

Criminology

What is crime?

How can we measure crime?

Who commits crimes and Why?

What counts as a crime?

A crime is an act that is both illegal and has an established penalty that includes the possibility of incarceration. A crime is an act that takes away the liberty of another individual, so most often its punishment also includes the loss of liberty. Crimes almost always include a physical act and a culpable mental state.

The role of intent

For an act to be considered a crime it must include a **physical act** as well as a **culpable mental state**.

1. Intentionally (or purposely)

the conscious objective of committing a crime

2. Knowingly

the awareness that the act is a crime

3. Recklessly

the conscious disregard for a substantial and unjustifiable risk that is a gross deviation from standard conduct

4. Negligently

the less conscious (but inexcusable) disregard for a substantial and unjustifiable risk that is a gross deviation from standard conduct

The severity of the crime

Crimes include two general categories:

Mala in se:

Acts that are inherently bad

Malum in prohibitum:

Acts that aren't bad, but need to be regulated

The severity of the crime

- A **misdemeanor** is a minor offense, and its maximum sentence usually cannot exceed one year in prison. (However, combining sentences for multiple misdemeanors can lead to multiple years in prison.)
- A **felony** is a more serious offense, and can be punished with more than a year in jail or prison.

Who decides?

In a democratic society, in which most laws are passed by elected representatives, criminal laws generally **reflect the values** of the society.

- Crimes change over **time** as the society's values change.
- Crimes change over **distance** as local cultures differ from one another.
- Crimes change over **political landscapes** as perspectives on the role of government differ among local leaders.

Who decides?

Criminologists generally view these influences in one of two ways:

Criminal laws reflect a consensus of the values of the citizens.

Criminal laws reflect conflicts between different interest groups.