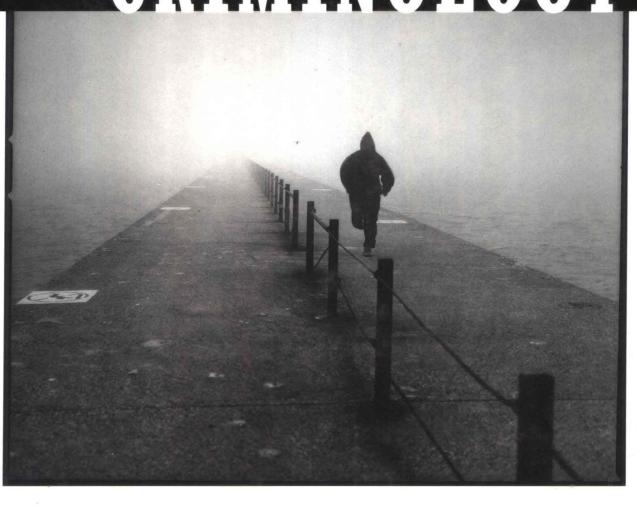
CRIMINOLOGY



Sue Titus Reid

NINTH EDITION



NINTH EDITION

Sue Titus Reid, J.D., Ph.D.

Florida State University



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ABOUT THE AUTHOR

Sue Titus Reid, a professor and director of the Undergraduate Program in the Reubin O'D. Askew School of Public Administration and Policy at Florida State University, Tallahassee, has taught law students, graduate students, and undergraduate students in many states. She has served on the board of the Midwest Sociological Society and the executive staff of the American Sociological Association. She has served as chairperson, associate dean, and dean. In 1985 she held the prestigious George Beto Chair in criminal justice at the Criminal Justice Center, Sam Houston State University, Huntsville, Texas.

Dr. Reid was influenced in her choice of career by her family background and early experiences in a small East Texas community. She graduated with honors from Texas Woman's University in 1960 and received graduate degrees in sociology (M.A. in 1962 and Ph.D. in 1965) from the University of Missouri–Columbia. In 1972 she graduated with distinction from the University of Iowa College of Law. She was admitted to the Iowa bar that year and later to the District of Columbia Court of Appeals. She has been admitted to practice before the U.S. Supreme Court as well.



Dr. Reid is unique among authors in the criminal justice field because of her distinguished qualifications in both law and the social sciences. She launched her publishing career in 1976 with *Crime and Criminology*, which has been widely adopted throughout the United

States and in foreign countries. Dr. Reid's other titles include *Criminal Justice*, fifth edition; *The Correctional System: An Introduction*; and *Criminal Law*, fourth edition. She has contributed a chapter to the *Encyclopedia of Crime and Justice*, as well as to other books, in addition to publishing scholarly articles in both law, sociology, and public administration.

Dr. Reid has traveled extensively to widen her knowledge of criminal justice systems in the United States and in other countries. In 1982 she was a member of the People-to-People Crime Prevention delegation to the People's Republic of China. Her several trips to Europe included a three-month study and lecture tour of 10 countries in 1985.

Dr. Reid's contributions to her profession have been widely recognized nationally and abroad. In 1982 the American Society of Criminology elected her a fellow "for outstanding contributions to the field of Criminology." Other national honors include the following: Who's Who among Women; Who's Who in Criminal Law; 2,000 Notable Women (Hall of Fame for Outstanding Contributions to Criminal Law, 1990); Personalities of America; and Most Admired Woman of the Decade, 1992. Her international honors include International Woman of the Year, 1991-92; International Who's Who of Intellectuals; and International Order of Merit, 1993. In 1998 she was elected to the International Professional and Business Women's Hall of Fame. In 1999 she was included in the Marquis Who's Who in America and appointed to the School of Justice Studies Advisory Board of Roger Williams University; she was also a featured speaker at the Oberlin Conference on Crime and Punishment at Oberlin College.

s a discipline, criminology should be concerned with the causes of crime—the traditional emphasis of sociologists—as well as with criminal justice and correctional systems. The study should include law as well as the social sciences. This text covers all of the major areas of criminological study and does so from the perspective of the social sciences and law.

The Approach of the Book

The integrated approach of the book is a result of my years of teaching criminology to undergraduates, my background as a law professor and legal consultant, and my experience as a social scientist. In teaching undergraduates, I have been impressed with their eagerness to learn how law relates to the traditional topics covered in criminology and criminal justice courses, even to the point that they enjoy reading and briefing court cases. For this reason I have included some excerpts from appellate opinions to illustrate concepts and to demonstrate the role of courts in the reformation of criminal justice systems.

As a social scientist, I want to ensure that the text discusses the results of sociological research on criminal justice systems and does so in a context of sociological theory. Summaries and critiques of classic works in criminology, analyses of recent social science research, and attention to major social science theorists who have contributed significantly to the study of crime are included.

The responses to the eight previous editions of this text confirm that students and faculty find the integration of law and social science to be a viable approach to the study of criminal behavior. No less important to users of earlier editions has been the assessment of society's response to criminal behavior. Therefore, I have retained the text's integrated approach but have made some significant revisions and numerous updates. The text retains the 15-chapter format, but it has been shortened to reflect the preferences of faculty and students who use the text.

Organization and New Features

Part I, "Introduction to the Study of Crime and Criminology," introduces the study of criminology and criminal law. Chapter 1, "Crime, Criminal Law, and Criminology," explains and analyzes the concept of crime. Its discussion of the concept of law covers the nature and purpose as well as the limits of law, looking in particular at law as a method of social control. The chapter is considerably shorter than in the previous edition. It retains its function as an overview chapter but leaves the details to subsequent chapters.

Chapter 2, "The Measurement of Crime and Its Impact," focuses on the compilation of crime data through official and unofficial methods, utilizing the most recent data available up until the final stages of production of the manuscript. This chapter features an updated discussion of hate crimes as well as material on the variables of age, race, and gender as they relate to criminal offenders and crime victims.

Part II, "Explanations of Criminal Behavior," contains four chapters on causation. Chapter 3, "Early Explanations of Criminal Behavior and Their Modern Counterparts," begins with brief overviews of the perception of crime and methods of studying crime before exploring the historical explanations of criminal behavior that have strongly influenced modern developments. The classical and positive schools of thought are explained, contrasted, and related to current philosophies of punishment and sentencing. I have updated the discussions of

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rehabilitation, retribution and revenge, and deterrence with the most recent information available. The system impact of the move toward determinate sentencing is discussed, along with an analysis of punishment. These topics are illustrated with such cases as that of Jerry Williams, who was sentenced to 25 years to life in prison under the California "three-strikes" statute after he was convicted of stealing a pizza from children. After the California Supreme Court's 1994 case on the sentencing law, Williams was resentenced to six years.

Chapter 4, "Biological and Psychological Theories of Criminal Behavior," recognizes the increasing attention that is being given to variables such as chemical imbalance, substance abuse, psychological problems, intelligence, and others that may be related to criminal behavior, especially violence. A complete discussion of criminology cannot ignore these issues even though they remain controversial. This version of the chapter features a new section on attention deficit disorder (ADD).

Part II concludes with two chapters on sociological explanations of criminal behavior. Chapter 5, "Sociological Theories of Criminal Behavior I: The Social-Structural Approach," focuses on the relationship between social structure and criminal behavior. Chapter 6, "Sociological Theories of Criminal Behavior II: Social-Process Theories," deals with the processes by which criminal behavior may be acquired. Although these two chapters follow essentially the same format as in the previous edition, the material has been updated and features an analysis of female criminality.

Social scientists continue to contribute to our understanding of criminal behavior through their careful research and data analyses; their contributions since the publication of the eighth edition of this text have been included. Recent crimes, such as those committed by juveniles on school grounds and the killing of newborns by their mothers, are used to illustrate some of the concepts discussed. Chapter 6 contains new material on most sociological process theories as well as on the relationship of pornography to crime, in particular the use of minors in pornography and the role pornography might play in violence against women.

Part III, "Types of Crime," includes Chapter 7, "Violent Crimes," which introduces the study of criminology typologies. This chapter reflects the interesting changes that have occurred in crime data since the writing of the eighth edition of this text. It elaborates on the coverage of violent crimes among juveniles as well as on hate crimes targeted at persons with same-gender sexual orientation, women, and racial minorities. New to this edition are sections on stalking and the relation between gender and robbery. In addition, the chapter contains material on workplace and campus crimes, bank robberies, forcible rape, domestic violence, and gun control.

Chapter 8, "Property Crimes," includes current information on all major and minor property crimes. Particular attention is given to crimes such as credit card theft as well as the problems of repeat offenders. The discussion of the crime of carjacking is updated. Chapter 9, "Business and Government-Related Crimes," sports a slight change in title from the previous edition's "Business World Crimes." The new title reflects the emphasis on government-related crimes as well as the traditional crimes of the business world. It contains more on computer crimes, including computer pornography. Some crimes of the business world are illustrated by high-profile cases involving famous persons, such as the fraud crimes of Leona Helmsely, Darryl Strawberry, Willie McCovey, Duke Snikder, and Steffi Graf, and the computer crimes of hackers such as Robert T. Morris Jr., Stephen James, Kevin Lou Poulsen, and Kevin Mettnick. The chapter also includes discussions of the basis of legal liability for business crimes, products liability crimes, and environmental crimes. The discussion of fraud includes health care and insurance fraud as well as financial institution fraud.

Chapter 10, "Organized Crime, Drug Trafficking, and Terrorism," describes recent developments in these three critical areas of criminal activities. The chapter in the previous edition referred to numerous current events; those have been updated where necessary, as the material in these areas changes quickly and dramatically. A new section on the war on drugs discusses the recent developments in that controversial area, while the chapter's focus on terrorism includes updated information on the World Trade Center bombing, the Oklahoma City bombing, the Unabomber, and events relating to recent terroristic bombings in Africa.

Part IV, "Criminal Justice Systems," includes three chapters. Chapter 11, "U.S. Criminal Justice Systems," introduces the procedures, stages, and steps of criminal justice systems. With its overview of the constitutional rights of defendants in the adversary system, it sets the stage for subsequent chapters in Part IV. The chapter focuses on four major constitutional rights of defendants: the right to be free from unreasonable search and seizure, the right not to testify against one-self, the right to counsel, and the right to a trial by jury. Relevant court cases are incorporated throughout.

Chapter 12, "Police," has some outline changes, with the deletion of subheads, but it retains the major topics of the previous edition. The material is updated, but particular attention is given to the recent changes in affirmative action policies that may affect criminal justice systems. The chapter contains discussions of community-oriented and problem-oriented policing as well as of police stress. It features a new subhead on vehicle pursuit, more information on the Mollen Report, and attention to the recent FBI lab problems. It contains more information on police violence against citizens and a discussion of recent Supreme Court cases affecting policing in the United States.

Chapter 13, "Court Systems," provides an overview of the criminal justice processes that occur in the courts, from pretrial to posttrial. Significant changes in court systems, especially in sentencing, are an important part of this chapter. Recent court cases are featured, with special attention given to judicial and legislative attempts to reduce *habeas corpus* appeals. The serious problem of court congestion is addressed. More information is contained on drug courts, the three-strikes approach to sentencing, and the impact of gender and race on sentencing.

Part V, "Social Reactions to Crime: Corrections," contains two chapters. Chapter 14, "The Confinement of Offenders," includes a brief historical account of the emergence of prisons and jails for punishment; discusses U.S. contributions to this movement; and distinguishes jails, prisons, and community corrections. Jail and prison overcrowding is one focus of this chapter; the review includes an analysis of the attempted solutions to this serious problem. The inmate's social world within prison is discussed, as are prison violence and control. The chapter's overview of inmates' legal rights updates such recent issues as whether inmates have a constitutional right to a smoke-free environment. Health issues within prisons are noted, along with the effects of maxi-maxi prisons on prison conditions and inmate conduct. The impact of the Americans with Disabilities Act (ADA) is examined, and additional information is provided on privatization of prisons.

Chapter 15, "Corrections in the Community" contains a discussion of the types of community correctional facilities and programs along with updated information on probation and parole. A topic that was new to the eighth edition, Megan's laws, was essentially rewritten because of the changes in that area of law and correctional practice. The discussion of shock incarceration and boot camps takes on a new focus, as some jurisdictions have eliminated their programs. Efforts to abolish parole are illustrated by an exhibit on the killing of a New York police officer by a parolee.

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Tools for Learning

As in the previous edition, I have included numerous learning aids to help students comprehend the text's wealth of material. Each chapter of the ninth edition begins with an abstract, an outline, and a list of key terms. Key terms are identified in boldface within the text and are defined in the margin throughout; they are also collected in a comprehensive glossary at the end of the text. Each chapter concludes with a summary that serves as an additional tool for review.

The numerous boxed inserts support the book's integration of social science research and law. Figures, maps, graphs, and charts feature the most current data available on a wide variety of topics. Additional inserts, labeled "Exhibits," provide insights and background information on current events, legal decisions, and other topics of interest. The legal excerpts within the text show how legal decisions affect criminal justice systems. All legal citations have been checked to determine whether any changes have been made on appeal; all statutes are updated to the latest possible time during the production process.

Appendix A contains selected constitutional amendments to provide quick and easy reference to the reader who wishes to read the full amendment mentioned in the text. Appendix B discusses how to read a case citation. The indexes are divided by cases, names, and general subject topics.

A Note on the Updates

I have made every effort to ensure that all facets of the text—the social science discussions, research, citations, legal decisions, statutes, examples, and inserts—are as current and up-to-date as they possibly can be. Citations of all the legal cases were checked just before the book went to press to include any changes in their status—such as revised, affirmed, or an indication that a higher court has agreed to hear the case.

Supplementary Material

The *Instructor's Manual and Test Item File* prepared by Lynn Newhart provides numerous teaching tips, a chapter overview, objectives, lecture and discussion topics, and film and video resources. The test item file portion contains essay questions, multiple-choice questions, and true/false questions.

Acknowledgments

Writing a text is a labor of love for me, but the labor has been eased by family, friends, and colleagues who provide technical assistance as well as encouragement and support. Most important are my sister Jill Pickett and her family (husband Roger, son Clint, and daughter Rhonda Sue), who offer friendship and handle many family matters important to all of us.

My special thanks go to the staff of the Reubin O'D. Askew School of Public Administration and Policy at Florida State University: Ann Chlapowski, Eleanor McNealy, Mary Rollins, and Velda Williams provided support and came to my assistance when I had problems with the copy machine or mailing.

Two of my colleagues at Florida State University, Dr. William G. Doerner and Dr. Carlene Thornton, have continued to provide encouragement and input during my publishing efforts. Several of my friends from other institutions have provided guidance and emotional support during the long months of work that a revision requires. Dr. Marlyn Mather, a former colleague at Cornell College in the 1960s, and a close friend for over 30 years, was always available to listen, critique, or be of help when needed. The kindness of friends such as professors H.H.A. Cooper, David Fabianic, Richard Kania, John Smykla, Rolando del Carmen, Jerry Dowling, and Laura Myers has been particularly valuable during this revision. Christopher L. Morales, who has served as a con-

sultant on many topics included in this text, has provided friendship and a sense of perspective, especially during the final stages of the writing and production of the text. The diligence and enthusiasm of Mallory Brooks and Allison Brooks, who take care of my home, mail, and cat during my absences and also handled the tedious process of compiling and typing the name and case indexes, is deeply appreciated.

Other professional colleagues in the academic world have expressed their interest by assisting with the reviewing process. I am grateful to the following professors for their ideas and their constructive criticisms: Jerry C. Armor, Calhoun Community College; Milton L. Rhodes, Our Lady of the Lake University; Mel Wallace, McHenry County College; Laura J. Moriarty, Virginia Commonwealth University; Julius O. Koefoed, Jr., Kirkwood Community College; Evelyn Zellerer, Florida State University; Thomas A. Petee, Auburn University; Joan Toms Olson, Mary Washington College; and David C. May, Indiana University–Purdue University Fort Wayne.

The staff at McGraw-Hill, Inc., provided exceptional editorial and production assistance, and I very much appreciate their efforts. My special thanks to my acquisitions editors, Nancy Blaine, who began the project, and Alan McClare, who joined us after Nancy's departure. Both gave their best efforts to the success of the manuscript. I am also grateful to their editorial assistant, Miriam Beyer.

My appreciation also goes to my project manager, Christina Thornton-Villagomez, one of the most efficient professionals I know. It was delightful to be working with Christina and her staff on another book.

I would like to express my appreciation to my students at Florida State University, who provide me with exciting ideas as we discuss many issues in our course, American Legal Systems. Thank you for your encouragement and your contributions to my classes and to my life.

Completing the ninth edition of a text is an accomplishment that could not have occurred without the support of faculty and students since my first edition was published in 1976. I wish I could thank all of you personally, but I must be content with this recognition of your continued support. Your letters and your adoptions are most welcome, and I hope you will continue to write to me about your impressions. To the student users whom I have met over the years, it has been a pleasure, and I thank you also.

During the past eight years perhaps the most helpful person has been Edwin M. Schroeder, Florida State University law librarian and professor, who has made the library and his staff available to me for my research. Together they have eased the physical burdens of research at a time when student assistance was not readily available. Their help is invaluable.

I want to thank my new friends in New Hampshire for the joy they have brought to me in my second home, in which much of this revision was completed. In particular I want to express my gratitude to Dorothy and Bob Lowry. The Lowrys look over my home with loving care and have enhanced my contacts by introducing me to many of their friends. Thanks, Dorothy and Bob, for all the diversions that help keep my life balanced.

Finally, this edition is dedicated to Aubrey Boyd, a Florida State University graduate student and former basketball player who sustained severe physical injuries during a neighborhood football game. Aubrey challenges and inspires us with his determination to succeed despite his physical challenges. Good luck, Aubrey, and thanks for the memories.

Sue Titus Reid

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