

CRIMINAL BEHAVIOR SYSTEMS

—A Typology—

Third Edition



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A Typology

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CRIMINAL BEHAVIOR SYSTEMS: A Typology **Third Edition**

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Preface

Criminal behavior covers a wide variety of violations of criminal laws. For purposes of explanation, this behavior must be broken down into types. In this book, after first discussing the construction of the types of crime, we go on to formulate and use a typology of criminal behavior systems. We are convinced that continued progress in criminology depends greatly on the study of the types of criminal behavior. Typology construction is the beginning of theory. It is the beginning of making sense of our experience of crime.

This is the third edition of *Criminal Behavior Systems: A Typology*, which was first published in 1967. The first edition was enthusiastically received both as a textbook and as a substantial contribution to criminology. The original typology has been reprinted and referred to frequently in numerous other books and articles.

The second edition, published in 1973, reflected considerable revision and extensive substantive changes. In the original edition a discussion and commentary followed the research articles on each type of criminal behavior. The second edition dropped this format. Instead, the authors integrated the research findings into the presentation and discussion. The second edition was reprinted in 1986, and in the 20 years, from 1973 to 1993, *Criminal Behavior Systems: A Typology, Second Edition* has frequently been cited, parts of it have been reprinted in other books and articles, and a number of colleges and universities continue to adopt it for classroom use.

The third edition is the result of the continued interest in the typological approach of this book. The original authors, Marshall B. Clinard and Richard Quinney, invited John Wildeman to join them as a coauthor. Wildeman assumed the major responsibility for the revising, research updating and references. Unfortunately, however, he was not able to see the book in print, as he died before the galleys were produced. Major theoretical advances in criminology and many of the research findings published since the second edition have been incorporated. The category of corporate crime has been clarified further and clearly distinguished from the category of occupational crime, and the category labeled *political criminal behavior* has been extensively expanded. Finally,

some proposed solutions to various types of criminal behavior have been incorporated into the text—solutions that depart from violent responses to criminals on the part of the state.

We hope that this book continues to be of use to students in the field of criminology and to criminologists formulating their own theories and research on criminal behavior.

We are deeply indebted to those who in the past and present have devoted much time and effort to criminological research on various forms of criminal behavior. Our typology has grown out of such work. Finally, we wish to express our appreciation of Ellen S. Boyne's interest and her competent editing of the manuscript.

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Types of Criminal Behavior

We all try to give meaning to our existence. Our common goal is to make the world understandable and familiar, thus rendering it amenable to reason and control. The most important way we achieve understanding is by generalizing beyond the singular, the unique and the particular. Whether we are participants or observers of the social scene, we understand largely by searching for the recurrent and uniform. Thus, through *abstraction* we are able to comprehend and grasp the world of concrete experience.

All phenomena are unique in time and space. "There is rarely if ever a one-to-one correspondence between any typology and the complexity of reality" (Wrong 1992, 385). But in order to make our experiences intelligible, we often reduce the infinite variety of life to categories. 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. Phenomena thus become comparable, and comparison is the beginning of scientific and philosophical reflection.

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, where concrete occurrences are ordered and compared by categorizing single observations into groups called classes or types. As abstractions, these types deviate from the concrete in that they accentuate attributes relevant to a particular analysis. A type consists of characteristics that have empirical referents, even though these characteristics may not be experienced directly in the form of a given type. When they do, sociology calls this an "ideal 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 social scientist attempts to derive types, whether they be types of social organizations, types of occupations or types of deviants. The use of types in ordering the diversities of observed phenomena has been instrumental in the development of the social sciences, from Comte through Marx, Durkheim and Weber, to our more contemporary theorists.

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 noted over 40 years ago, 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" (Hempel 1952, 84).

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. 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. In fact, law-violating behavior is every bit as varied as is law-abiding behavior. Just as law-abiding (or lawful) behavior follows categorizable patterns and falls into types, so too does law-violating (or criminal) behavior. The one characteristic that all criminal behaviors have in common is that they have been defined as criminal by some recognized political authority.

Much of the work of criminology has been concerned with crime in general. However, because of the increasing realization that crime refers to a limitless variety of behaviors, criminologists have turned their attention to the study of particular types of crime. Thus, criminologists now give greater attention to the identification, classification and description of types of criminal behavior as defined by the government.

Figure 1.1

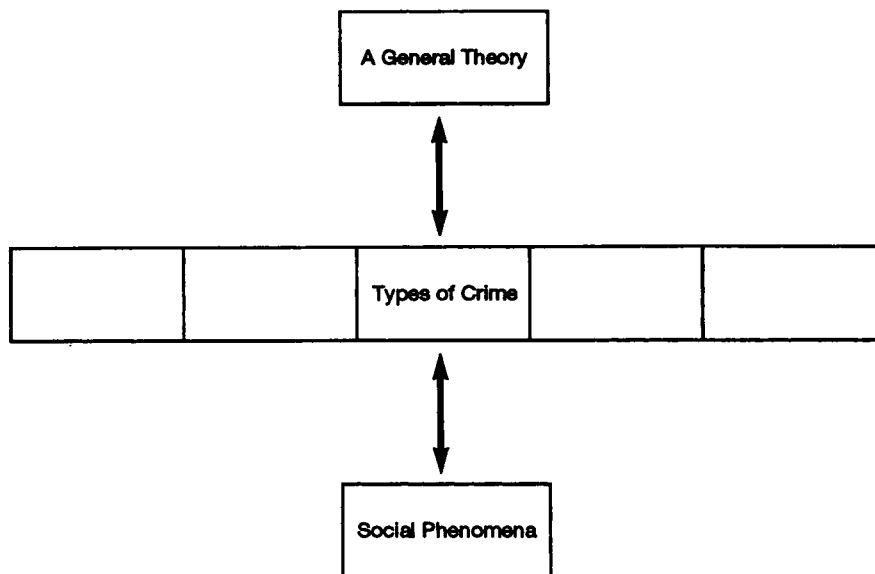


Figure 1.1 diagrams a method of theory construction in criminology. The interdependence of typology and theory construction is clear. Theoretical assumptions are necessary for the formulation of types, whether those assumptions are stated or implicit; and a typology forces the reformulation of general theory.

Criminologists in the past have constructed and used many different typologies of crime and criminals. The most common typologies have been (1) the legalistic, (2) the individualistic, and (3) the social.

Legalistic Typologies

The oldest and most frequently used forms of classification are based on the legal definition of the offense. Perhaps the most commonly used 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 for more than one year (or by death in those states that still permit it). Less serious offenses are called misdemeanors and are normally punishable by fines or by confinement in a county jail for up to one year. As a classification of crime this is not very useful 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. In addition, 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 in terms of a legal category. "Crimes against the person" include such illegal acts as murder, assault and rape; "crimes against property" include burglary, larceny, forgery and vehicular theft; and "crimes against public order" consist of such behavior as prostitution, gambling, drunkenness and disturbing the peace. Thus, criminals may be given labels such as "murderer," "rapist," "burglar," "thief" or "prostitute." This method of classifying criminals suffers from a variety of disadvantages. For example:

1. It tells us 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 auto theft;
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. In order to secure easy convictions it is a common practice to allow offenders to receive a reduced sentence by a number of different plea bargaining strategies—for example, by pleading guilty to a lesser charge or by pleading guilty in order to receive a reduced sentence. In these cases the final legal status of the original criminal action will bear little resemblance to the actual behavior;
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. 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 products of a similar process.

There have been a number of attempts to overcome some of the problems of legalistic classifications of crime, while still using the legal categories themselves. Although the categories of crime defined in the criminal law may not be appropriate for sociological purposes, they may nevertheless be used 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, bank robbers, professional burglars and

amateur burglars. Another possibility is that related legal categories may be *combined*. Criminologists who favor the strategy of defining types according to legal categories claim that doing so is desirable because official data concerning criminal histories appear in terms of legal nomenclature, and because the criminal code contains specific operational definitions of criminal behavior.

One legalistic typology, formulated in the 1960s, was based on arrest patterns: the *single arrest pattern* (many arrests for one type of crime), the *multiple arrest pattern* (many arrests for two or more types of crime), the *mixed pattern* (many arrests for all sorts of crime) and *no pattern* (arrested only once or twice) (Roebuck 1967). While this typology is useful in pointing out the error of using a single arrest to type an offender, and is suggestive of career patterns instead, a serious limitation is that such inductively derived typologies could mount up indefinitely by this method of using arrests.

An important problem with the construction of legal typologies of crime concerns the controversy over what behaviors and what persons should be regarded as criminal (Quinney and Wildeman 1991, Chapter 1). 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 arrest, 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? This is not a light question, for many progressive criminologists have long argued that the discipline should go beyond the state definition of crime to include those actions that bring social harm and social injury to masses of citizens. If we extend the definition of crime to these actions and their perpetrators, clearly many actions or nonactions of the state itself fall under our definition. The progressives argue that to fail to go beyond the state's definition of crime is to render criminology a "handmaiden of the state" (Platt 1974; Schwendinger and Schwendinger 1970). 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 or she violates the criminal law. Ultimately the selection of the stage of legal action 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. In other words, the needs of the research sometime dictate the kind of typology employed.

The use of legal categories of crime is valid when the purpose is to understand the process by which behavior becomes defined as criminal (Beirne and Messerschmidt 1991; Quinney 1970; Turk 1969). 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 construction.

Individualistic Typologies

Several Italian criminologists who rejected the legal definitions of crime more than 100 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 (Beirne 1988; Lombroso 1876; Mannheim 1960). The early criminologists of the Italian, or "positivist," school delimited types of offenders in terms of a heterogeneous collection of personal attributes. Lombroso (1835-1909), for example, identified, to his own satisfaction at least, a "born criminal" with a unique, inferior physique. Later, he 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.

Another member of the positivist school, Garofalo, a 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), of the same school, distinguished between five types of criminals: (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, nonconformist or aggressive. Sometimes a single trait has been used to apply to a variety of criminal careers differing in both the nature and seriousness of activity. Consequently, personality trait syndromes by themselves have little meaning for distinguishing types of criminal careers or the behavior of criminals from noncriminals who may also have these traits.

Recently a limited individualistic typology of offenders has been developed on the basis of the psychodynamics of criminal motivation and rationalization: (1) novice shoplifters, (2) youthful "badasses," (3) gangbanging "street elites," (4) "hardman" robbers, (5) "righteous" killers, and (6) cold-blooded murderers (Katz 1988). Critics have pointed out that this typology fails to incorporate social-structural variables and is overly phenomenological in its emphasis on popularly disapproved individual behaviors (Turk 1991).

In terms of individualistic factors, offenders also have been divided according to their gender, age, race, ethnic background, rural-urban background, educational level and other personal attributes. Gender is not a very meaningful criterion for classification because, with the exception of prostitution, women in the Western world commit almost as wide a variety of offenses as men, although not as frequently. It is increasingly difficult to distinguish clearly among offend-

ers merely upon the basis of gender. Likewise, age is a somewhat meaningless classification because all types of crime are committed by persons of varying ages, although at far different rates (for example, rapists are seldom over the age of 60). Offenders committing the most overt serious crimes against the person, however, are more frequently under 25 years of age, while white-collar and corporate crimes are generally committed by middle-aged persons with access to the means of breaking the law. Classification of offenders by age has little merit, for the criminal development of an offender may have little relation to age. An offender may be considered "developed criminally" if he or she 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 or her conduct. These qualities can be present in a teenage offender and be comparatively absent in a middle-aged one, or vice-versa.

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 offer some diagnostic possibilities for treatment, they have little utility for the construction of sociological theories of criminal behavior.

Social Typologies

Crime does not evolve in a social vacuum. If it 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 nineteenth century, Mayhew and Moureau, 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 criminals*, who commit criminal acts as a result of unanticipated circumstances. Moureau 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, Moureau designated the *habitual criminal* as one who continues to commit criminal acts for such diverse reasons as a deficiency in intelligence or lack of self-control.

Building on the Mayhew-Moureau criminal types, in the twentieth century Lindesmith and Dunham devised a continuum of criminal behavior ranging from the *individualized criminal* to the *social criminal* (Lindesmith and Dunham 1941). 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 criminal behavior achieves status and recognition within a tight and limited group, such as an organized crime group or gang. In addition, although the social criminal uses illegitimate means, the goals he or she seeks, such as economic gain and personal 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. Research subsequent to the development of this typology has indicated considerable group and social factors in such offenses as murder, aggravated assault and forcible rape, which Lindesmith and Dunham regarded as of the individual type.

Zeroing in on the relationship between age and criminality, or crime and the life cycle in general, some criminologists have highlighted the vocational aspects of certain forms of crime. They have seen that some crimes are committed by persons who pursue criminal behavior as a *career* (Blumstein et al. 1986; Gottfredson and Hirschi 1990; Hirschi and Gottfredson 1983; Inciardi 1975; Nagin and Paternoster 1991; Sampson and Laub 1990).

In a pioneering study, Reckless (1967) suggested two types of criminal careers: *ordinary* and *professional*. As career crimes, these two types of crime are similar in that they usually involve property offenses for the purpose of gain; the criminals tend to specialize in particular violations; the commission of the offenses requires various degrees of skill and experience; crime is pursued as a way of life; and career criminals continue in crime for a long period of time, possibly for a lifetime. In terms of differences among the career types, ordinary criminals represent the lowest rank of career crime, engaging in conventional crimes requiring limited skills. Professional criminals, on the other hand, are highly skilled and able to obtain considerable amounts of money without being detected. Whereas Reckless's distinction is important and valid, it is limited to those who make an occupation or career out of crime.

Farr and Gibbons (1990) offer a classificatory system based upon five dimensions: (1) organizational level at which crime occurs, (2) legitimacy of organizational context, (3) organizational alignment of offender, (4) range of crime forms, and (5) primary victims. This typology is useful in that it brings clearly to the fore the complexities of crime with which criminologists must deal. However, the scheme has not been widely adopted and it requires further refinement.

A more comprehensive typology has been developed by Gibbons (1992). It is based primarily on what he calls "role-careers," in which identifiable changes occur in different offender types.

Some delinquent patterns lead to adult criminal careers, whereas others do not. In turn, some criminal careers begin with delinquent behavior, whereas others develop in adulthood. Some role-careers involve more changes in episode than

others. For example, many adult predatory offenders begin their lawbreaking with minor offenses in early adolescence. As the offenders age these frequently lead to more serious forms of delinquency, which in turn result in repeated police contacts, commitment to juvenile institutions, "graduation" into adult forms of crime, and more contacts with law-enforcement agencies and correctional institutions. Over this lengthy developmental sequence, the social-psychological characteristics of the offenders also change.

This role-career perspective provide(s) the foundation for a typology of law-breakers based on the illegal role behavior they exhibit and on their self-image patterns and role-related attitudes. (Gibbons 1992, 206)

Using his role-career model, Gibbons developed a uniform frame of reference employing the criteria of "definitional dimensions" and "background dimensions." The definitional dimensions consist of: (1) the nature of the offense behavior, (2) the interactional setting with others in which the offense takes place, (3) self-concept of the offender, (4) attitudes toward society and agencies of social control such as the police, and (5) the steps in role-career of the offender. The background dimensions are: (1) social class (by which, presumably, he means socioeconomic status group), (2) family background, (3) peer group associations, and (4) contact with defining agencies such as the police, courts and corrections. Originally his system identified 15 adult offender types and 9 juvenile offender types, but he subsequently refined this to 20 types, including both adults and juveniles.

- | | |
|---|--------------------------------|
| 1. professional thieves | 11. "psychopathic" assaultists |
| 2. professional "heavy" criminals | 12. statutory rapists |
| 3. semiprofessional property criminals | 13. aggressive rapists |
| 4. naive check forgers | 14. violent sex offenders |
| 5. automobile thieves—"joyriders" | 15. nonviolent sex offenders |
| 6. property offenders, "one-time losers" | 16. incest offenders |
| 7. embezzlers | 17. male homosexuals |
| 8. white-collar criminals | 18. opiate addicts |
| 9. professional "fringe violators" | 19. skid row alcoholics |
| 10. personal offenders, "one-time losers" | 20. amateur shoplifters |

All typologies of crime and criminals are bound to be problematic on some level or other, because classifying any form or kind of human behavior is an elusive task. The weakness in this case is that some of Gibbons' types are not sharply delineated and tend to overlap or be unclear as to their specific characteristics. Other types depart from an essentially general group and cultural frame of reference and present a largely individualistic psychological orientation that is somewhat contradictory to the overall frame of reference. On the