Chapter 13
An Introduction to Cyber Criminology

Chapter Outline

I. Introduction
- A. Cyber criminology—The study of why individuals engage in cyber-related criminal acts such as hacking, identity theft, and digital piracy.
- B. The majority of the studies in the area have attempted to apply criminological theories developed in relation to physical-world crime to the study of cyber-related behaviors.
- C. Early studies focused on hackers and their personality profiles.
  - 1. These studies found that hackers tended to be very intelligent, maintained very few close friends, and were socially introverted.
  - 2. These previous studies on hackers no longer apply today.
  - 3. With the popularity of computers and computer-related technology, it is no longer possible to develop a profile of a computer hacker or other high-technology criminal.
    - a. It no longer requires a lot of time to understand basic, or even some advanced, hacking skills.
    - b. Software and programs are available with ease on the Internet to use in hacking.
- D. Cybercrime-related Theories
  - 1. Techniques of Neutralization and Rationalization by Sykes and Matza.
  - 2. Social Structure and Social Learning Theory by Akers.
  - 3. Routine Activity Theory by Cohen and Felson.
  - 4. General Theory of Crime by Hirschi and Gottfredson.
  - 5. Labeling Theory by Becker.
  - 6. Deindividuation Theory by Festinger.
  - 7. Space-Transition Theory by Jaishankar.

II. Techniques of Neutralization and Rationalization
- A. This theory focuses on how juveniles could be law-abiding citizens one moment, and the next moment could engage in delinquent behavior.
- B. Law-abiding juveniles engage in a delinquent or criminal behavior drift by feeling no guilt for their behavior.
- C. Five techniques of neutralization used to negate guilty
  - 1. Denial of Injury—Offenders will argue that while someone was victimized by their behavior, there was no injury caused during the commission of the act.
  - 2. Denial of Victim—Offenders argue that while their behavior may have technically been wrong, there was no victim of the activity and therefore no guilt associated with the behaviors.
  - 3. Denial of Responsibility—Offenders argues that something beyond their control made them engage in the delinquent/criminal behavior.
  - 4. Condemnation of the Condemners— Offenders attempt to justify their behavior on the grounds that the victim of the act is a hypocrite

because he or she either would engage in similar behaviors if given the opportunity, or perhaps already engages in even worse behavior than that of the offender.

        5.   Appeal of Higher Loyalties—Offenders justify their behavior on the grounds that while the activity may have violated one or more of society's established values or rules, the act was not necessarily a violation of the values or rules of a subset of society.

    D.   If one or more of these techniques is employed prior to the commission of the delinquent or criminal act, then the technique is considered to be one of neutralization.

    E.   If the technique is employed after the act is committed, then instead of being a technique of neutralization, it becomes a technique of rationalization, whereby the offender attempts to rationalize away any guilt associated with the behavior.

    F.   Studies attempting to apply the techniques of neutralization have found there is some support this theory, particularly as it relates to digital piracy and file sharing, but more studies need to be conducted.

III.   Social Structure and Social Learning Theory

    A.   Building on Sutherland's differential association theory, this theory states that individuals who are more likely to engage in criminal behavior are the individuals who more often associate with people who not only engage in criminal behavior but also teach an attitude of acceptance for criminal behavior.

    B.   According to this theory, in addition to intimate groups (parents, friends, etc), an individual could in fact learn criminal attitudes and behaviors (including the actual techniques of criminal behavior) through the media and other forms of nontraditional communications.

    C.   With Akers's acceptance of the belief that nontraditional communications could provide a forum for communicating definitions and ideas favorable to committing delinquent acts, the door has been opened for studies involving the role of online relationships and the role of websites and virtual communities in the learning of delinquent attitudes.

    D.   Studies conducted on the relationship among the social structure, social learning theory, and high-technology crimes found that websites used to communicate definitions favorable to violation of the laws can impact the criminal behavior of others, and having friends who engage in digital piracy is important in understanding why individuals commit this crime.

    E.   Recommendations from these studies included restricting access to certain websites as a condition of probation and parole for sex offenders and providing education and awareness programs that focus on making peers more aware of the legal and procedural dangers associated with software piracy.

IV.   Routine Activities Theory

    A.   The basis of this theory is that criminal behavior and the criminal attitude is a result of a person's rational choice.

    B.   Focuses on how activity patterns can affect crime rates and victimization instead of the individual directly.

        C.   According to Cohen and Felson, there are three factors that are must be considered when examining crime:

1. The presence of a motivated offender—Potential criminals who want to commit the crime and want to succeed.
2. A suitable target for victimization—Individuals or residences that provide the best opportunity to successfully complete the criminal act.
3. An absence of capable guardians to prevent victimization—the absence of individuals or technology to prevent the successful completion of the act.
D. In relating the theory to high-technology crime, there are several crimes that could be potentially studied through the lens of routine activities theory.
1. In regard to hacking, motivated offenders can more easily find potential targets on the Internet and then victimize the users if their computers do not contain "capable guardians." i.e., anti-virus software or working firewalls.
E. Studies conducted on routine activities theory and high-technology crimes have found that there is some general support for the use of this theory as a means of understanding online victimization.
V. Self-Control Theory—General Theory of Crime
A. According to self-control theory, there are several elements of self-control that relate to criminal behavior.
1. Criminal acts provide immediate gratification.
2. Criminal activities are exciting or thrilling.
3. Criminal behavior provides few long-term benefits.
4. Crime requires little skill or planning.
B. Self-control appears to be a facially valid theory to examine in light of several high-technology crimes.
1. Individuals with lower levels of self-control may be more inclined to engage in other cyber-related deviance as the techniques associated with such behaviors become easier and easier to locate.
VI. Labeling Theory
A. Tannenbeum (1993) argues that anytime a person's behavior causes him or her to be singled out in a negative manner, then that person will begin to define himself or herself in light of these beliefs.
B. Becker redefined labeling theory when he discussed the concept of the "moral entrepreneur"—individuals who seek to criminalize certain behaviors on the basis of moral beliefs.
C. As a result of certain behaviors being criminalized, a person who may not have a moral objection to the behavior but is caught engaging in the behavior becomes known as a criminal.
1. Over time individuals may accept this criminal label.
2. This acceptance could be the result of having the label reinforced by their social peers, and resignation to the label society attached to them.
3. Once a person accepts the label, he or she may be more likely to give up trying to abide by the rules of society and may instead focus on living up to the deviant/criminal label.
4. Future behavior may be geared toward developing and enhancing the fulfillment of the label.
D. A study conducted by Turgeman-Goldschmidt (2008) supports the relationship between labeling theory and hackers.

1. Found that individuals labeled as hackers might engage in behavior to support this label.
2. Found that hackers in the study indicated support for the status of computer expert rather than computer deviant and did not suffer from a lowered value of themselves or their self-identity.

VII. De-Individuation Theory
    A. According to this theory, individuals who engage in group-related activities may find themselves losing their self-identity and becoming a part of the group.
        1. Without the sense of self to regulate one's behavior, the person may become more uninhibited and begin engaging in deviant or criminal behavior.
    B. After people lose their self-identity, they may be more likely to engage in behaviors that go against their personal beliefs and fall more in line with the beliefs of the group.
    C. There has been an increase in interest concerning deindividuation theory as it relates to Internet-related behaviors because of the anonymity of the Internet.
    D. Studies conducted on this topic has found that anonymity on the Internet does likely impact an individual's behaviors.
    E. Research in relation to stalking and online harassment found that individuals felt that the anonymity of the Internet allowed them to go further than they would have had they been face to face with the person they were harassing.

VIII. Space Transition Theory
    A. This theory was developed as a response to the need to begin developing theories that address crimes in the virtual world.
    B. This theory argues that people behave differently depending on whether they are engaged in behaviors in the "physical space" than when they are engaged in behaviors in the "cyberspace."
    C. Seven propositions attempt to explain deviant/criminal cyber-related behaviors:
        1. Persons with repressed criminal behavior (in the physical space) have a propensity to commit crime in cyberspace, which they would not commit in physical space otherwise, due to their status and position.
        2. Identity flexibility, dissociative anonymity, and the lack of deterrence factor in the cyberspace provide the offenders the opportunity to commit cybercrime.
        3. Criminal behavior of offenders in cyberspace is likely to be imported to physical space, which may then be exported to cyberspace.
        4. Intermittent venture of offenders in to the cyberspace and the dynamic spatiotemporal nature of cyberspace provide the chance to escape.
        5. (A) Strangers are likely to unite together in cyberspace to commit crime in the physical space, and (B) Associates of physical space are likely to unite to commit crime in cyberspace.
        6. Persons from a closed society are more likely to commit crimes in cyberspace than persons from an open society.
        7. The conflict of norms and values of physical space with the norms and values of cyberspace may lead to cybercrimes.

IX. Conclusion

Key Terms

Appeal to high loyalties: Situations in which an individual will justify his or her behavior on the grounds that while the activity may have violated one or more of society's established values or rules, the act was not necessarily a violation of the values or rules of a subset of society.

Condemnation of the condemners: Situations in which the individual will attempt to justify his or her behavior on the grounds that the victim of the act is a hypocrite because he or she either would engage in similar behaviors if given the opportunity, or perhaps already engages in even worse behavior than that of the offender.

Cybercriminology: The study of why individuals engage in cyber-related criminal acts such as hacking, identity theft, and digital piracy.

De-individuation theory: The idea that individuals who engage in group-related activities may find themselves losing their self-identity and may become more uninhibited and begin engaging in deviant or criminal behavior.

Denial of injury: Situations in which the offender will argue that while someone was victimized by their behavior, there was no injury caused during the commission of the act.

Denial of responsibility: Situations in which the individual argues that something beyond their control made them engage in the delinquent/criminal behavior.

Denial of victim: Situations in which the offender argues that while their behavior may have technically been wrong, there was no victim to their activity and therefore no guilt associated with the behaviors.

Differential association theory: The idea that criminal or delinquent behaviors are learned from individuals.

Digital pirates: Individuals who engage in the distribution of copyrighted movies, music, and software files.

Labeling theory: The idea that anytime a person's behavior causes them to be singled out in a negative manner, then that person will begin to define themselves in light of these beliefs.

Moral entrepreneurs: Individuals who seek to criminalize certain behaviors on the basis of moral beliefs.

Routine Activities Theory: the idea that criminal behavior is linked to three factors: (1) the presence of a motivated offender, (2) a suitable target for victimization, and (3) an absence of capable guardians.

Self-control theory: The idea that individuals with low self-control are more likely to engage in criminal behavior.

Social structure and social learning theory: The idea that the individuals who are more likely to engage in criminal behavior are the individuals who more often associate with people who not only engage in criminal behavior but also teach an attitude of acceptance of criminal behavior.

Space transition theory: The idea that people can behave differently depending on whether they are engaged in behaviors in the "physical space" versus when they are engaged in behaviors in the "cyberspace."

Techniques of neutralization: Ideas that minimize guilt prior to the commission of a delinquent or criminal act.

Techniques of neutralization and rationalization: An idea explaining how juveniles could be law-abiding citizens one moment, and the next moment could engage in delinquent behavior.

Techniques of rationalization: Ideas that minimize guilt after the commission of a delinquent or criminal act.

Student Activities

1. Ask students to research various criminological theories (either assigned by the instructor or selected by the student) and have them apply the theory in an attempt to explain some aspect of computer-related crime.

Test Bank

Fill-in-the-Blank Questions

1. **<u>Cybercriminology</u>** is the study of why individuals engage in cyber-related criminal acts.

2. Offenders attempt to deny **<u>responsibility</u>** when they argue that something beyond their control made them engage in the delinquent/criminal act.

3. The technique of **<u>condemnation of the condemners</u>** involves situations in which offenders attempt to justify their behavior on the grounds that the victim of the act is a hypocrite because he or she either would engage in similar behaviors if given the opportunity, or perhaps already engages in even worse behavior than that of the offender.

4. An example of a **<u>motivated offender</u>** is someone who wants to commit a crime successfully.

5. A home with property that could be easily stolen and quickly resold is an example of a **<u>suitable target</u>** for those who commit burglaries.

6.   The **labeling** theory states that anytime a person's behavior causes him or her to be singled out in a negative manner, then that person will begin to define themselves in light of these beliefs.

7.   According to the **self-control** theory, criminal behavior can be linked to a lack of effective parenting.

8.   According to the de-individuation theory, after a person loses their **self-identity**, they may be likely to engage in behaviors that go against their personal beliefs and fall in line with the beliefs of the group.

9.   **Rationalization** involves employing techniques to minimize guilt after the commission of delinquent or criminal acts.

10.   **Digital pirates** are individuals who engage in the distribution of copyrighted movies, music, and software files.