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Technologies of Criminalization

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Abstract

Technologies play a central role in decision-making processes within criminal legal systems, creating what we call technologies of criminalization. These tools are based on the idea of calculated truths about future riskiness, but they often reinforce structural biases that underlie the concept of criminality. Their development and use demonstrate efforts to define the abstract criminal: a notion that embodies the presumed natural realities and discoverable aspects of criminality believed to be objectively discoverable and statistically predictable. This perspective neglects the socially constructed nature of criminality and the impact of human biases in the design and implementation of these technologies. Three interlinked processes drive their adoption: quantification, prediction, and pathologization. By examining neuroscientific, genomic, and algorithmic technologies, we critically assess their social impacts and the risks of exacerbating social inequalities under the facade of technical neutrality. Finally, we emphasize the increasing involvement of private industries in criminalization processes.