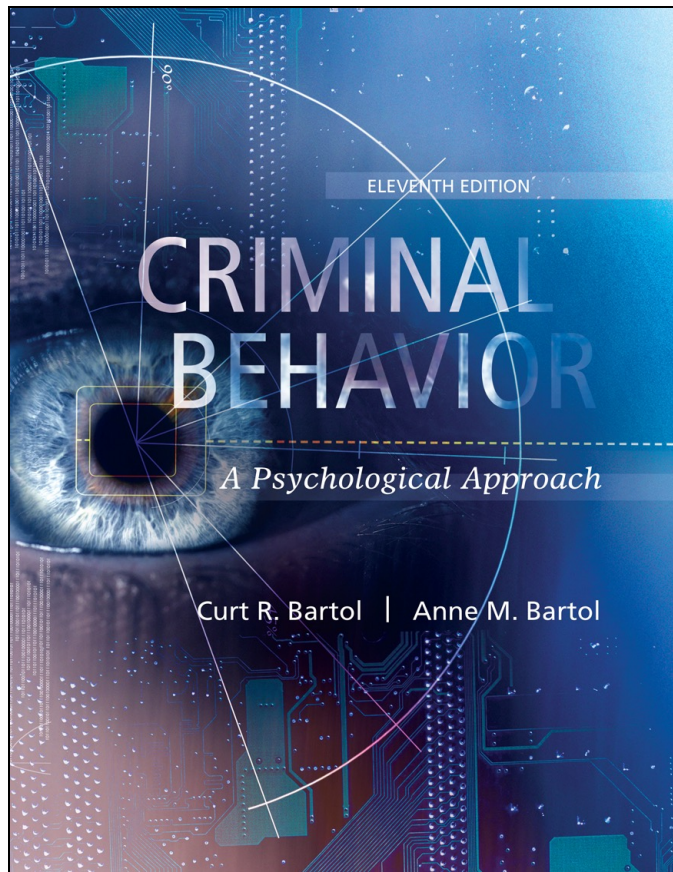


Criminal Behavior

A Psychological Approach

Eleventh Edition



CHAPTER 14

Burglary, Home
Invasions, Thefts,
and "White-Collar"
Offenses

Chapter Objectives

- This chapter will cover a number of crimes traditionally viewed as non-violent. However, the instructor, as well as most professionals, will take exception to the position of the textbook authors that home invasions and car jackings are non-violent crimes. The definitions of those events also do not support the authors. More on this to come.
- Two offenses covered in chapter 15 will also be added: Arson and cyber crimes.

Property Crime, 2013

Offense	Number of Offenses	Percent of Property Crimes
Total property	8,632,512	100.0
Larceny-theft	6,004,453	67.0
Burglary	1,928,465	23.0
Motor vehicle theft	699,594	8.0
Arson	44,840	2.0

Source: Federal Bureau of Investigation (2014a)

Property Crime Clearance Rates

(Statistica, 2019)

- More relevant to the study of property crime is the clearance rates of those crimes. The lower the clearance rate, hypothetically, the lower the deterrent effect of sanctions for those crimes.
- As the next slide will show, the closer the physical contact that the perpetrator has with the victim, the higher the clearance rate.

Crime Clearance Rates (Statistica, 2019)

• Murder/Manslaughter	62.3%
• Aggravated Assaulted	52.5%
• Violent Crime (other)	45.5%
• Rape	33.4%
• Robbery	30.4%
• Arson	22.4%
• Larceny	18.9%
• Property Crime (other)	17.6%
• Burglary	13.9%
• Auto Theft	13.8%

Burglary (Virginia Law)

- The definition of burglary is much more complicated than what is included in the textbook
- All of the burglary statutes contain the elements of “breaking and/or entering”
 - Breaking only requires very minimal force. Pushing aside a closed curtain on an open window is sufficient. Entering is similar, just pushing the curtain aside and reaching in would be enough.

Burglary (Virginia Law)

- § 18.2-89. Burglary (Common Law Definition):
 - If any person break and enter the dwelling house of another in the nighttime with intent to commit a felony or any larceny therein, he shall be guilty of burglary, punishable as a Class 3 felony; provided, however, that if such person was armed with a deadly weapon at the time of such entry, he shall be guilty of a Class 2 felony.

Burglary (Virginia Law)

- § 18.2-90. Entering dwelling house, etc., with intent to commit murder, rape, robbery or arson
 - Includes anything used for human habitation, trailers, cars etc
- § 18.2-91. Entering dwelling house, etc., with intent to commit larceny, assault and battery or other felony.
 - This includes businesses
 - This includes storehouses

Burglary (Virginia Law)

- § 18.2-92. Breaking and entering dwelling house with intent to commit other misdemeanor.
 - If any person break and enter a dwelling house **while said dwelling is occupied**, either in the day or nighttime, with the intent to commit any misdemeanor **except assault and battery or trespass**, he shall be guilty of a Class 6 felony. However, if the person was armed with a deadly weapon at the time of such entry, he shall be guilty of a Class 2 felony.

Burglary (Virginia Law)

- § 18.2-94. Possession of burglarious tools, etc.
- § 18.2-121. Entering property of another for purpose of damaging it, etc.
- It shall be unlawful for any person to **enter the land, dwelling**, outhouse or any other building of another for the purpose of damaging such property or any of the contents thereof or in any manner to **interfere with the rights** of the owner, user or the occupant thereof to use such property free from interference.

Burglary

- Statistical characteristics of burglaries
 - The number of burglaries decreased 27.4 percent when compared with 2013 data and was down 37.1 percent when compared with the 2008 estimate. (FBI, 2017)
 - Still, one burglary occurs every 15 seconds (JSU, 2013)
 - Most involve residential property 67.2% (FBI, 2017)

Burglary

- Victims of burglary offenses suffered an estimated \$3.4 billion in property losses in 2017. The average dollar loss per burglary offense was \$2,416 (FBI) (textbook is way off on this)
- Summer months have the more burglaries than colder months
 - School kids are home, homeowners are not

Burglary

- Burglaries of residences occur during daytime, between 10 AM and 3 PM (JSU), burglaries of commercial properties occur at night.

Burglary

- Home invasions (DOJ, 2010):
 - Two types:
 - Unintentional
 - Intended to burglarize an unoccupied home, unexpectedly found someone there, or homeowner returns home during event
 - Intentional
 - Crime of violence
- DOJ definition: The unauthorized entering of any inhabited dwelling or other structure belonging to another with the **intent to use force or violence** upon the person of another.

Burglary

- Who commits burglary?
 - Committed by young, males 25 Years old or younger
 - Usually lives within 2 miles of target
 - Most criminals can burglarize a home in about 8-10 minutes. (Reolink, 2019)
 - Burglars would go to the master bedroom first and search drawers, closets and the mattress or valuables such as cash, jewelry, etc.

Burglary

- Cognitive processes
 - Most are planned
 - Surveillability
 - By self
 - By potential witnesses
 - Occupancy
 - Avoid homes with dogs and security systems

Burglary

- Entry strategies
 - Sliding glass doors
 - Windowpanes
 - Bump keys
 - Easy to make or buy and plenty of YouTube videos on how to use them
 - If your house door locks cost under \$100, they are very vulnerable

Bump Keys (If you own a home and have hardware store locks, WATCH!)



How a Burglar Picks a Target and Gets in



Burglary

- Property taken
 - Cash, jewelry, other valuables
 - Electronics such as laptops and tablets
 - Items with resell value for professional burglars, items they can use themselves, or friends can use, for younger ones
 - If burglar is younger and doesn't drive, ease of carrying it away is a factor
 - Not going to take a big screen TV

Burglar Typology

- Burglar typology by lifestyle:
 - Vaughn et al. (2008)
 - Young versatile
 - Vagrant
 - Drug-oriented
 - Sexual predators
 - What was taken or done while inside is often a key to the above
 - Teenage burglars often transition to shoplifting
 - Risk the same, penalty much less

Burglar Typology

- There are female burglars
 - Most are co-offenders with male perpetrators
 - Gang members
 - Females are less than 20% of persons arrested for burglary

Burglar Typology

- Burglar typology by M.O.
 - Fox and Farrington (2012)
 - Organized
 - Suspect is male, 30 to 50 years old, and typically a repeat offender. He's generally employed full time and often meets potential victims on the job. As a "professional" burglar, his crimes are mostly premeditated and he brings tools such as a crowbar or lock pick to the scene.

Burglar Typology

- Disorganized
 - Suspect is usually a young male and operates spontaneously, often due to a drug addiction. He regularly targets easy-to-pawn items (cell phones, jewelry, etc.) to make a quick profit. The haphazard offender may smash a window to break in, leaving incriminating evidence behind. This group tends to be well known to law enforcement for committing other crimes.

Burglary Typology

- Interpersonal
 - Suspect knows the victim and may steal something personal, such as women's underwear or nothing at all. (Burglary is defined as "the intention to commit a felony" and does not require theft.) They might break in to show control and instill fear, possibly an ex-partner or a person of acute interest to the offender.

Burglar Typology

- Opportunistic
 - Suspect is an amateur, often a juvenile, and takes advantage when finding an open/unlocked door, window or garage.

Burglary Psychological Impact

- Psychological impact on victim
 - Higher distress when private areas are invaded
 - Endangers the victims' sense of control.
 - Threatens ability to protect personal territory.
 - Burglar may intend to produce victim response.
 - Distress may be high vs the amount of financial loss

Larceny

- Larceny
 - Basically, (1) taking something that isn't yours (2) without any intent to give it back. #2 can be hard to prove
 - Pickpocketing
 - Almost always a felony due to \$5 rule
 - Purse snatching
 - Most times will be a robbery
 - Pritchett v. Commonwealth of Virginia (2019)

Larceny

- Larceny
 - Shoplifting
 - § 18.2-103. Concealing or taking possession of merchandise; altering price tags; transferring goods from one container to another; counseling, etc., another in performance of such acts
 - Most arrests occur while the person is still in the store because of the concealment piece of the statute

Larceny: Shoplifting

- Larceny
 - Shoplifting
 - Many burglars switch to this offense as it is not much more of a risk of getting caught, BUT it is much less of a risk if caught
 - 18.9% closure
 - Can keep value of theft below grand larceny threshold, misd. vs. felony
 - Must be aware of § 18.2-104 3rd offense
 - Juveniles in gangs
 - Gangs aware of probation given by Juvenile Court for 99.9% of first offenders

Larceny: Shoplifting

- Larceny
 - Shoplifting
 - Professionals vs. amateurs
 - Steal what can sell vs steal what can use
 - Common offense
 - 1 in 10 in US admit shoplifting at some point in life
 - Rationalize it as almost a victimless crime
 - No one gets hurt
 - Stores are insured

Larceny: Shoplifting

- Shoplifting
 - Shoplifters come from all SES backgrounds
 - Most higher SES persons will stop once caught
 - Higher SES also will claim “Lapse of judgement”
 - Often steal “junk” they do not really want
 - Some shoplift for the thrill of getting away with it

Larceny: Shoplifting

- Shoplifter Psychological issues
 - Usually issues with impulse control and self regulation
 - Relates to giving in to peer pressure
 - Thrill seekers
 - Some are illicit drug addicts or alcoholics who shoplift to support habit
 - Do women steal more than men because they spend more time shopping?
 - Maybe (Blanco in text)

Larceny

- Kleptomania DSM 5 (312.32)
 - Recurrent impulses to steal—and instances of stealing—objects that are not needed for personal use or financial gain
 - Feeling increased tension right before the theft
 - Feeling pleasure, gratification, or relief at the time of the theft

Larceny

- Thefts are not committed in response to delusions or hallucinations, or as expressions of revenge or anger
- Thefts cannot be better explained by Antisocial Personality Disorder, Conduct Disorder, or a manic episode
- The DSM 5 indicates that while kleptomania is rare in the general population, it occurs in between 4 and 24% of shoplifters
- Age of onset varies widely

Larceny and Motor Vehicle Theft

- Motor vehicle theft Lowest risk of getting caught of the property crimes (13.8%)
 - Theft for parts for own use
 - Car usually not taken far, parts removed and stolen car is abandoned
 - Theft for sale overseas
 - High \$ for US junky big cars
 - Theft for parts for profit
 - Chop-shops

Larceny and Motor Vehicle Theft

- May take it just because they do not have a ride and will abandon it when they get near destination
 - May burn it to destroy evidence
- Sometimes manufactured design makes it very easy to steal a model of car
 - G.M. Tilt Wheel
- Most frequently charged: Unauthorized Use
 - Because of part 2 of larceny component, must prove never plan to give it back
 - Unless taken apart or if it is destroyed

Larceny and Motor Vehicle Theft

- Car thieves who steal for profit usually have a history of other offenses
- Some will have alcohol or drug abuse issues
 - May steal to get money to support habit
 - May steal for thrills when intoxicated

Former car thief explains what cars are common targets and how he stole them



Carjacking

- **ABSOLUTELY NOT** a non-violent property crime with violence only sometimes being a byproduct as the textbook suggests
 - **DOJ**: Carjacking is defined as completed or attempted robbery of a motor vehicle by a stranger to the victim. It differs from other motor vehicle theft because the victim is present and the offender **uses or threatens to use force.**

Carjacking

- Committed using force or threat of force which automatically makes it a robbery
- May take car with victim still in it or with a child in it
 - If so, add abduction to the robbery
- Ninety-three percent of carjackings occurred in cities or suburbs.
- A weapon was used in 74% of carjacking victimizations. Firearms were used in 45% of carjackings, knives in 11% and other weapons in 18% (U.S. DOJ, 2004)

Carjacking

- Effects on victims
 - Same as for most other crimes of violence
 - Fear of places
 - Fear of strangers
 - PTSD

Fraud and Identity Theft

- Identity theft perpetrator characteristics (Rebovich, Allen & Platt, 2015)
 - The largest percentage of offenders – 40.6% -- were between 35 and 49 years of age.
 - The 25-34 age group made up 36.3% of the offenders.
 - 8.9% were between 18 and 24 years old.
 - The remaining 14.1% were 50 years old or older

Fraud and Identity Theft

- Identity theft perpetrator characteristics
 - (65.9%) cases involved males and (34.1%) involved females
 - Identity thieves are equally likely to come from working-class or middle-class backgrounds.
 - Approximately one-third of them used their employment to carry out their crimes
 - Although most identity thieves devote little thought to getting caught, those who do perceive the risk of being caught as low and the expected punishment to be minimal

Fraud and Identity Theft

- Identity theft perpetrator characteristics
 - Nearly two-thirds had prior arrests
 - The most common way identity thieves account for their crimes is by denying that they caused any real harm to actual individuals (Neutralization techniques).
 - Identity thieves who worked within groups denied responsibility for their actions by minimizing their roles and financial gains

Fraud and Identity Theft

- Identity theft perpetrator characteristics
 - Identity thieves have also developed a skill set to successfully accomplish their crimes and avoid detection. Offenders believed that these skills allowed them to offend with impunity
 - Social skills
 - Intuitive skills about when they might be going to be caught
 - Specialized knowledge about the system in general and technical aspects of it
- (Above from DOJ 2007)

Fraud and Identity Theft

- Identity theft victims emotional effects
 - 74 percent of respondents reported feeling stressed
 - 69 percent reported feelings of fear related to personal financial safety
 - 60 percent reported anxiety
 - 42 percent reported fearing for the financial security of family members
 - 8 percent reported feeling suicidal
 - (Johansen, 2020)

Occupational and Corporate Crime

- Occupational crime
 - On the job theft for personal gain
 - Includes submitting fraudulent time sheets
 - Justifications and neutralizations
 - Company owes it to me
 - Everyone does it
 - Company expects it

Occupational and Corporate Crime

- Types of on the job theft
 - Stealing supplies
 - Very common
 - Stealing cash
 - Stealing time
 - Too long a lunch break
 - Leaving early without taking leave
 - Online shopping instead of working
 - Selling corporate secrets

Occupational and Corporate Crime

- Corporate crime
 - Individuals within the organization are making decisions that render the corporate behavior a crime.
 - People commit the crime; the corporation benefits.
 - Usually so do the people that commit the crime via bonuses, promotions
 - Can be extremely harmful to the public
 - Ford Pinto case

Occupational and Corporate Crime

- Corporate crime
 - Often justified as normal business even though illegal
 - All businesses are doing it
 - The laws are stupid
 - Diffusion of responsibility
 - Only a small cog in the big machine
 - Dehumanize the victims
 - Casualties

Additional Resources

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- Rebovich, J: Allen, K & Platt, J. (2015) The New Face of Identity Theft. An Analysis of Federal Case Data for the Years 2008 through 2013.
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