

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention
Compiled by: Glenda Civil Panugaling, MS Crim

Terms to remember:

Aging-out process (also known as desistance or spontaneous remission) – it is the tendency for youths to reduce the frequency of their offending behavior as they age.

Chronic delinquent offender (also known as chronic juvenile offenders, chronic delinquents, or chronic recidivists) – youths who have been arrested four or more times during their minority and perpetuate a striking majority of serious criminal acts.

Doctrine of Parens Patriae - The state, acting as the “father or guardian” for the people, promotes the general well-being of the society especially the youth and the minors by safeguarding their welfare against all forms of social degradations.

Juvenile – means “young”

Juvenile Delinquency - Participation in illegal behavior by a minor who falls under the statutory age limit.

Juvenile Delinquent – a person who is under age (usually below 18), who is found to have committed a crime in states which have declared by law that a minor lacks responsibility and thus may not be sentenced as an adult.

Persistence – it is the process by which juvenile offenders persist in their delinquent careers rather than aging out of crime.

Truancy - A pattern of skipping from school.

Wayward minors – early legal designation of youths who violate the law because of their minority status; now referred to as status offenders.

SEC. 4 of RA 9344 (Definition of Terms) - The following terms as used in this Act shall be defined as follows:

(a) "**Bail**" refers to the security given for the release of the person in custody of the law, furnished by him/her or a bondsman, to guarantee his/her appearance before any court. Bail may be given in the form of corporate security, property bond, cash deposit, or recognizance.

(b) "**Best Interest of the Child**" refers to the totality of the circumstances and conditions which are most congenial to the survival, protection and feelings of security of the child and most encouraging to the child's physical, psychological and emotional development. It also means the least detrimental available alternative for safeguarding the growth and development of the child.

(e) "**Child**" refers to a person under the age of eighteen (18) years.

(d) "**Child at Risk**" refers to a child who is vulnerable to and at the risk of committing criminal offenses because of personal, family and social circumstances, such as, but not limited to, the following:

- (1) being abused by any person through sexual, physical, psychological, mental, economic or any other means and the parents or guardian refuse, are unwilling, or unable to provide protection for the child;
- (2) being exploited including sexually or economically;
- (3) being abandoned or neglected, and after diligent search and inquiry, the parent or guardian cannot be found;
- (4) coming from a dysfunctional or broken family or without a parent or guardian;
- (5) being out of school;
- (6) being a street child;
- (7) being a member of a gang;
- (8) living in a community with a high level of criminality or drug abuse; and
- (9) living in situations of armed conflict.

(e) "**Child in Conflict with the Law**" refers to a child who is alleged as, accused of, or adjudged as, having committed an offense under Philippine laws.

(f) "**Community-based Programs**" refers to the programs provided in a community setting developed for purposes of intervention and diversion, as well as rehabilitation of the child in conflict with the law, for reintegration into his/her family and/or community.

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention

Compiled by: Glenda Civil Panugaling, MS Crim

- (g) "**Court**" refers to a family court or, in places where there are no family courts, any regional trial court.
- (h) "**Deprivation of Liberty**" refers to any form of detention or imprisonment, or to the placement of a child in conflict with the law in a public or private custodial setting, from which the child in conflict with the law is not permitted to leave at will by order of any judicial or administrative authority.
- (i) "**Diversion**" refers to an alternative, child-appropriate process of determining the responsibility and treatment of a child in conflict with the law on the basis of his/her social, cultural, economic, psychological or educational background without resorting to formal court proceedings.
- (j) "**Diversion Program**" refers to the program that the child in conflict with the law is required to undergo after he/she is found responsible for an offense without resorting to formal court proceedings.
- (k) "**Initial Contact With-the Child**" refers to the apprehension or taking into custody of a child in conflict with the law by law enforcement officers or private citizens. It includes the time when the child alleged to be in conflict with the law receives a subpoena under Section 3(b) of Rule 112 of the Revised Rules of Criminal Procedure or summons under Section 6(a) or Section 9(b) of the same Rule in cases that do not require preliminary investigation or where there is no necessity to place the child alleged to be in conflict with the law under immediate custody.
- (l) "**Intervention**" refers to a series of activities which are designed to address issues that caused the child to commit an offense. It may take the form of an individualized treatment program which may include counseling, skills training, education, and other activities that will enhance his/her psychological, emotional and psycho-social well-being.
- (m) "**Juvenile Justice and Welfare System**" refers to a system dealing with children at risk and children in conflict with the law, which provides child-appropriate proceedings, including programs and services for prevention, diversion, rehabilitation, re-integration and aftercare to ensure their normal growth and development.
- (n) "**Law Enforcement Officer**" refers to the person in authority or his/her agent as defined in Article 152 of the Revised Penal Code, including a barangay tanod.
- (o) "**Offense**" refers to any act or omission whether punishable under special laws or the Revised Penal Code, as amended.
- (p) "**Recognizance**" refers to an undertaking in lieu of a bond assumed by a parent or custodian who shall be responsible for the appearance in court of the child in conflict with the law, when required.
- (q) "**Restorative Justice**" refers to a principle which requires a process of resolving conflicts with the maximum involvement of the victim, the offender and the community. It seeks to obtain reparation for the victim; reconciliation of the offender, the offended and the community; and reassurance to the offender that he/she can be reintegrated into society. It also enhances public safety by activating the offender, the victim and the community in prevention strategies.
- (r) "**Status Offenses**" refers to offenses which discriminate only against a child, while an adult does not suffer any penalty for committing similar acts. These shall include curfew violations; truancy, parental disobedience and the like.
- (s) "**Youth Detention Home**" refers to a 24-hour child-caring institution managed by accredited local government units (LGUs) and licensed and/or accredited nongovernment organizations (NGOs) providing short-term residential care for children in conflict with the law who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction.
- (t) "**Youth Rehabilitation Center**" refers to a 24-hour residential care facility managed by the Department of Social Welfare and Development (DSWD), LGUs, licensed and/or accredited NGOs monitored by the DSWD, which provides care, treatment and rehabilitation services for children in conflict with the law. Rehabilitation services are provided under the guidance of a trained staff where residents are cared for under a structured therapeutic environment with the end view of reintegrating them into their families and communities as socially functioning individuals. Physical mobility of residents of said centers may be restricted pending court disposition of the charges against them.
- (u) "**Victimless Crimes**" refers to offenses where there is no private offended party.

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention

Compiled by: Glenda Civil Panugaling, MS Crim

SEC. 6 of RA 9344 (Minimum Age of Criminal Responsibility) - A child fifteen (15) years of age or under at the time of the commission of the offense shall be exempt from criminal liability. However, the child shall be subjected to an intervention program pursuant to Section 20 of this Act.

A child above fifteen (15) years but below eighteen (18) years of age shall likewise be exempt from criminal liability and be subjected to an intervention program, unless he/she has acted with discernment, in which case, such child shall be subjected to the appropriate proceedings in accordance with this Act.

The exemption from criminal liability herein established does not include exemption from civil liability, which shall be enforced in accordance with existing laws.

SEC. 7 of RA 9344 (Determination of Age)

The child in conflict with the law shall enjoy the presumption of minority. He/She shall enjoy all the rights of a child in conflict with the law until he/she is proven to be eighteen (18) years old or older. The age of a child may be determined from the child's birth certificate, baptismal certificate or any other pertinent documents. In the absence of these documents, age may be based on information from the child himself/herself, testimonies of other persons, the physical appearance of the child and other relevant evidence. In case of doubt as to the age of the child, it shall be resolved in his/her favor.

Any person contesting the age of the child in conflict with the law prior to the filing of the information in any appropriate court may file a case in a summary proceeding for the determination of age before the Family Court which shall decide the case **within twenty-four (24) hours** from receipt of the appropriate pleadings of all interested parties.

If a case has been filed against the child in conflict with the law and is pending in the appropriate court, the person shall file a motion to determine the age of the child in the same court where the case is pending. Pending hearing on the said motion, proceedings on the main case shall be suspended.

In all proceedings, law enforcement officers, prosecutors, judges and other government officials concerned shall exert all efforts at determining the age of the child in conflict with the law.

SEC. 20 of RA 9344 (Children Below the Age of Criminal Responsibility) –

If it has been determined that the child taken into custody is **fifteen (15) years old or below**, the authority which will have an initial contact with the child has the duty to **immediately release the child to the custody of his/her parents or guardian, or in the absence thereof, the child's nearest relative**. Said authority shall give notice to the local social welfare and development officer who will determine the appropriate programs in consultation with the child and to the person having custody over the child. If the parents, guardians or nearest relatives cannot be located, or if they refuse to take custody, the child may be released to any of the following: a duly registered nongovernmental or religious organization; a barangay official or a member of the Barangay Council for the Protection of Children (BCPC); a local social welfare and development officer; or when and where appropriate, the DSWD. If the child referred to herein has been found by the Local Social Welfare and Development Office to be abandoned, neglected or abused by his parents, or in the event that the parents will not comply with the prevention program, the proper petition for involuntary commitment shall be filed by the DSWD or the Local Social Welfare and Development Office pursuant to Presidential Decree No. 603, otherwise, known as "The Child and Youth Welfare Code".

RA 7610 - AN ACT PROVIDING FOR STRONGER DETERRENCE AND SPECIAL PROTECTION AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, PROVIDING PENALTIES FOR ITS VIOLATION AND FOR OTHER PURPOSES.

What is Child Abuse?

Child abuse – is any mistreatment or neglect of a child that results in non-accidental harm or injury and which cannot be reasonably explained.

KINDS OF CHILD ABUSE:

1. **Physical Abuse** – is 19% of all substantiated cases of child abuse, is the most visible form of abuse and may be defined as any act which results in a non-accidental trauma or physical injury.
2. **Sexual Abuse** – which is 10% of all substantiated cases of child abuse, is defined as the involvement of dependent, developmentally immature children in sexual activities that they do not fully comprehend and therefore to which they are unable to give informed consent/ and or which violates the taboos of society.
3. **Emotional Abuse** – which is 8% of all substantiated cases of child abuse, is commonly defined as the systematic tearing down of another human being.
4. **Child Neglect** – which is 63% of all substantiated cases of child abuse, is the most common form of child maltreatment reported to child protective services.

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention
Compiled by: Glenda Civil Panugaling, MS Crim

THEORIES OF CRIMINALITY/ DELINQUENCY

What causes criminal behavior? Why do some people enter a life of crime that persists into their adulthood? Are people products of their environment, or is the likelihood of their becoming a criminal determined at birth? Social scientists have speculated on the cause of delinquency for 200 years. They have observed facts about criminal behavior and organized them into complex theoretical models.

WHAT IS A THEORY?

THEORY – is a statement that explains the relationship between abstract concepts in a meaningful way (Siegel, 2007).

For example, if scientists observe that criminality rates are usually high in neighborhoods with high unemployment rates, they might theorize that environmental conditions influence criminal behavior.

3 FUNDAMENTAL THEORIES IN CRIMINOLOGY:

1. CLASSICAL THEORY
2. NEO-CLASSICAL THEORY
3. ITALIAN or POSITIVIST THEORY

CLASSICAL THEORY

A product of the Enlightenment based on the assumption that people exercise **free will** and is thus completely responsible for their actions. In **classical theory**, human behavior, including criminal behavior, is motivated by a **hedonistic rationality**, in which actors weigh the potential pleasure of an action against the possible pain associated with it. In 1764, criminologist **Cesare Beccaria** wrote *An Essay on Crimes and Punishments*, which set forth classical criminological theory. He argued that the only justified rationale for laws and punishments was the principle of **utility**.

UTILITARIANISM or UTILITY

People choose actions on the basis of whether they produce pleasure and happiness and help them avoid pain or unhappiness. The basis of social action is for the greatest happiness for the greatest number of people.

Because it was assumed that people have free will to choose their behavior, those who violated the law were motivated by personal needs such as greed, revenge, survival and **hedonism**.

UTILITARIAN PHILOSOPHERS

CESARE BECCARIA & JEREMY BENTHAM

Argued that people weigh the benefits and consequences of their future actions before deciding on a course of behavior. Their writings formed the core of what is referred to as **CLASSICAL CRIMINOLOGY**.

CLASSICAL CRIMINOLOGIST

Argued that punishment should be only severe enough to deter a particular offense and that punishment should be graded according to the seriousness of particular crimes:

“LET THE PUNISHMENT FIT THE CRIME”

EX.) It would be foolish to punish pickpockets and murderers in a similar fashion.

NEO-CLASSICAL THEORY

Classical theory was difficult to apply in practice. It was modified in the early 1800s and became known as **neo-classical theory**.

NEO-CLASSICAL THEORY

Arose during the **FRENCH REVOLUTION** with the modification that since children and lunatic criminal cannot calculate pain and pleasure they should be exempted from punishment.

Classical and neo-classical theories are the basis of the criminal justice system in the United States.

LEGAL TESTS OF INSANITY:

1. Mc Naghten Rule- didn't know what he was doing and didn't know what he did was wrong
2. Irresistible Impulse Test – there are forces which are beyond or out of his control
3. Substantial Capacity Test- lacks the substantial capacity to appreciate the wrongfulness of his act.
4. Durham or Produce Test – the action is a product of insanity.

ITALIAN or POSITIVIST or TRAIT THEORY

CESARE LOMBROSO (Nov. 6, 1835-Oct. 19, 1909)

The first attempt why criminal tendencies develop focused on the physical makeup of offenders. **(LET THE TREATMENT FIT THE CRIMINAL)**

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention
Compiled by: Glenda Civil Panugaling, MS Crim

Known as the **Father of Criminology**, Lombroso put his many years of medical research to use in his theory of **CRIMINAL ATAVISM**.

CRIMINAL ATAVISM

The idea that criminals manifest physical anomalies that make them biologically and physiologically similar to our primitive ancestors, savage throwbacks to an earlier stage of human evolution.

Biological Positivism: Cesare Lombroso and the Born Criminal

- ✓ Cesare Lombroso's ***Criminal Man*** (1876) is considered the first book devoted solely to the causes of criminality.
- ✓ Lombroso's basic idea was that many criminals are **born criminal**, and they are evolutionary throwbacks to an earlier form of life.
- ✓ **Atavism**: The term used to describe the appearance of organisms resembling ancestral forms of life.

Why Cesare Lombroso earned the title as the Father of Criminology?

Because he was the first one to put emphasis on the need to study offenders scientifically; based on his principle on **POSITIVISM**.

POSITIVISM- the use of scientific method or empirical research to explain the causes of crime.

THE LEGACY OF POSITIVISM

- ✓ The legacy of the positivist school was the shift from the armchair philosophizing about human behavior to utilizing the concepts and methods of science.
- ✓ Positivism did not disprove or destroy classical principles; it simply shifted emphasis from **crime and penology** to the **individual offender**.

WHO WERE THE HOLY THREE IN CRIMINOLOGY?

(Cesare Lombroso, Enrico Ferri and Raffaele Garofalo)

Charles Goring's Assault on Lombroso

- ✓ **Charles Goring**, who in 1913 published a book entitled *The English Convict: A Statistical Study* concluded **that there is no such thing as a physical criminal type**.
- ✓ Goring's book was the first to adopt the position that criminality is probably the result of the interaction of a variety of **hereditary** and **environmental factors** at a time when theorists thought in terms of either/or, and a bridge between early biological positivism and the less deterministic psychological and psychiatric schools.

CHARLES BUCKMAN GORING together with his physician **KARL PEARSON** found out that based on their 3000 **ENGLISH CONVICT** respondents found out that **DEFECTIVE INTELLIGENCE** rather than **PHYSICAL CHARACTERISTICS** was the main factor why a person commits a crime.

CLASSICAL THEORIES (1764)

a. RATIONAL CHOICE THEORY

Holds that person will engage in criminal behavior after weighing the consequences and benefits of their actions. Criminal behavior is a rational choice made by a motivated offender who perceives that the chances of gain outweigh any possible punishment or loss.

b. ROUTINE ACTIVITY THEORY

LAWRENCE COHEN AND MARCUS FELSON

View that crime is a "normal" function of the routine activities of modern living; offenses can be expected if there is a motivated offender and a suitable target that is not protected by capable guardians. If criminality is a rational choice and a routine activity, as some believe then criminality prevention is a matter of three general strategies:

1. **GENERAL DETERRENCE**
2. **SPECIFIC DETERRENCE**
3. **SITUATIONAL CRIME PREVENTION**

1. GENERAL DETERRENCE THEORY

Aimed at making potential criminals fear the consequences of crime.

That crime does not pay.

Crime is a function of severity, certainty and speed of punishment

Focuses on potential offenders

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention
Compiled by: Glenda Civil Panugaling, MS Crim

GENERAL DETERRENCE POLICY

A crime control policy that depends on the fear of criminalities; such as long prison sentences for violent crimes; the aim is to convince law violators that the pain outweigh the benefit of criminal activity. (SOCIAL DETERRENCE)

2. SPECIFIC DETERRENCE

This theory holds that if offenders are punished so severely, the experience will convince them not to repeat their illegal acts.

It targets offenders who have already been convicted.

Punishing more criminals will reduce their involvement in criminal activity.

3. SITUATIONAL CRIME PREVENTION

Crime prevention method that relies on reducing the opportunity to commit criminal acts by:

- a. Making them more difficult to perform (target-hardening technique)
- b. Reducing their reward
- c. Increasing their risks

c. INCAPACITATION THEORY

It stands to reason that if more criminals are sent to prison the crime rate should go down. Keeping known criminals out of circulation.

d. LIFESTYLE THEORY

People may become crime victims because their lifestyle increases their exposure to criminal offenders.

e. VICTIM PRECIPITATION THEORY

View some people may actually initiate the confrontation that eventually leads to their injury or death.

ITALIAN OR POSITIVIST THEORIES (1810)

a. BIOSOCIAL THEORY

Viewed that both thought and behavior have biological and social bases. Argues that no two people are alike and that the combination of human genetic traits and the environment produces individual human behavior.

BIOSOCIAL PERSPECTIVE ON CRIMINALITY

Biochemical	Neurological	Genetic
diet	brain damage	inheritance
hormones		
environmental		
contaminants		

b. BEHAVIORAL THEORY

JOHN B. WATSON popularized by **B.F. SKINNER**

Not all psychologists agree that behavior is controlled by unconscious mental processes determined by parental relationships developed early in childhood. Concerned with the study of observable behavior rather than unconscious processes; focuses on particular stimuli and responses to them.

c. COGNITIVE THEORY

WILHELM WUNDT, EDWARD TITCHENER and WILLIAM JAMES

The branch of psychology that studies the perception of reality and the mental process required to understand the world we live in. Person makes it difficult to decide while under stress.

d. EVOLUTIONARY THEORY

Explaining the existence of aggression and violent behavior as positive adaptive behaviors in human evolution; these traits allowed their bearers to reproduce disproportionately, which have had an effect on the human gene pool.

e. AROUSAL THEORY

Explained that aggression is a function of the level of an individual's need for stimulation or arousal from the environment. Those who require more stimulation may act in an aggressive manner to meet their needs. **THRILL** is a motivator of crime.

f. LIFE COURSE THEORY

SHELDON AND ELEANOR GLUECK

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention

Compiled by: Glenda Civil Panugaling, MS Crim

Suggests that criminal behavior is a dynamic process, influenced by individual characteristics as well as social experiences, and that the factors that cause anti-social behaviors change dramatically over a person's life span.

Ex.) Delinquency may increase when an adolescent joins gang which provides him more opportunities to steal, take drugs and attack others.

g. LATENT TRAIT THEORY

DAVID ROWE & WAYNE OSGOOD

A stable feature, characteristic, property, or condition, such as defective intelligence or impulsive personality that makes some people delinquency-prone over the life course.

MARXIST/ CONFLICT THEORIES (1848)

a. LEFT REALISM

- ✓ Left realist criminologists believe that the path of least resistance is to work within the system.
- ✓ People make choices for which they must be held accountable, but there are a variety of conditions that make some choices more probable and understandable than others.

b. PEACEMAKING CRIMINOLOGY

- ✓ Peacemaking criminology has the philosophy of "peace on crime."
- ✓ Punishing criminals escalates violence.
- ✓ In place of imprisoning offenders, peacemaking criminologists advocate **restorative justice**, which is basically a system of mediation and conflict resolution.

c. POSTMODERN CRIMINOLOGY

- ✓ **Postmodernist criminology** is firmly in the critical/radical tradition in that it views the law as an oppressive instrument of the rich and powerful, but it rejects the modernist view of the world.
- ✓ All knowledge is socially constructed and has no independent reality apart from the minds of those who create it.
- ✓ All worldviews are mediated by language.
- ✓ The dominant language of society is the language of the rich and powerful, and by virtue of owning the dominant language their point of view is privileged

d. CONFLICT CRIMINOLOGY

The law favors the powerful, but not any one particular group. The greater the wealth, power, and prestige a group has, the more likely the law will favor it. The distribution of political power that leads to some interest groups being able to criminalize the acts of other interest groups.

e. RESTORATIVE JUSTICE

It involves non-punitive strategy for dealing with juvenile offenders that make the justice system a healing process rather than a punishment process.

f. RADICAL THEORY

Radical theories argue that capitalism requires people to compete against each other in the pursuit of material wealth. The more unevenly wealth is distributed; the more likely people are to find persons weaker than themselves that they can take advantage of in their pursuit of wealth.

KARL MARX and REVOLUTION

- ✓ The core of Marxist is the concept of class struggle.
- ✓ In Marx's time the oppressors were the wealth owners of the means of production (the bourgeoisie) and the oppressed were the working class (the proletariat).
- ✓ The ruling class always develops ideologies to justify and legitimize their exploitation.
- ✓ Marx called the workers' acceptance of ideologies that ran counter to their interests false consciousness.
- ✓ According to Marx and Engels, criminals came from a third class in society—the **lumpenproletariat**—who would play no decisive role in the expected revolution.
- ✓ Crime was the product of an unjust, alienating, and demoralizing social condition that denied productive labor to the masses of unemployed.

SOCIAL STRUCTURE THEORIES

Social Disorganization theory
Anomie theory

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention
Compiled by: Glenda Civil Panugaling, MS Crim

Strain theory
Relative Deprivation theory
General Strain theory
Cultural Deviance theory
Differential Opportunity Theory
Concentric Zone Theory

SOCIAL STRUCTURE THEORY

Viewed the disadvantage economic class position as a primary cause of crime. Neighborhoods that experience high levels of poverty will also have high delinquency rates. It finds delinquency and criminality to be a consequence of the inequalities built into the social structure.

a. SOCIAL DISORGANIZATION THEORY
CLIFFORD SHAW & HENRY MCKAY

These scholars found out that criminality rates were high in what they called transitional neighborhoods.

TRANSITIONAL NEIGHBORHOODS- areas that are changed from affluence to decay. They claimed that areas continually hurt by poverty and long-term unemployment also experience social disorganization

SOCIAL DISORGANIZATION THEORY

Focuses on the conditions with the urban environment

ELEMENTS:

- High unemployment
- School dropout rates
- Single-parent households

b. ANOMIE THEORY

DAVID EMILE DURKHEIM

A- “means” without and “**nomos**” or “**nomos**” means law.

ANOMIE – Means without law or the breakdown of social order as a result of loss of standard and values.

NORMLESSNESS – produced by rapidly shifting moral values.

ANOMIE THEORY BY DURKHEIM

- Defined crime as a normal and necessary social event.
- Argued that crime can be useful and on occasion, even healthy for society.
- Crime calls attention to social ills.

c. STRAIN THEORY

ROBERT KING MERTON

Holds that crime is a function of the conflict between the goals people have and the means they can use to legally obtain them. Consequently, they feel anger, frustration and resentment, which is referred to as **STRAIN**.

5 MERTON’S MODE OF ADAPTATION

	GOALS	MEANS
Conformity	+	+
Innovation	+	-
Ritualism	-	+
Retreatism	-	-
Rebellion	±	±

d. RELATIVE DEPRIVATION THEORY

JUDITH BLAU AND PETER BLAU

Condition that exists when people of wealth and poverty live in close proximity to one another; the relatively deprived are apt to have feelings of anger and hostility, which may produce criminality. Sharp divisions between rich and poor create an atmosphere of **envy and mistrust**.

e. GENERAL STRAIN THEORY

ROBERT AGNEW

Agnew suggests that criminality is the direct result of **negative affective states** – the anger, frustration, depression, disappointment and other adverse emotions that derive from strain.

VARIOUS SOURCES OF STRAIN:

1. Strain caused by the failure to achieve positively valued goals.
2. Strain caused by the disjunction of expectations and achievements.
3. Strain as the removal of positively valued stimuli from the individual.
4. Strain as the presentation of negative stimuli.

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention
Compiled by: Glenda Civil Panugaling, MS Crim

f. CULTURE DEVIANCE THEORY

Links delinquent acts to the formation of independent subcultures with a unique set of values that clash with the mainstream culture.

g. DIFFERENTIAL OPPORTUNITY THEORY

RICHARD CLOWARD & LLOYD OHLIN

People in all strata of society share the same success and goals but that those in lower class have limited means of achieving them.

h. CONCENTRIC ZONE THEORY

ERNEST BURGESS AND ROBERT EZRA PARK

When cities are fully grown; the community will take into the form of five concentric rings and criminality will be concentrated on the inner centre.

SOCIAL PROCESS THEORIES

1. LEARNING THEORY
2. CONTROL THEORY
3. DRIFT THEORY
4. DIFFERENTIAL ASSOCIATION THEORY
5. CONTAINMENT THEORY
6. DIFFERENTIAL IDENTIFICATION THEORY

SOCIAL PROCESS THEORIES

Not all sociologists believe that merely living in an impoverished, deteriorated, lower-class area is a determinant of a delinquent career. Instead, they argue that the root cause of delinquency may be traced to learning criminal behavior from peers, becoming detached from school, etc.

a. SOCIAL LEARNING THEORY

ALBERT BANDURA

People are not actually born to act violently but they learned to be aggressive to their life experiences. Asserts that criminality is learned through close relationships with others; asserts that children are born “good” and learn to be “bad” from others.

ELEMENTS: Family, environment, and mass media

b. CONTROL/ SOCIAL BOND THEORY

TRAVIS HIRSCHI

Claimed that criminality results from commitment to the major social institutions (family, peers and school); lack of such commitment allows them to exercise antisocial behavioral choices.

ELEMENTS: (THESE FOUR (4) ARE CALLED SOCIAL BONDS)

1. Attachment
2. Commitment
3. Involvement
4. Belief

c. DIFFERENTIAL ASSOCIATION THEORY

EDWIN SUTHERLAND

Sutherland's Differential Association Theory suggests that people commit crime by learning in a social context through their interactions with others and communication with them. He believed criminal behavior is learned by interaction with others, and this includes learning the techniques of committing the crime, and the motives, drives, rationalizations, and attitudes for committing it.

d. DRIFT THEORY

DAVID MATZA and GRESHAM SYKES

Suggest that delinquents hold values similar to those law abiding citizens but they learn techniques that enable them to neutralize those values and drift back and forth between legitimate and delinquent behavior.

WHAT IS DRIFT?

DRIFT – is the process by which an individual moves from one behavioral extreme to another, behaving sometimes in an unconventional manner and at other times with constraint.

NEUTRALIZATION TECHNIQUES

Sykes and Matza suggest that a person develop a distinct set of justifications for their behavior when it violates accepted social rules and norms.

These **neutralization techniques** allow a person to drift away from the rules of the normative society and participate in criminal behavior.

1. **Denial of the Victim** – he has it coming, she talked back, and he has a bad attitude.
2. **Denial of Responsibility** – they made me do it, I don't have a choice, and it's either me or him.

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention
Compiled by: Glenda Civil Panugaling, MS Crim

3. **Denial of Injury** – they have insurance, they have too much money, what's one CD to a big store.
4. **Appeal to Higher Loyalties** – I have to protect my buddies, only cowards run away
5. **Condemnation of the Condemners** – Everyone steals, why pick on me?

e. CONTAINMENT THEORY

WALTER RECKLESS

Assumed that in every individual there is a containing **internal psychological** and **protective external social structure both** of which provides defense and insulation against criminality.

f. DIFFERENTIAL IDENTIFICATION THEORY

DANIEL GLASER

-when a person tries to emulate and model the behavior of another person having an undesirable behavior.

SOCIAL REACTION THEORIES

1. **LABELING THEORY**
2. **STIGMATIZED**
3. **SELF-LABELING**
4. **SELF-FULFILLING PROPHECY**
5. **DRAMATIZATION OF EVIL**
6. **PRIMARY & SECONDARY DEVIANCE**

SOCIAL REACTION THEORIES

The way society reacts to individuals and the way individuals react to society determines behavior. Being **stigmatized**, or **labeled**, by agents of social control, including official institutions such as the police and the courts, and unofficial institutions, such as parents and neighbors, is what sustains criminal careers.

a. LABELING THEORY

HOWARD BECKER and FRANK TANNENBAUM

Explained that society creates deviance through a system of social control agencies that designate (label) certain individuals as delinquent, thereby stigmatizing a person and encouraging them to accept this negative personal identity.

b. STIGMATIZED

People who have been negatively labeled because of their participation, or alleged participation in deviant or outlawed behaviors.

c. SELF-LABELING

The process by which a person who has been negatively labeled accepts the label as a personal role or identity.

d. SELF-FULFILLING PROPHECY

Deviant behavior patterns that are response to an earlier labeling experience, a person act out these social roles even if they were false bestowed.

Ex.) Teachers already think I'm stupid, so why should I bother to study.

e. DRAMATIZATION OF EVIL

FRANK TANNENBAUM

First suggested that social typing, which he called "dramatization of evil," transforms the offender's identity from a "**doer of evil**" to "**an evil person**".

f. PRIMARY AND SECONDARY DEVIANCE

EDWIN LEMERT

People who bear negative labels become secondary deviants – their label becomes a master status by which they are defined.

LIFE COURSE THEORIES

1. **INTERACTIONAL THEORY**
2. **DEVELOPMENTAL THEORY**
3. **SOCIAL DEVELOPMENT MODEL**
4. **AGE-GRADED THEORY**

LIFE COURSE THEORY

Theory that focuses on changes in criminality over the life course.

a. INTERACTIONAL THEORY

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention
Compiled by: Glenda Civil Panugaling, MS Crim

TERENCE THORNBERRY

Attributed criminal trajectories to mutual reinforcement criminals and significant others over the life course.

Family- in early adolescence

School & friends – mid-adolescence

Social peers – adulthood

b. DEVELOPMENTAL THEORY

A view that looks at the onset, continuity, and termination of criminal career as a **dynamic process**.

c. SOCIAL DEVELOPMENT MODEL THEORY

JOSEPH WEIS & DAVID HAWKINS

As children mature within their environment, elements of socialization control their developmental process and either insulate them from delinquency or encourage their anti-social activities.

d. AGE-GRADED THEORY

ROBERT SAMPSON & JOHN LAUB

They refer to the fact that both continuity and change exist throughout the life course and that change in the direction of a person's behavior may occur at any age through new experiences or social circumstances.

Who argued Edwin Sutherland?

Sutherland based on his Theory of Differential Association said that criminal behavior is learned it is not inherited; whereas **CHARLES GORING** – Believed that criminal behavior is inherited.

English Physician Henry Maudsley

Believed that insanity and criminal behavior were strongly linked.

WHO WAS THE FOUNDER OF SOCIOLOGY?

FOUNDER OF SOCIOLOGY

ISIDORE AUGUSTE MARIE FRANCOIS XAVIER COMTE - applied scientific method to the study of society.

WHO DEVELOPED THE CONCEPT ON PHYSIOGNOMY?

GIAMBATTISTA DELLA PORTA

PHYSIOGNOMY- Facial features of criminals to determine whether the shape of ears, nose, and eyes and the distance between them are associated with anti-social behavior.

HOW ABOUT ON PHRENOLOGY?

- **JOHANN KASPAR LAVATER**
- **FRANZ JOSEPH GALL**
- **JOHANN KASPAR SPURZHEIM**

PHRENOLOGY - the shape of the skull and bumps of the head to determine whether these physical attributes were linked to criminal behavior.

WHO WAS THE FOUNDER OF SOCIAL CRIMINOLOGY?

ADOLPHE QUETELET – used data and statistics in performing criminological research **THERMIC LAW OF DELINQUENCY**- stated that crimes against person tend to increase during **summer** while crimes against property during **winter**.

WHO WAS THE FOUNDER OF CONFLICT CRIMINOLOGY?

KARL MARX

People's lives revolve around the means of production. The exploitation of the working class, would eventually lead to class conflict.

WHAT ARE THE PERSPECTIVES IN THE CAUSATION OF CRIME?

PERSPECTIVES OF CRIME CAUSATION:

1. CLASSICAL PERSPECTIVE

SITUATIONAL FORCES

- Crime is a function of freewill and personal choice.
- Punishment is a deterrent to crime.

2. PROCESS PERSPECTIVE

SOCIALIZATION PROCESS

Crime is a function of upbringing, learning and control.

Peers, parents, and teachers influence behavior.

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention
Compiled by: Glenda Civil Panugaling, MS Crim

3. BIOLOGICAL PERSPECTIVE
INTERNAL FORCES

Crime is a function of chemical, neurological, genetic, personality, intelligence or mental traits.

4. CONFLICT PERSPECTIVE
ECONOMIC AND POLITICAL FORCES

Crime is a function of competition for limited resources and power.

5. PSYCHOLOGICAL PERSPECTIVE
PSYCHODYNAMIC

- Intra-psychic processes
- Unconscious conflicts

6. BEHAVIORAL PERSPECTIVE
LEARNING PROCESSES

- Past experiences
- Stimulus
- Rewards and punishments

THEORIES ON INTELLIGENCE AND CRIME

1. NATURE THEORY
2. NURTURE THEORY

1. NATURE THEORY

Holds that low intelligence is largely determined genetically.

HENRY GODDARD – studied the family tree of Martin Kallikak of what he considered as “feeble-minded” in 1920 and concluded that almost half of them were mentally defective.

RICHARD DUGDALE

He studied the family of ADA JUKE “MOTHER OF CRIMINALS”

ADA JUKE – PORTRAYED THE REAL NAME OF MARGARET

2. NURTURE THEORY

Argued that intelligence is not inherited and that low-IQ parents do not necessarily produce low-IQ children.

SUTHERLAND’S ARGUMENT

In 1931, **Edwin Sutherland** also evaluated IQ studies of criminals and delinquents and found evidence **disputing** the association between intelligence and criminality.

WHO REFUTED SUTHERLAND’S STATEMENT ON INTELLIGENCE?

TRAVIS HIRSCHI and MICHAEL HINDELANG

Children with a low-IQ are more likely to engage in delinquent and or criminal behavior because their poor verbal ability creates a frustrating school experience.

PSYCHOLOGICAL THEORIES OF CRIME CAUSATION

1. PSYCHODYNAMIC THEORY
2. BEHAVIORAL THEORY
3. COGNITIVE THEORY
4. MORAL DEVELOPMENT THEORY
5. DIFFERENTIAL REINFORCEMENT THEORY

PSYCHOLOGICAL THEORY

Because many people live in poor homes, destructive neighborhoods, friends etc., these relationships seem to indicate a disturbed personality structure. Crime is a function of person’s mental and emotional disturbance.

a. PSYCHODYNAMIC THEORY

AUSTRIAN PHYSICIAN SIGMUND FREUD

Holds that the human personality is controlled by **unconscious mental processes** developed in early childhood. Argues that human personality contains three major components:

1. Id – pleasure principle
2. Ego – reality principle
3. Superego – morality principle

CRIMINOLOGY REVIEW CENTER
Review Notes in Juvenile Delinquency and Crime Prevention
Compiled by: Glenda Civil Panugaling, MS Crim

ACCORDING TO FREUD:

FOR EXAMPLE:

Stealing a car may reflect a person's unconscious need for shelter and mobility to escape from hostile enemies.

DISCUSSION ON THE 3 COMPONENTS:

If these components are properly balanced, the individual can lead a normal life.

If one aspect of the personality becomes dominant at the expense of the others, the individual exhibits abnormal personality traits.

b. COGNITIVE THEORY

WILHELM WUNDT, EDWARD TITCHENER and WILLIAM JAMES

The branch of psychology that studies the perception of reality and the mental process required to understand the world we live in. Person makes it difficult to decide while under stress.

c. BEHAVIORAL THEORY

JOHN B. WATSON popularized by **B.F. SKINNER**

Not all psychologists agree that behavior is controlled by unconscious mental processes determined by parental relationships developed early in childhood.

Concerned with the study of observable behavior rather than unconscious processes; focuses on particular stimuli and responses to them.

PSYCHOSEXUAL STAGES BY FREUD:

1. **ORAL STAGE**- first year of a life of a child (sucking and biting)
2. **ANAL STAGE** – eliminating bodily waste (second and third year)
3. **PHALLIC STAGE**- focus their attention on genitals

OEDIPUS COMPLEX- attachment of a male child to their mother

ELECTRA COMPLEX – attachment of a female child for their father

4. **LATENCY** – begins at 6; sexuality are repressed

d. MORAL DEVELOPMENT THEORY

JEAN PIAGET – FOUNDER

DEVELOPED BY **LAWRENCE KOHLBERG**

Viewed that people who obey the law only on self- interest are the ones who likely violate the law.

e. DIFFERENTIAL REINFORCEMENT THEORY

ROBERT BURGESS

- Two different acts are reinforced similarly.

SOMATOTYPING THEORY

WILLIAM H. SHELDON

Argued that there is a link between the body structures of a person to the kind of crime he or she may be committed.

1. Endomorphic- fat
2. Mesomorphic- masculine
3. Ectomorphic – thin

ERNST KRETSCHMER

Further developed the work of William Sheldon and categorized body structure into four (4):

1. Pyknic
2. Asthenic
3. Dysplastic
4. Athletic

References:

Eduardo, Jesster P. 2011. Juvenile Delinquency and Crime Prevention. TCS, Publishing House

Siegel, Larry J. et al. 2007. Juvenile Delinquency: Theory, Practice and Law. 9th Edition, Wadsworth Publishing

RA 9344 ("Juvenile Justice and Welfare Act of 2006")

[Http://www. chanrobles.com](http://www.chanrobles.com)