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DEFINITION AND ANALYSIS OF CERTAIN CRIMINAL TYPES

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Recent thinking in criminology holds that development of typologies with respect to criminal offenders will aid significantly in the analysis of criminal etiology. Professors Gibbons and Garrity observe, however, that to date the work on typologies has largely concentrated upon juvenile delinquents, with little attention given to adult offenders. In this paper, the authors offer tentative typologies of adult property offenders, along with tentative descriptions of possible causative factors. The paper is designed to encourage research in the directions the authors consider most promising, in light of various studies to date bearing upon the different offenders identified. With a broad sweep, Professors Gibbons and Garrity here provide a promising framework upon which future investigations may build.—EDITOR.

While the literature of criminology is complex and multidirectional in interests and orientations, in recent years there has been considerable interest in more precise definition of criminal and delinquent types. This development has been reviewed elsewhere.¹ A second trend has been in the direction of sociological analyses of crime and delinquency and away from gross multiple-factor frameworks. The influences of cultural factors, social structure, and social processes upon crime and deviant behavior have begun to be systematically explored. The works of Merton, Cohen, and others are cases in point.²

In the area of juvenile delinquency, attempts to develop typological classifications of delinquents have been many, including the work of Jenkins and Hewitt³ and a large number of others. More recently, important advances have been made in the sociological analysis of delinquent types and subcultures by Cohen and Short, Ohlin and Cloward, and others.⁴ However, in the study of

adult offenders, typologies and sociological analyses of criminal behavior patterns have not been so numerous. But it is likely that, as in the study of delinquency, progress in the analysis of criminal etiology will depend upon breaking down criminal activity into homogeneous units of study.

This essay speculates about some possible directions that typological analyses of criminal behavior might take. In the remarks below, certain types of criminal behavior are tentatively identified, followed by a brief exploration of some processes which may be related to the types in question.

The discussion below is speculative and general in tone, designed more to present a point of view than to guide research. Yet, the paper is designed to stimulate research activity. Although no attempt is made to present hypotheses for research, the typology here discussed is amenable to research. It would be possible to operationalize the descriptions of criminal types, for the variables utilized are similar to the kinds of items collected in probation records, institutional files, etc. It should be possible, for example, to sort a population of offenders into offense categories and then to determine whether or not certain other hypothesized relations hold.

¹ Gibbons & Garrity, *Some Suggestions for the Development of Etiological and Treatment Theory in Criminology*, 38 *SOCIAL FORCES* 51 (1959).

² Merton, *Social Structure and Anomie*, *SOCIAL THEORY AND SOCIAL STRUCTURE* 131 (1957); Cohen, *The Study of Social Disorganization and Deviant Behavior*, *SOCIOLOGY TODAY* 461 (Merton, Broom & Cottrell ed. 1959); COHEN, *DELINQUENT BOYS* (1955). These trends are reviewed in Clinard, *Criminological Research*, *SOCIOLOGY TODAY*, *op. cit. supra* at 509.

³ Jenkins & Hewitt, *Types of Personality Structure Encountered in Child Guidance Clinics*, 14 *AM. J. ORTHOPSYCHIATRY* 84 (1944).

⁴ Cohen & Short, *Research in Delinquent Subcultures*,

14 *J. SOCIAL ISSUES* 20 (1958); CLOWARD & OHLIN, *DELINQUENCY AND OPPORTUNITY, A THEORY OF DELINQUENT GANGS* (1960); Kinch, *Certain Social Psychological Aspects of Types of Juvenile Delinquents*, 1959 (unpublished Ph.D. dissertation in University of Washington Library).

CRIMINAL TYPOLOGY: BASIC ASSUMPTIONS

The major interest of this paper is in certain types of criminal behavior defined in a typology of offenders constructed by the authors.⁵ While this essay is not an exposition of the logic of criminal typology, nor a full explication of criminal types, a few words are in order regarding the typological scheme used here.⁶ First, the typology assumes that the real world of criminal behavior is comprised of a variety of social roles or stable behavior patterns. Second, it assumes that these role patterns are differentiated along two major dimensions: self-definition and attitudes, and offense behavior.⁷ Third, it assumes that variations in these two dimensions are highly interrelated, that is, offenders who exhibit certain kinds of attitudes and self-definitions in common also commit offenses of some specific kind. Fourth, the typology assumes that offenders do not "play the field" of offenses; rather, patterns of offense behavior can be identified. While some kinds of criminals engage in a combination of offenses over time, such as burglary, larceny, etc., it is argued that these cluster together and that offenders can be identified who show similar clusterings of offenses. While the data on the offense career aspect of criminal behavior is inadequate, it does appear that there is some empirical foundation for this assumption.⁸ And, finally, the typology assumes that groups of criminals can be identified who share similar self-definitions and attitudes, and who differ from other groups of criminals in these respects. Again, it is not certain that these assumptions will stand the test of evidence, but some inferential support for them does exist.⁹

Fourteen adult offender types have been defined in terms of these criteria of definition and assumptions. While the typology has been drawn from

⁵ Gibbons & Garrity, "A Preliminary Typology of Criminals" and "A Preliminary Typology of Juvenile Delinquents," mimeographed papers in Department of Sociology Library, San Francisco State College.

⁶ For a further discussion of some considerations in typological analysis, see Gibbons & Garrity, *supra* note 1.

⁷ The use of offense pattern is not restricted to legal terminology. The typology attempts to distinguish between certain types of offenders who exhibit characteristic clusters or patterns of offense behavior. For a discussion of some of the problems involved here, see Cressey, *Criminological Research and the Definition of Crimes*, 56 AM. J. SOCIOLOGY 546 (1951).

⁸ See, e.g., Frum, *Adult Criminal Offenses Following Juvenile Delinquency*, 49 J. CRIM. L., C. & P. S. 29 (1958).

⁹ See, e.g., Kinch, *op. cit. supra* note 4.

research data, it is only a tentative statement. Further empirical investigation is needed before it can be declared that these types do, in fact, have empirical counterparts. For present purposes, it is assumed that these types are close enough to empirical reality to be worthy of exploration.

The complete typology involves fourteen types, composed of eight property offender types and six personal offender types. This discussion will restrict attention to the eight property offender patterns and will exclude consideration of personal offenders, for several reasons. The first is a practical one, limitations of space. In addition, there are more offenders approximating the eight property types than the remaining six, and by a wide margin. American crime is predominately property crime. Comments on the six personal offender types will be included in a subsequent paper.¹⁰

TYPES OF PROPERTY OFFENDERS

The Table appearing herein presents the eight property offender types,¹¹ together with characteristics of the respective types in terms of the two definitional dimensions: offense patterns, and self-definition and attitudes. The following remarks elaborate upon the eight offender types shown in the Table.

PROFESSIONAL THIEVES AND PROFESSIONAL "HEAVY" CRIMINALS

The attitudes and self-definitions of professional thieves and "heavies" are basically similar, in that both groups see themselves as skilled career offenders and evidence a certain pride in their chosen professions. Consequently, these two types are separated from each other on the basis of offense patterns alone. The professional thief eschews violence and relies on "wits," "front," etc., while the "heavy" operates with violence or threats of violence as a basic element of crime technique. Because of the use of violence in one case and not in the other, and because of additional variations in crime techniques, members of each group differentiate themselves from members of

¹⁰ The 14 types defined in this typology do not represent all of the possible patterns of criminal behavior. However, it is likely that these types would include a major part of the total offender population.

¹¹ No claim is made for the superiority of these labels over any others. The critical problem in typological analysis is not the choice of type rubrics, but rather, it is in clearly defining major dimensions and in specifying the characteristics of specific types of offenders.

DEFINING CHARACTERISTICS OF PROPERTY OFFENDER TYPES

Type	Offense Patterns	Self-Definition and Attitudes
Professional Thief	Confidence swindle, "bunco," "con games," deliberate betrayal of confidence. Nonviolent offenses. Technically skilled crime. Large profit.	Self-definition as a criminal. Pride in status as a skilled criminal. Defines himself as "smart." Views police, etc., as occupational risks.
Professional "Heavy"	Armed robbery, burglary, allied offenses. Violence or threats of violence involved in offenses. Technically skilled crime. Large profit.	Self-definition as a criminal. Pride in status as a skilled criminal. Defines himself as "able to take it." "Right guy" attitudes. Views police, etc., as occupational risks.
Non-Professional Property Offender	Robbery, burglary, larceny, allied offenses. Violence or threats of violence involved in offenses. Relatively crude and unskilled offenses. Relatively small profit.	Self-definition as a criminal. Does not view himself as a skilled criminal. Defines himself as "able to take it." "Right guy" attitudes. Exhibits hostility toward police and correctional authorities. Views himself as a victim of society.
Auto Thief-Joyrider	Repetitive auto theft for pleasure. "Car clouting," etc., excluded. Nonviolent offenses. Relatively crude and unskilled offenses. Profit motives not involved.	Self-definition as a criminal. Pride in criminal status as a measure of toughness. Views himself as tough and manly, exhibits exaggerated concern for others' perceptions of him as a "tough guy." Exhibits hostility toward police and correctional authorities.
Naive Check Forger	Passing "NSF" checks, usually on own bank account. Nonviolent offenses. Offenses usually unskilled and lacking in deception. Relatively small profit.	Self-definition as a noncriminal. Does not take pride in status as a criminal. Views himself as a person burdened with personal problems. Does not exhibit hostility toward police and correctional authorities.
White Collar Criminal	Violations of state and federal regulations regarding business and financial activity. Nonviolent offenses. Technically skilled and complex offenses. Large profit.	Self-definition as a noncriminal. Does not view himself as a skilled criminal. Pride in status as a businessman. Views himself as an honest citizen. Does not exhibit hostility toward police, courts, etc.
Embezzler	Conversion of property from a position of financial trust. Nonviolent offenses. Technical skill of the offenses varies considerably. Financial profit varies considerably.	Self-definition as a noncriminal. Does not view himself as a skilled criminal. Views himself as different from "real criminals." Does not exhibit hostility toward police and correctional authorities.
Professional "Fringe" Violator	Violations of law using professional skills but outside of proper conduct, e.g., abortion. Nonviolent offenses. Technically skilled crime. Relatively large profit.	Self-definition as a noncriminal. Does not view himself as a skilled criminal. Pride in status as a professional person. Views himself as an honest, noncriminal person. Does not exhibit hostility toward police and correctional authorities.

the other group. Both groups clearly distinguish and disassociate themselves from nonprofessional criminals.¹²

NONPROFESSIONAL PROPERTY OFFENDERS

This category consists of offenders involved in such relatively crude offenses as "car clouting," strong-arm robbery, petty theft, and burglary. These offenders are differentiated from professional "heavies" on the basis of technical skill, which although relative, tends to be considerably less in the case of the nonprofessional. Nonprofessional crime is characterized by lack of planning, lack of crime skills, and meager profit.

Not all unskilled offenders would be found in this type, for "one time losers" or casual offenders would not show the self-definitional characteristics indicated in the Table. Instead, they are recidivist property offenders who attempt to make criminal behavior a career, albeit unsuccessfully.

The nonprofessional is also differentiated from the professional criminal on the basis of attitudinal and self-definition variations, for the nonprofessional exhibits aggressively antisocial attitudes and sees himself as a victim of society, while the professional expresses attitudes in which the police and other representatives of law enforcement and correction are seen as occupational risks.

AUTO THIEVES-JOYRIDERS

Although automobiles are stolen for a variety of reasons and by several types of offenders, the joyrider is a distinct type of auto thief.¹³ Joyriders are involved in the theft of automobiles for recreational purposes, not profit. Like nonprofessional property offenders, joy-riders view themselves as criminals, but in a somewhat different way. Their conception of the role of criminal and "tough guy" differs from that of the nonprofessional, in that they exhibit an exaggerated degree of verbal aggressiveness.¹⁴

¹² See Gibbons & Garrity, *supra* note 1, for fuller citations of research on professional criminals and other types of offenders.

¹³ See Wattenberg & Balistreri, *Automobile Theft: A "Favored Group" Delinquency*, 57 AM. J. SOCIOLOGY 575 (1952); Browning, *Differential Social Relations and Personality Factors of Parents and Boys in Two Delinquent Groups and One Nondelinquent Group*, 1954 (unpublished Ph.D. dissertation in Library of the University of Southern California, Los Angeles); Schepes, *The Young Car Thief*, 50 J. CRIM. L., C. & P. S. 535 (1960).

¹⁴ It may eventually be found that the joyrider is

NAIVE CHECK FORGERS

Naive check forgers are offenders who write "rubber checks," usually against their own bank accounts, and often while drinking.¹⁵ They differ in technical skill from professional forgers, in that stolen check-printers are not used, nor are such techniques as forging checks against fictitious bank accounts employed in an effort to avoid apprehension. Naive check forgers view themselves not as criminals so much as individuals laboring under a burden of personal problems for which check-writing seems to be an appropriate solution.¹⁶

WHITE COLLAR CRIMINALS

After Sutherland introduced the term "white collar crime," accompanied by his strictures regarding the omission of upper class violators in the development of causal statements, the concept was quickly assimilated into the criminological literature.¹⁷ But the term has not been used in a consistent fashion; consequently, considerable confusion presently surrounds the notion of white collar crime.

In Sutherland's analysis, white collar crimes were identified as violations of law carried on as a part of regular business activities. Apparently these acts are supported and encouraged by a general consensus that such violations are just good business, necessary in order to keep abreast of competitors, and only technically illegal. However, loose usage of the concept has extended it to cover a wide variety of criminal acts committed by middle and upper class persons, including abortion, embezzlement, and other offenses which do not meet Sutherland's criteria. In the typology here, three categories of upper and middle income offenders are defined: (1) specific white collar offenders, (2) embezzlers, and (3) professional "fringe" violators.

one example of criminal mobility, in that many of these offenders may become nonprofessional property offenders as a result of self-concept revision and other learning experiences in correctional institutions.

¹⁵ Lemert, *An Isolation and Closure Theory of Naive Check Forgery*, 44 J. CRIM. L., C. & P. S. 296 (1953).

¹⁶ The check forger is an interesting example of the dilemma that might be encountered if criminologists were to follow Burgess's advice to restrict attention to criminals who define themselves as criminals. Variations in criminal self-definition are matters for investigation and should not be excluded from study by fiat. See Burgess, *Comment on Hartung, White Collar Offenses in the Wholesale Meat Industry in Detroit*, 56 AM. J. SOCIOLOGY 32 (1950), and Hartung, *Rejoinder, id.* at 34.

¹⁷ SUTHERLAND, *WHITE COLLAR CRIME* (1949).

The usual focus of attention in white collar crime theory has been upon crime, not criminals. That is, Sutherland, Clinard, and other students of white collar offenses have been more concerned with the type of crime, and the structure of business and corporate activity which produces this sort of crime, than with specific offenders themselves. This emphasis has merit. However, in order to remain consistent with its emphasis on criminals, this discussion handles white collar crime within the framework of offender-oriented description.

The white collar offender commits a variety of highly complex and technically skilled criminal acts related to business and financial activity. Sutherland has described these offenses in detail.¹⁸ White collar criminals exhibit noncriminal self-identifications and tend to view themselves as law-abiding citizens. Violations of business regulations are viewed as only technically wrong, and it is frequently argued by businessmen that the basic fault lies with those legislators who conceived these unnecessary restraints upon business activity.¹⁹

EMBEZZLERS (TRUST VIOLATORS)

Embezzlers in this typology are defined as persons who violate financial trust. Basic to this definition are Cressey's criteria for separating legal embezzlers who are actually "bunco" offenders or professional thieves from persons who violate trust after obtaining a position in good faith.²⁰ In self-definition and attitudinal terms, embezzlers have noncriminal self-definitions and basic identifications with law-abiding citizens.

PROFESSIONAL "FRINGE" VIOLATORS

Professional "fringe" violators are members of a recognized profession, such as medicine or law, who are involved in illegal behavior outside of professional activities but involving the use of professional skills and knowledge. The clearest and most important example is the doctor-abortionist. Parenthetically, not all abortionists are doctors; many are naturopaths or totally untrained persons. These are excluded from this type, as are professional persons who commit offenses unrelated to professional skills, as a doctor convicted of assault or felony drunk-driving.

¹⁸ *Ibid.*

¹⁹ Lane, *Why Businessmen Violate the Law*, 44 J. CRIM. L., C. & P. S. 151 (1953).

²⁰ CRESSEY, *OTHER PEOPLE'S MONEY* 19-22 (1953).

CRIMINAL TYPES AND ETIOLOGICAL PROCESSES

As indicated earlier, the efforts to clarify the operation of social and cultural processes in crime have not usually been specific to forms of criminal behavior. This section attempts to extend this kind of analysis by exploring some aspects of the different processes which may account for the eight types of property offenders. The exposition is brief and ambiguous at many points, for only a few comments can be made. The intent here is to single out some directions for further research, rather than to provide a complete listing of possible etiological leads. No brief is held for these claims, for it is by no means certain that inferences drawn from the existing data will turn out to be valid.

PROFESSIONAL THIEVES

Sutherland and Maurer have presented detailed discussions of the complicated and somewhat exotic skills and techniques of various kinds of professional thieves and grifters, and Sutherland has stressed the role of differential association for the acquisition of theft skills.²¹

However, not much has been said of the backgrounds from which potential thieves are recruited. One thing is clear, professional thieves are not the product of lower-class delinquency area backgrounds. It also appears from scattered studies that recruits are often from occupations peripheral to the criminal underworld such as bell-hopping, bartending, and taxi driving.

Professional thieves lay great stress upon "larceny sense" as a critical element in theft. It may be that "larceny sense," i.e., the ability to size-up victims, to control troublesome situations, etc., is acquired largely in association with thieves. Yet, it may also be that "larceny sense" is characteristic of neophyte thieves, and that recruitment into theft is partly dependent upon the judgments of thieves that a particular prospect possesses the requisite verbal skills and other basic abilities. Richard L. Jenkins implies that this is the case and that a "budding grifter" personality type does exist.²² According to Jenkins, the "budding grifter" is a manipulator of interpersonal relationships who has acquired these skills as a means of adjustment to a situation in which he has been the pawn between antagonistic parents. Two points are in order

²¹ SUTHERLAND, *THE PROFESSIONAL THIEF* (1937); MAURER, *THE BIG CON* (1940); MAURER, *WHIZ MOB* (1955).

²² JENKINS, *BREAKING PATTERNS OF DEFEAT* 148-58 (1954).

here. First, this is only a hypothesis at present, as it stems from clinical observations rather than research. Second, if there is a grifter personality type, only some of the individuals who exhibit it become professional thieves, for the opportunities to be recruited into theft are limited. There are noncriminal occupations which may attract persons of this kind, particularly certain types of sales jobs.

PROFESSIONAL "HEAVY" CRIMINALS

The remarks regarding the backgrounds of professional "heavy" offenders apply in general to nonprofessional property criminals as well. One thing seems clear about these types, both come predominately from urban, lower-class slum area backgrounds. The research data on gang offenders is a major part of the sociological literature and extends as far back as Thrasher, Shaw, and McKay.²³ There is little argument regarding the ecological areas and economic backgrounds from which gang offenders derive.

Beyond this point, disagreements regarding gang delinquents and their adult counterparts are numerous, so that much remains to be investigated. For one thing, it is an oversimplification to talk of gang offenders as a homogeneous group, for there may be at least two types of gang delinquent, the predatory thief—the subject of the Shaw-McKay studies—and conflict gangs—the subject of recent sociological and popular discussions. The "bopping gangs" vividly described by Harrison Salisbury,²⁴ large gangs of juveniles mainly involved in protecting their "turf" by means of violence, are quite different from the small gangs of predatory thieves studied by Shaw.

Recently, Cohen and Short, Kobrin, Cloward, Ohlin, and others have attempted to define the forms that gang delinquency takes in contemporary society.²⁵ Kobrin has argued that the character of gang delinquency varies according to the kind of community in which it appears. In the integrated community, where criminal and noncriminal patterns exist in interrelated fashion, delinquency may be predominately predatory in nature, while

in the unorganized area, delinquency develops along the lines of untrammelled violence.²⁶ Cloward has commented upon the same matter with emphasis upon differential accessibility of deviant opportunity structures.²⁷ Similarly, Cohen and Short have attempted to differentiate the various forms gang delinquency takes and the etiological factors involved in much the same fashion.²⁸ But much remains to be investigated, as indicated by the disagreements between Cohen and Walter Miller regarding the role of social class variations in delinquency.²⁹

A number of analyses of gang delinquency, e.g., those of Cohen and Miller, stress certain class-linked phenomena as critical in the genesis of this behavior. There is more to the matter, however, for it may be that intraclass variations in family organization are also important in determining whether or not adolescents become gang members in lower-class areas, and in determining the degree of involvement and commitment to gang behavior patterns. Cohen has suggested that some gang-area adolescents may be differentially exposed to middle-class values and behave in nondelinquent ways.³⁰ Reckless and his associates have suggested that some lower-class families "insulate" their children against delinquency by virtue of the kinds of relationships established between children and parents.³¹ Finally, Reiss's study of Chicago delinquents indicates that gang offenders are not all equally committed to gang activity and that differential involvement is related to family patterns.³²

In summary, certain aspects of gang delinquency, from which recruits to "heavy" crime are obtained, seem well understood. Other questions remain to be investigated. One very important matter which has received scant attention so far is the extent to which the defining agencies, i.e., the police, juvenile courts, etc., contribute to the development and reinforcement of criminal and

²³ Kobrin, *supra* note 25.

²⁴ Cloward, *Illegitimate Means, Anomie, and Deviant Behavior*, 24 *AM. SOCIOLOGICAL REV.* 164 (1959).

²⁵ Cohen & Short, *supra* note 4.

²⁶ Miller, *Lower Class Culture as a Generating Milieu of Gang Delinquency*, 14 *J. SOCIAL ISSUES* 5 (1958).

²⁷ COHEN, *DELINQUENT BOYS* (1955).

²⁸ Reckless, Dinitz & Kay, *The Self Component in Potential Delinquency and Potential Nondelinquency*, 22 *AM. SOCIOLOGICAL REV.* 566 (1957); Reckless, Dinitz & Murray, *The Self Concept as an Insulator Against Delinquency*, 21 *AM. SOCIOLOGICAL REV.* 744 (1956).

²⁹ Reiss, *Social Correlates of Psychological Types of Delinquents*, 17 *AM. SOCIOLOGICAL REV.* 710 (1952).

²³ See, e.g., Shaw & McKay, *Social Factors in Juvenile Delinquency*, 2 *NAT'L COM'N ON LAW OBSERVANCE AND ENFORCEMENT, REPORT ON THE CAUSES OF CRIME* (1931).

²⁴ Salisbury, *The Shook-Up Generation*, *N. Y. Times*, March 24-30, 1958 (Series of articles).

²⁵ Cohen & Short, *supra* note 4; Kobrin, *The Conflict of Values in Delinquency Areas*, 16 *AM. SOCIOLOGICAL REV.* 653 (1951); CLOWARD & OHLIN, *op. cit. supra* note 4.

delinquent roles. There is also the matter of recruitment into "heavy" professional crime. Knowledge of how this process operates is scanty indeed. It has frequently been held that much of the recruiting goes on in penal institutions and that recruitment, indoctrination, and training are long, involved processes. Yet, virtually no satisfactory data exist demonstrating the nature of these processes.

NONPROFESSIONAL PROPERTY OFFENDERS

As we have already noted, most of the comments about the professional "heavy" apply equally well to the nonprofessional. In fact, the most frequent outcome of gang delinquency is not professional crime, but nonprofessional criminal activity or noncriminality. What, then, differentiates the professional "heavy" from the nonprofessional property offender? Why are some persons recruited into professional robbery, while most remain unskilled offenders? First, the number of professional "heavies" is small, and opportunities to become a "heavy" are infrequent. No doubt there are more offenders who are capable of becoming skilled professionals than there are opportunities to become such. Beyond this, perhaps intelligence plays some part in determining involvement in professional robbery. Persons of only average mentality are not likely to visualize clearly the possibilities for a career in professional crime; nor are they likely to be viewed by professionals as promising neophytes.

AUTO THIEVES-JOYRIDERS

Joyriders have received little attention in studies of offenders; consequently, any attempt to outline causal processes is severely handicapped. Yet, studies by Wattenberg and Balistreri and by Browning do indicate certain important variables in the careers of juvenile auto thieves.³³ These studies suggest that joyriders come predominately from middle-income backgrounds, and that the family backgrounds of joyriders may be somewhat atypical of middle-class groups. That is, it appears that some amount of family tension is involved and that the families of joyriders are typically residentially mobile.

One possibility regarding the causal process in joyriding has been noted in existing discussions of

middle-class delinquency.³⁴ It may be that joyriders are middle-class youths whose behavior is, in part, an attempt to reach a self-definition as "masculine." The joyrider with an absentee father, a mother who is the principal disciplinarian and dispenser of affection, and a background of residential mobility may find conventional ways of working out the adolescent-maturity problem unavailable. In particular, adolescent boys who change high schools several times may find it particularly difficult to enter into high school activities, such as athletics, which have a masculine-role significance. Certainly the impressions of workers in correctional institutions who are in contact with joyriders suggest that these offenders devote an inordinate amount of time to attempts to play the role of "tough guy." The auto theft activity and other "wild" behavior that brought the offender to the institution may represent a similar attempt to demonstrate toughness and masculinity. What is here suggested is that attempts to understand the joyrider might pay particular attention to the middle-class character of the behavior. Further investigation may show that certain problems of masculine identity are frequent in middle-class groups. If so, the critical problem would then be to show how this problem is solved by middle class youths and to account for the choice of joyriding versus other status-defining techniques.³⁵

NAIVE CHECK FORGERS

Little research data exists relative to naive check forgers.³⁶ Still, several things appear important in these cases, although it should be noted that the following remarks are derived from impressionistic sources such as samplings of case records of institutionalized offenders, as well as research. First, check forgers are middle-class persons, not gang delinquents "grown up." Second, the check forger usually lacks any prior record of serious offenses as either a juvenile or adult. However, Lemert's study suggests that a prior history of social maladjustment of various

³⁴ COHEN, *DELINQUENT BOYS* (1955); Parsons, *Certain Primary Sources and Patterns of Aggression in the Social Structure of the Western World*, 10 *PSYCHIATRY* 167 (1947).

³⁵ For a different and thought-provoking thesis on middle-class delinquency, see England, *A Theory of Middle Class Juvenile Delinquency*, 50 *J. CRIM. L., C. & P. S.* 535 (1960).

³⁶ Lemert has carried out one of the few formal studies of these offenders. See Lemert, *supra* note 15.

³³ Wattenberg & Balistreri, *supra* note 13; Browning, *supra* note 13.

kinds precedes check forging, with such things as difficulties in military service, marital discord, and poor employment records appearing frequently. Lemert maintains that check forging occurs as persons come to see forgery as a solution to problems which seem insoluble in other ways.

A common opinion of correctional workers who deal with check forgers is that they are "dependent" persons. What this means in precise terms is difficult to establish, but it is interesting to note the consensus around this view of forgers. Research might investigate the family backgrounds of check writers to determine whether check forgers have been protected by their parents so that they are characterized by dependency and an inability to reach conventional solutions to problems. If so, there is the further question of why some dependent persons become check forgers, while others develop other behavior patterns. The check forger presents a number of problems for further research.

Two other points should be noted regarding check forgers. First, here is a case where the "differential association" formulation has little or no application.³⁷ Second, one factor of some importance in encouraging a career of check forgery may be the prevailing public attitudes regarding the offense. Such rationalizations of check writers as "You can't kill anyone with a fountain pen" may be reinforced by a public and judicial preference which views the check forger not as a menace to society like the armed robber, but as an unfortunate who deserves a second chance. This is not an argument for more punitive attitudes toward forgers, but present feelings may play some part in recidivism in this case. The check forger who is allowed to make restitution several times before being formally charged with forgery, and who is placed on probation several times before he is finally sent to prison for forgery, may come to see check writing as something which can be engaged in without unpleasant consequences.

WHITE COLLAR CRIMINALS

The phenomenon of white collar crime is many-faceted and far more complicated to deal with than can be indicated in this brief discussion. The major

³⁷ Unless Sutherland's formulation is restated so as to include "identification" as well as association, it seems inapplicable in this case. Such revisions of the differential association statement appear to be unwise. Rather, differential association ought to be treated as a variable in the etiology of different types.

problem which must be investigated concerns the conditions which have produced a business and financial community that defines regulatory legislation as invalid, unnecessary, and therefore to be ignored. At present, the ethics of the business and financial community seem not entirely consistent with the imposed ethics embodied in legislation; thus, businessmen frequently view the regulations as unnecessary restraints. This disparity between business ethics and governmental regulations is of special interest. Additional factors conducive to business violations include ignorance of the law, although this appears to be of minor importance.³⁸ Finally, along with the view of regulatory provisions as invalid is the frequent view that violation of the law is necessary to successful competition. Given this kind of business climate, it would appear that novices in the business world would learn these attitudes through differential association, so that the personal characteristics of offenders are of little importance.

EMBEZZLERS

Embezzlement is radically different behavior from white collar crime. The embezzler is involved in activity which his employer takes great pains to prevent. According to Cressey, the embezzler engages in this type of theft when he has a non-sharable problem which he sees as capable of solution by embezzlement, when he has the techniques to embezzle, and when he is able to rationalize his defalcation so as to preserve his self-definition as a trusted, law-abiding person.³⁹ If so, the problem is, how can the conditions under which trust violations occur be identified in advance of actual embezzlement? Are there any personal characteristics of potential embezzlers which are predictive of embezzlement?

In general, the answers to questions about psychogenic variables in trust violation appear to be negative. That is, the conditions which give rise to embezzlement seem not to center around personal pathologies and atypical backgrounds of offenders.

One factor worthy of further examination as important in trust violation is the general alienation of the worker from the product. It is psychologically easier to steal from a large business or corporation or absentee owner than it is to steal from an employer who works side by side with the

³⁸ Lane, *supra* note 19.

³⁹ Cressey, *supra* note 7.

employee.⁴⁰ Obvious cases of alienation come to mind, such as the assembly line worker in the automobile industry, but loss of identity with products and employers may also be characteristic of smaller businesses in the United States today. Given this situation, theft from the employer is less guilt laden. Moreover, the view of employer as distant and impersonal may be an element in the creation of nonsharable problems.

A second factor of some importance in embezzlement centers around institutional expectations of employee conduct inconsistent with the employee's salary. Cressey has indicated something of this matter in detail.⁴¹ It is well known, for example, that banks pay small salaries to junior employees, while at the same time they expect the worker to exhibit a stylized mode of living in keeping with the public image of bankers. Out of such contradictory situations may come pressures to embezzle embodied in nonsharable problems.

In addition to these institutional expectations, there may be an organizational situation conducive to nonsharable problems. In one study of a bank, Argyris found that the organization expended considerable energy in hiring the "right type," namely one who seemed likely to be satisfied with the slow climb from a low-wage position, and who would be satisfied to get part of his wages in reflected prestige. But after screening prospective employees to weed out inappropriate kinds of persons, of which the potential embezzler may have been one, the organization failed to provide any mechanism by which the personal and occupational problems of employees might be handled.⁴² Argyris indicated that the bank was customer-oriented, with a rigid separation between employees and managers, and with little communication between the two groups. Once a year, lesser employees were given a chance to talk with managers and voice their grievances, but both groups actually viewed this arrangement as an empty

ritual. In essence, no device existed for the communication or solution of problems. Now it may be that this bank is atypical, but the hypothesis that similar situations exist is worthy of further investigation.

PROFESSIONAL "FRINGE" VIOLATORS

Although it may belabor the obvious, it should be noted that little is known regarding this category of offender. For obvious reasons, little data is at hand regarding abortionists and other deviant professionals. Still, several observations are in order. First, it is likely that "fringe" professionals are drawn from the relatively unsuccessful members of specific professions. These persons are influenced by internalized and community definitions of the style of life expected of professional persons, so that considerable pressure may exist to engage in unethical or illegal acts in order to obtain funds sufficient to fulfill such expectations.

Another matter which may be of signal importance, particularly in abortion, is the extent to which pressure for such services emanates from the community. In a society with widespread premarital sexual activity, coupled with harsh condemnation of unwed mothers, a considerable demand for the services of abortionists is to be expected. Likewise, when large numbers of married women are motivated to terminate unwanted pregnancies so as to limit family size and maintain a desired standard of living, demand for abortionists is to be expected. As a result, the practice of abortion is easier to rationalize than might otherwise be the case. Like Al Capone, the abortionist may convince himself that he is simply providing a service which many people desire.

CONCLUDING REMARKS

This paper on criminal types and etiological processes was designed to stimulate criticism and evaluation. No claims are made for the empirical soundness of most of the discussion. But, it is hoped that leads for empirical investigation are suggested by these remarks. Even if such research turns out to negate many of the claims made here, the paper will have served its purpose.

⁴⁰ Smigel, *Public Attitudes Toward Stealing as Related to the Size of the Victim Organization*, 21 AM. SOCIOLOGICAL REV. 32 (1956).

⁴¹ Cressey, *supra* note 7.

⁴² Argyris, *Human Relations in a Bank, Labor and Management Center, Reprint 21, Yale University, New Haven.*