

Crime and Justice

A Review of Research

Edited by Michael Tonry

Volume 16

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Preface

Six of the essays in this volume discuss sentencing and corrections issues, the seventh deals with motor vehicle crimes; there is no doubt that these topics will remain of central professional and public concern throughout the 1990s.

Rates of incarceration and the numbers of inmates have increased continuously and steeply in the United States since 1973. The number in prison and jail more than doubled between 1980 and 1990 and quadrupled between 1970 and 1990. The incarceration rate is four times that of any country with which most Americans would care to be compared. Yet there remains sharp conflict as to what should be done about this.

There are some who search for ways to reduce the use of prison and jail, to develop alternative sentencing strategies and alternative punishments, who suggest that reliance on imprisonment or probation as the basic punishments, with little in between, is a grave error. There are others who are not at all troubled by the numbers in prison, seeing their confinement as essential to the reduction of the scourge of crime.

In these often acrimonious debates, much is in doubt. For example, some see an obvious linkage between rates of imprisonment and rates of crime; others doubt that there is any such linkage at all. Some see the cost of imprisonment as prohibitive; others see it as less than the cost of the crime it prevents. There are victims advocates and advocates for safe and humane prisons, and between them discourse is rarely joined. What is so often missing in all three confrontations is the calm and close analysis of what is known and what is likely. That is, of course, the mission of this volume and of the other volumes in this series.

The development of a rational and fair sentencing policy will likely remain at the center of policy-making concern for many years to come. A revolution in sentencing practice began in the 1960s, with the pace of "reform" steadily increasing, but without any agreement on its efficacy or even on the wisdom of its direction. As an earlier editor of this series occasionally remarked: "Reform, Sir! Reform! Don't talk to me of reform; things are bad enough as they are."

The debate is most vehement concerning the federal sentencing guidelines and the work of the U.S. Sentencing Commission. But there are many other legislative and judicial conflicts concerning the sentencing of convicted criminals, not the least of which is the increasing legislative popularity of mandatory minimum sentences. This volume presents contributions to many of those debates. Topics range from philosophical first principles and public opinion through mandatory penalties and methods of structuring sentencing discretion to inmates' adjustments to prison and prison privatization. Andrew von Hirsch surveys recent writing in the philosophy of punishment. Julian Roberts examines the sizable, and growing, literature on public opinion about sentencing and punishment and concludes that much of the conventional wisdom—that the public is more punitive than are judges, that the public is uninterested in rehabilitation, that the public favors incarceration as the punishment of choice for most offenders—is wrong. A third essay examines the role and effects of mandatory minimum sentencing laws. Andrew Ashworth examines efforts throughout the English-speaking countries to structure sentencing discretion. Kenneth Adams and Douglas McDonald, respectively, examine the current state-of-the-art of knowledge concerning prisoners' adaptation to prison life and the ongoing debates about the costs and benefits of privately operated prisons.

For readers benumbed by so much punishment, Ronald Clarke and Patricia Harris tell us what is known about the patterns, perpetrators, and prevention of motor vehicle crimes.

Michael Tonry

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Auto Theft and Its Prevention

ABSTRACT

Auto theft makes a substantial contribution to the crime statistics of the United States. Eleven percent of all Uniform Crime Report index crimes in 1989 and 12 percent of crimes reported in the Victim Risk Supplement to the National Crime Survey comprised thefts of and from vehicles. Auto theft is even more prevalent in other developed countries, particularly when theft rates are calculated per vehicles registered. Marked urban/rural and intercity variations are only partly explained by variations in overall levels of crime or in the availability of vehicles. Many thefts involve cars parked in the street at night, and automobile models vary greatly in their vulnerability to theft. Auto theft has not increased more than other important property crimes in the United States during the last thirty years but may have come increasingly under the domain of more adult, organized offenders. Even so, thefts for temporary use and joyriding outnumber professional thefts by at least two to one. In turn, these forms of auto theft are outnumbered by thefts from vehicles (including components) by about five to one. The most promising preventive approach is through the manufacture of more secure vehicles. Improved documentation of ownership and environmental modifications at parking lots might also yield some gains.

According to crime surveys a substantial proportion of known crime—12 percent in the Victim Risk Supplement to the National Crime Survey and about 18 percent in the British Crime Survey—consists of thefts of or from vehicles. In addition, the British Crime Survey found

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that, while the emotional upset for victims of car theft was less than for burglary, the financial losses and inconvenience were generally greater. These findings speak to a significant problem, yet one that has received little attention from criminologists. We were unable to find a single academic book on auto theft published in the English-speaking world during the last twenty years. The contrast with burglary is particularly striking even allowing for its more serious nature. In his recent *Crime and Justice* essay, Shover (1991) identifies at least ten criminological books on burglary published in the 1970s and 1980s and many more articles and government reports.

The unusually wide scope for criminological inquiry afforded by auto theft makes neglect of this offense all the more surprising. Theft of vehicles is perhaps the best reported of all property crimes, while the offenders most usually involved, juveniles, are among the most accessible groups for study. There can be few other theft targets for which there is so much available information about numbers at risk, age, value, and location, which makes auto theft particularly fertile ground for opportunity theories of crime. While the ubiquity of automobiles, their inadequate protection, and their attractiveness to a variety of offenders makes it easy to understand the high levels of theft, some other facts about auto theft demand explanation. For example, why has this offense increased less in the United States during the past thirty years than have some other property crimes, and why are rates of auto theft in the United States lower than in the United Kingdom, Scandinavia, and some other countries, particularly when expressed in relation to the number of vehicles registered? Why are there such large urban/rural and intercity variations in rates of auto theft? And why is there so much variation among models of automobile in their vulnerability to different kinds of theft? Aside from these largely unanswered questions, there are others that remain contentious. For example, it is unclear to what extent auto theft has evolved in recent years from a problem of juvenile joyriding into a more serious problem of thefts for profit committed by more organized, adult offenders. Nor is it clear, as some opportunity theorists have argued, to what extent levels of auto theft increase in direct proportion to the number of vehicles on the road, or whether a point is reached when more cars no longer mean more thefts.

The principal reason for paying more criminological attention to auto theft, however, relates to the tangible prospects for prevention and the associated opportunity for making a substantial dent in the

nation's crime statistics. We have therefore chosen to structure our review by considering what is known about auto theft (and what needs to be discovered) from a policy-oriented, preventive perspective. While this narrowed focus still permits a discussion of the main findings and theories, it raises a number of particular research issues. For example, because the different forms of auto theft may need to be separately addressed, it becomes important to refine estimates concerning their prevalence and costs so as to determine priorities in a rational manner. At present, only a rough division can be made among the three main forms of auto theft, suggesting that 85 percent of offenses comprise thefts from vehicles (including components), 10 percent comprise joy-riding and other temporary use, and 5 percent are thefts for resale of the vehicle or its disassembled parts. Our review of preventive options suggests that, in general, there is greater scope for increasing the difficulties of auto theft than for increasing the risks or reducing the motivation. To prevent thefts from being displaced from protected to unprotected targets, security improvements should be built in at manufacture. Since the vehicle fleet is renewed every fifteen years or so, this means that improvements in security could be introduced across-the-board in a comparatively brief space of time. However, it remains unclear how consumers, manufacturers, and politicians can be persuaded that this may be the best way of dealing with the problem.

The literature covered in this essay is of somewhat uneven quality, and the focus on prevention is intended to lend it greater coherence as well as providing an agenda for further research, beyond the scholarly pursuit of knowledge. Section I deals with the extent and nature of auto theft in preparation for the analysis, in Section II, of the policy options. These are seen as falling into three categories, discussed separately in further sections of the review: reducing the motivation for auto theft (Sec. III), increasing the risks (Sec. IV), and increasing the difficulties (Sec. V). The final section summarizes the research needed to advance the goal of prevention.

I. The Extent and Nature of the Problem

In this section we review information concerning trends in the scale and nature of the problem in the United States and elsewhere, the costs of auto theft, and its distribution within the United States. We also summarize research findings concerning the most vulnerable vehicles and the highest-risk locations and times for auto theft.

A. *Varieties of Auto Theft*

The definition of motor vehicles in the Uniform Crime Reports (UCR) includes trucks, buses, motorcycles, and other surface vehicles, but most incidents falling under the UCR index crime of "motor vehicle theft" (79 percent in 1989) involve automobiles, and much of the research is focused on these. Indeed, motor vehicle theft is frequently referred to as auto theft, which practice is followed here.

No accepted classification of the various auto theft offenses exists, though a distinction is frequently made between theft from a motor vehicle (when items are removed but not the vehicle itself) and theft of a motor vehicle (when the vehicle is removed whether or not subsequently recovered). Variations on this distinction are employed in all four major sources of published data on auto theft—the UCR, the Victim Risk Supplement of the National Crime Survey (NCS), the British Criminal Statistics, and the British Crime Survey.¹ The UCR, for example, distinguishes between "motor vehicle theft," one of eight index crimes, which is defined as the theft or attempted theft of a motor vehicle, and two subcategories of the index crime of larceny-theft, "theft from motor vehicles (excluding any accessories)" and "theft of motor vehicle accessories."

A second common distinction, which reflects wide agreement that levels of sophistication vary considerably among car thieves, is between opportunistic thefts by juveniles for "joyriding" and thefts for profit by more "hardened" offenders (e.g., Home Office 1988). In keeping with this, the British Criminal Statistics long presented statistics for "taking and driving away" (defined by recovery of the car within a period of thirty days) and "thefts of motor vehicles" (incidents in which cars were not generally recovered). However, this distinction increasingly proved unworkable in practice since many cars were found intact after the thirty-day period whereas others, recovered after a day or two, might be found stripped of valuable components.

Attempts to develop more detailed classifications of auto theft reflect a consistent difference in viewpoint between criminologists and the law enforcement community. Criminologists tend to regard vehicle theft as principally involving temporary appropriation of the vehicle for "joyriding" and other purposes by juveniles (Schepses 1961; McCaghy, Giordano, and Henson 1977; Higgins and Albrecht 1981). For exam-

¹ These four data sets have recently been described for *Crime and Justice* in Shover (1991).

ple, in their criminological analysis of auto thefts in Toledo, McCaghy, Giordano, and Henson (1977) found that three classes of temporary use—joyriding, short-term transportation, and longer-term transportation—accounted for about 90 percent of all thefts.

For the police, the involvement of “professionals” in auto theft assumes greater salience, as exemplified by the testimony of law enforcement officials—offered only two or three years after the publication of McCaghy et al.’s research—in hearings leading to the passage of the Motor Vehicle Theft Law Enforcement Act of 1984 (98 Stat. 2754). This testimony (see, e.g., Permanent Subcommittee on Investigations 1979; and Subcommittee on Consumer Protection and Finance 1980) focused almost exclusively on varieties of professional theft—“chopping” (the disassembly of stolen vehicles and the subsequent sale of their parts), “retagging” or “body switches” (in which stolen vehicles are given new identities by using documents from wrecked vehicles), and theft for export to other countries (principally Mexico for the United States).

One useful classification of auto theft (see fig. 1) has been developed by Challinger (1987). Building on earlier work by McCaghy, Giordano, and Henson (1977), Challinger makes a threefold distinction between thefts for recreation, for transport, and for financial gain. Under recreation, he groups thefts for fun (“joyriding”), for status seeking, and for meeting the challenge of successfully stealing a car. Theft for transport may be to obtain a car to complete a single trip, to use in another crime such as a bank robbery, or to keep for extended personal use. Theft for profit includes “stripping” of radios and other valuable parts by amateurs; “chopping,” “retagging,” and thefts for export by professionals; and crimes by owners more properly regarded as insurance frauds. He considers that “opportunity makers,” that is, individuals who do not simply take advantage of opportunities they stumble on, are found in increasing proportions in progressing through his three main categories of theft.

While Challinger’s classification may provide a useful starting point for more detailed research, it serves less well as the basis for a review of current knowledge because so little information is available for each of the different categories of theft that he identifies. Indeed, most research into auto theft involves theft of the vehicle itself, and our review will inevitably reflect this focus. Nevertheless, because of some important differences in offender motivation and levels of skill, and consequently in the likely explanatory variables (cf. Tremblay, Clermont,

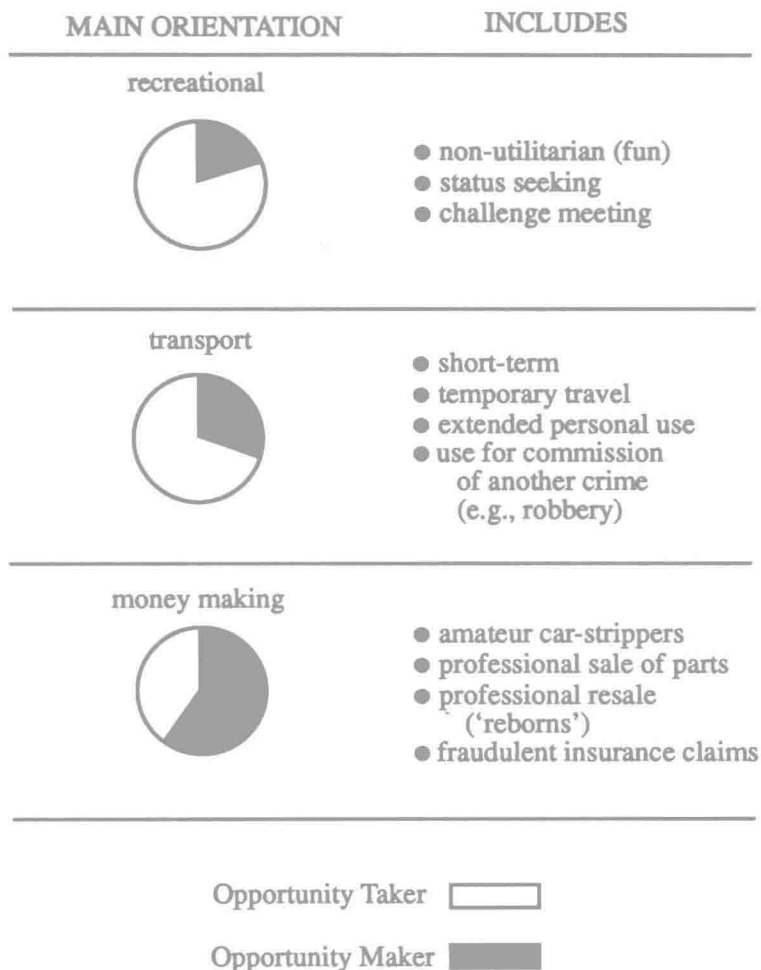


Fig. 1.—Orientations of car thieves. Source: Adapted from Challinger (1987).

and Cusson 1991), we attempt to differentiate whenever possible between three main categories of auto theft: thefts for temporary use (including joyriding and short-term transportation); professional thefts (thefts intended to deprive the owner permanently of the vehicle, including for extended personal use by the thief, for resale, for export, and for chopping); and thefts from vehicles (including small components such as the radio or battery as well as theft of personal possessions).

It may sometimes be simply a matter of convenience whether a car is moved before it is stripped and thus largely a matter of chance whether it is counted as a stolen car. This provides one reason for including theft from vehicles in a review of auto theft. More important, given the policy focus of this review, is that theft from vehicles makes a substantial contribution to the crime statistics. Rational assignment of priorities among preventive measures requires information about the costs and prevalence of specific subcategories of auto theft. Moreover, while preventive measures often need to be precisely tailored to highly specific categories of offense (e.g., basic improvements in automobile security may reduce joyriding by juveniles but may have little effect on thefts of automobiles for chopping by organized criminals), some measures can be expected to have an impact on more than one category of offense and need to be assessed in this light. For instance, making it difficult to gain entry to the car may reduce not only joyriding but also incidents of theft from the vehicle.

B. Scale of Auto Theft

Whether measured by official statistics or crime surveys, vehicle-related thefts constitute a substantial proportion of the criminal incidents that come to light. For example, thefts of and from vehicles accounted for about 18.5 percent of all offenses reported in the 1988 British Crime Survey (Mayhew, Elliott, and Dowds 1989) and 12 percent of all crimes revealed in the Victim Risk Supplement to the NCS (Lynch and Biderman 1984). Similarly, these offenses constituted 11 percent of all index crimes in the UCR for 1989. This figure is likely to underestimate the prevalence of vehicle thefts in a small but growing number of cases involving thefts at gunpoint (Dean 1991; Freid 1991), which are subsequently counted in the UCR as robberies. From the perspective of the individual member of the public, there is little doubt that simply owning a vehicle greatly increases his or her chances of becoming a victim of crime.

In 1989, the two UCR categories of theft from vehicles between them outnumbered thefts of vehicles by nearly two to one (respectively, 2,554,785 and 1,370,766). For a variety of reasons (including the high value of vehicles, insurance requirements, the assistance needed from police to recover stolen and abandoned cars, and, indeed, the high probability that cars reported stolen will be located and returned), theft of a motor vehicle has much higher reporting rates (90 percent or better; e.g., Harlow [1988]) than other thefts. This means

that the UCR undoubtedly underestimates the size of the difference in the incidence of thefts of and thefts from. Indeed, the 1989 International Crime Survey found that the rate of theft from a car in the United States was nearly five times as high as the rate of theft of a car (Mayhew 1990a; van Dijk, Mayhew, and Killias 1990).

The much larger proportion of crimes accounted for by auto theft in the British Crime Survey than in the NCS Victim Risk Supplement suggests that the problem may be greater elsewhere than in the United States. This is generally confirmed by international comparisons based on crimes reported to the police (e.g., Kalish 1988; Motor Trades Association of Australia 1990; NRMA Insurance, Ltd. 1990). Table 1, derived from Interpol data, is illustrative of these results and shows rates of auto theft per capita and per registered automobiles of nineteen industrialized countries for two pairs of years: 1977 and 1978, and 1987 and 1988.² The per capita rate for the United States, which increased only slightly during the ten-year period, was lower in 1987/88 than for five other countries: Norway, Denmark, Sweden, England and Wales, and Australia.

Part of the explanation for the lower per capita rates in the United States may be the generally high levels of vehicle ownership. These mean that more people, perhaps especially the young, have legitimate access to a car. Mayhew (1990a) has shown that countries such as the United States, with the highest levels of ownership, have rates of theft somewhat lower than countries with intermediate levels (though still higher than countries with low levels of ownership). It is because of high ownership levels that the United States appears in an even more favorable light in the comparison in table 1 of thefts per 1,000 registered automobiles, with a rate in 1987/88 (8.9), for example, less than half that for England and Wales (20.3), and lower than those of nine of the countries listed.

C. Costs

The costs of auto theft can be considered from two main perspectives: direct costs to victims and other social costs. Existing estimates

² Not all countries reporting to Interpol give figures for auto theft, and for some countries automobile registration figures were also unavailable. Some technical points of comparability also mean that care must be exercised in interpretation (Mayhew 1990a). These relate mainly to the treatment of attempts and the vehicles covered in the theft reports. Countries where the coverage was known to be different were excluded (e.g., Switzerland, which includes bicycle thefts). In some countries a distinction is made between incidents in which it is thought the thief intends "to permanently deprive" the owner and other incidents often called "unauthorized takings"; it is not always clear which are counted.

TABLE 1
International Comparison of Thefts of Cars Recorded
by the Police, 1977/78 and 1987/88

	Per Thousand Persons		Per Thousand Cars	
	1977/78	1987/88	1977/78	1987/88
Austria	.2	.2	.6	.4
Japan	.3	.3	1.1	.7
Portugal	.7	.5	5.2	2.7
West Germany	1.0	1.2	2.6	2.3
Netherlands	1.0	1.6	2.6	3.8
Belgium	.6	2.0	1.6	5.1
Finland	.4	2.3	1.3	6.0
Canada	3.6	3.4	8.4	6.9
Italy	3.7	3.6	10.2	6.9
Spain	2.3	3.7	11.4	12.7
France	3.7	4.3	8.4	9.3
Northern Ireland	.7	4.9	3.1	17.2
Scotland	6.7	5.2	31.4	18.3
United States	4.6	5.6	8.3	8.9
Norway	1.8	6.2	5.7	14.1
Denmark	4.1	7.0	12.9	19.2
Sweden	5.0	7.0	14.5	16.8
England and Wales	6.4	7.6	21.8	20.3
Australia	3.8	7.7	6.0	13.4

SOURCES.—Crime data: Interpol (various years); populations: *UN Demographic Yearbook* (various years); vehicles: *UN Statistical Yearbook* (various years).

NOTE.—Rates are per 1,000 persons and per 1,000 registered cars for nineteen industrialized countries. (1) Rates are ranked in order of 1987/88 rates per person. (2) The vehicles covered were passenger cars and motorcycles. (3) Crime data were not available for all the years in question for Canada and the Netherlands and, with the help of Patricia Mayhew of the Home Office Research and Planning Unit, were obtained from publications of those countries. Similarly, some of the population and vehicle data were obtained from other official publications for particular countries and years.

of the former are more satisfactory than for the latter. According to National Crime Survey data for 1973–85, the net cost to victims of a theft or attempted theft of a vehicle (after taking account of recoveries and insurance reimbursements) averaged \$242 in 1985 dollars (Harlow 1988). The 1984 British Crime Survey found that net losses (after insurance payouts) were greater for theft of a vehicle than for a residential burglary; 23 percent of burglaries involved losses of more than £250 compared with 54 percent of vehicle thefts (Hough and Mayhew 1985).

Moreover, while a few victims will be better off when insurance

claims have been met (Hough and Mayhew 1985, p. 28), the financial costs identified by victim surveys may not include indirect costs incurred such as loss of earnings, the rental of a temporary replacement vehicle, or the cost of retrieving the vehicle from the police lot. National Crime Survey data reveal that 13 percent of victims of a completed theft lost at least one day from work (Harlow 1988), while the British Crime Survey (Hough and Mayhew 1985) shows that many more victims of theft of a vehicle (49 percent) reported inconvenience and practical problems than did victims of a burglary (19 percent). However, only 4 percent of the victims of car theft in the British Crime Survey reported emotional distress compared with 37 percent of the victims of burglary (Hough and Mayhew 1985). The recent emergence of vehicle thefts at gunpoint (in Los Angeles, armed robberies made up 6 percent of vehicle thefts in 1990 [Dean 1991]) could require modification of conclusions about the relatively nontraumatic nature of auto theft.

The direct costs to victims are, however, only a part, almost certainly the smaller part, of the full costs of auto theft to society. Other social costs will include the cost of insurance, the cost of measures taken by car owners to reduce their risks of auto theft, the cost of accidents incurred in joyriding and in attempting to evade arrest, and the criminal justice costs of auto theft. A portion of all car insurance premiums covers the risk of theft and the associated higher accident rates for stolen vehicles (Weglian [1978] reports that joyriders are between 47 and 200 times more likely than other drivers to be involved in accidents). All cars are equipped at manufacture with door and ignition locks in the interests of security, and some owners seek to reduce their risks further by purchasing security devices and paying to park in garages. It has been claimed (Brill 1982) that costs of vehicle theft fall disproportionately on the less affluent motorists who live in higher-risk areas, who cannot park their cars in garages, and who cannot afford to purchase preventive devices or comprehensive insurance. Finally, taxpayers at large have to foot the bill for the increased burden due to auto thefts (and the crimes sometimes facilitated by stolen cars such as bank robberies) falling on the police and the criminal justice system.

In 1981, the total cost of vehicle theft for the United States was estimated to be at least \$3.3 billion (Brobeck 1983). Criminal justice costs, estimated by multiplying the total cost of the criminal justice system by the proportion of all auto-theft-related arrests contributed