


1973

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Recommended Citation

Neal Shover, Structures and Careers in Burglary, 63 J. Crim. L. Criminology & Police Sci. 540 (1972)

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STRUCTURES AND CAREERS IN BURGLARY

NEAL SHOVER*

Sutherland's work on professional theft¹ has become almost a classic in American sociology. In part, at least, *The Professional Thief* is Sutherland's attempt to demonstrate the applicability of the concept of the *behavior system* to theft. As a result, two topics deserve special attention—the career process of professional thieves and the supportive social relationships between thieves and members of legitimate society. In the second case, Sutherland sought to demonstrate that the professional thief could not exist except for his location in a structured and collective network of social relationships which includes members of the host society.

Surprisingly, there has been little research done since 1937 which has sought to examine the validity of Sutherland's observations among other offenders. But the work which has been done suggests that systematic check forgery² and armed robbery³ do not conform very closely to Sutherland's model of the social structure of professional theft and the career process of professional thieves. Instead, systematic check forgers and armed robbers seem to operate much more independently than Sutherland's thieves. Whereas professional thieves were held to be dependent upon recognition and tutelage for career advancement, this is not true of systematic check forgers and armed robbers. In this paper I will examine the applicability of Sutherland's model to burglary and one type of burglary offender. In doing so, I suggest that the anatomy of, and careers⁴ in, systematic burglary conform

more closely to this model than, apparently, do armed robbery and systematic check forgery. Some possible reasons for this will also receive attention.

PROCEDURES

Use was made of a number of different sources of materials for this research. First, I read thirty-four biographies or autobiographies of thieves, most of them burglars. I also read twelve novels or journalistic accounts of specific crimes or the criminal life. Second, interviews were conducted with seven unincarcerated burglars or former burglars, one criminal receiver (fence) and one very peripheral member of a gang of former bank burglars. None of these men were contacted with the assistance or sponsorship of law enforcement or correctional agencies. Seven of the nine were interviewed in their own homes, another was seen at his office, and still another interview was partially conducted in private in a series of taverns. As a final source of data, I conducted interviews with forty-seven incarcerated burglars in the various branches of the Illinois State Penitentiary System. A questionnaire was administered to an additional eighty-eight incarcerated men.

These various samples can best be described as availability samples. Prison interview respondents were selected purposively in order to maximize differences in criminal sophistication for purposes of comparative analysis. I was referred to the good burglars in the prison interview sample after making an initial contact with one good burglar, who was at that time working as a clerk for a captain of the guard force. I selected the prison questionnaire sample from all the new inmates admitted to the penitentiary during the latter months of the study. All those new inmates who were shown by routine psychometric testing, administered by the prison classification staff, to be reading at a seventh grade level or higher were asked to participate. These men completed the questionnaire in small groups of three to twelve men at one time. However, thirteen men declined to participate, in most cases because they were suspicious of the researcher's identity and motives.

All nine of the men interviewed in the free-world

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I am grateful to Howard Becker, Carl Bersani, Norman Denzin, Gilbert Geis, and Daniel Glaser for comments on an earlier draft of this paper. This is a revised version of a paper delivered at the meetings of the American Sociological Association, Denver, September 1971.

¹ E. SUTHERLAND, *THE PROFESSIONAL THIEF* (1937).

² Lemert, *The Behavior of the Systematic Check Forger*, 6 SOC. PROB. 141 (1958).

³ G. Camp, *Nothing to Lose: A Study of Bank Robbery in America* (unpublished Ph.D. dissertation, Yale Univ. 1968); Einstadter, *The Social Organization of Armed Robbery*, 17 SOC. PROB. 64 (1969).

⁴ The *anatomy and careers* distinction is borrowed from Skipper & McCagy, *Stripteasers: The Anatomy and Career Contingencies of a Deviant Occupation*, 17 SOC. PROB. 391 (1970).

were white, and their mean age (\bar{X}) was 31.6 years. All of them had, at some time in their lives, been convicted at least once of some offense related to burglary or receiving stolen property. Eight of them had served one or more prison terms and two of them were on parole at the time I interviewed them.⁵

Three of these men were contacted through my work with a self-help group for ex-cons. I was then referred to two others by one of these men. Another respondent referred me to a friend of his, and the three remaining respondents were contacted by me personally, following leads picked up in various places, including old newspaper stories.

A great deal of time and leg work was required to set up and conduct these free-world interviews⁶, and on balance I am not certain they were worth it. I elicited virtually nothing in them which had not been obtained in the earlier stages of the study, when I was concentrating upon prison inmates and reading autobiographies. It is likely, however, that had I been able to do some participant observation, these contacts would have been considerably more productive than the interviews.

Space does not permit an extended discussion of the methodological problems involved in a study of this type, which relies upon the types of samples which it used. Because each sample and method was felt to have certain deficiencies which would threaten the validity of the materials elicited, a combination of all of them was chosen in the hopes of overcoming the problems of each of them individually. Interested readers will find a considerably longer discussion of these validity problems in the original source.⁷ Problems and strengths of qualitative methodology generally are discussed in Denzin⁸ and Lofland.⁹

FINDINGS

The "Good Burglar"

Sutherland stated that the behavior system of professional theft was evidenced, to some degree,

⁵ One of them was picked up on suspicion of burglary shortly after my interview but was immediately released. The other was later arrested after a series of criminal acts, including burglary, and was being held in jail at last report.

⁶ Cf. Irwin, *Participation-Observation of Criminals*, in J. DOUGLAS, *RESEARCH ON DEVIANCE* 117 (1972).

⁷ N. Shover, *Burglary as an Occupation* (unpublished Ph.D. dissertation, Univ. of Illinois 1971).

⁸ See generally N. DENZIN, *THE RESEARCH ACT* (1970).

⁹ See generally J. LOFLAND, *ANALYZING SOCIAL SETTINGS* (1971).

in the behavior of each individual *professional* thief. He never intended that his observations could be applied to thieves who were not professionals. The question naturally arises concerning Sutherland's definition of the professional thief. Although he was not especially precise on this point, and thereby left himself open to the charge of being tautological, it is possible to find the definition he implicitly used.

Rather than use a definition of his own choosing, Sutherland sought to make use of the definition actually used by thieves themselves. He observed that

The distinctions most sought after among thieves are money and proficiency in their chosen lines.

* * *

The disgraces dreaded by thieves are the opposite of the distinctions, namely, inefficiency and poverty. Inefficiency, likewise, not merely means low success in stealing but also includes violation of any of the rules or codes of professional thievery, such as squawking, or burning his partners.¹⁰

The professional thief then is the thief who, on the basis of these criteria, enjoys high status both among thieves and those legitimate people who are knowledgeable about thieves.¹¹

In this paper I have confined my observations to only one type of burglary offender, the "good burglar." This is a designation which is applied selectively by thieves themselves to those who have distinguished themselves as burglars. In reaching such an evaluation thieves still use the same criteria which Sutherland specified. Good burglars are those who (1) are technically competent, (2) have a reputation for personal integrity, (3) tend to specialize in burglary, and (4) have been at least relatively successful at crime. And success in turn is determined by (a) how much money one has made stealing, and (b) how much time, if any, he has done. The good burglar, then, is the man who generally confines his stealing activities to burglary, who has been relatively successful, has a reputation as "good people", and is technically competent. At times such a person would be referred to by the more generic designation as a "good thief." But in either case the qualitative distinction is most important.¹²

An arbitrary scoring system was used to cate-

¹⁰ E. SUTHERLAND, *supra* note 1, at 14-15.

¹¹ *Id.* at 200.

¹² Qualitative distinctions among thieves are discussed at greater length in N. Shover, *supra* note 7, at 37-64.

gorize each interview respondent and each member of the questionnaire sample. In order to be classified as a good burglar a respondent must have (1) received \$4,000 or more on his largest "score," and either (2) entered a place at some time by cutting a hole in the roof or wall, or (3) opened a safe at some time by drilling or burning. Of the total number of men interviewed for this study only ten men were considered to be good burglars. All of these men had at some time supported themselves by criminal activities, the shortest for one year and the longest for more than twenty years. Of the total questionnaire sample, twenty men were classified as good thieves. This paper relies primarily upon materials collected from autobiographies and interviews. The paper focuses upon the good burglar's symbiotic relationships and the career¹³ process.

Problems in Burglary

There are at least four problems which confront any burglar who would hope to improve his criminal skills and commit more lucrative burglaries. First, the skills and techniques necessary to successfully commit such acts are not widely diffused in the social structure. Instead this knowledge has remained rather esoteric and limited in its distribution to select groups, chiefly the security-protection industry and good burglars. In this respect sophisticated burglary is quite different from other crimes, for example, forgery.¹⁴ Moreover, even should a person succeed in independently mastering the technical knowledge necessary to commit lucrative burglaries, he would probably be arrested at some time during his activities. He would then need to know how to thwart the criminal justice system. This knowledge—and the connections needed to do so—is not available to just anyone.¹⁵

Second, the challenges presented by protection agents (e.g., alarms, money safes, police) are sufficiently formidable as to make it extremely unlikely that a solitary individual could successfully cope

with them. Thus, sophisticated burglary usually requires at least two men acting in consort.

Third, the good burglar must know in advance if and when a place which he wants to burglarize will contain something worth stealing and something he is interested in stealing. Sophisticated burglars rarely "go in blind" (i.e., burglarize places when they do not have prior information to convince them that it would be worthwhile). In the absence of such information they could—and sometimes do—easily end up working extremely hard and yet show nothing for their troubles. One of my free world respondents remarked that he had "gotten big muscles opening empty safes." Clearly it is best to have advance information, and reliable sources of this type of information are extremely important to the good burglar.

Fourth, because sophisticated burglary frequently involves the theft of valuable merchandise, the burglar must have a buyer for his wares. Since merchants of this type do not openly advertise, the burglar is again confronted with the necessity for gaining access to select individuals or groups who are preoccupied with secrecy. Thus he faces the same type of problem in learning how to sell his "products" that he faces in learning the techniques needed to acquire them.

The significance of the foregoing should be obvious. If the fledgling burglar is to progress and become proficient and successful in his endeavors, he must gain entrance into a closed social circle. He must establish relationships with those kinds of people who can teach him and assist him in coping with the problems endemic to burglary.

The professional [burglar] must be alert and inventive, but above all he must have connections, the right type of connections. Without them he cannot live.¹⁶

These "connections" represent an extremely important part of the behavior system of systemic burglary. They support and sustain the good burglar.

"Good People" and "Solid Dudes"

The process of becoming a good burglar is, in at least one critical way, like the process of becoming successfully established in many legitimate occupations. Studies of careers in legitimate occupations have noted that informal social processes can result

¹³ Space does not permit a discussion of the controversy surrounding the applicability of the concept *career* to criminals. Much of this controversy stems from differences in how the concept is defined and used by different writers. These issues are discussed by Stebbins, *Career: The Subjective Approach*, 11 *SOCIOLOGICAL QUARTERLY* 32 (1970). For a discussion of the concept as I use it here, see H. BECKER, *OUTSIDERS* (1963); E. C. HUGHES, *MEN AND THEIR WORK* (1958).

¹⁴ Lemert, *An Isolation and Closure Theory of Naive Check Forgery*, 44 *J. CRIM. L.C. & P.S.* 296 (1953).

¹⁵ Cf. B. WILSON, *NOR IRON BARS A CAGE* (1964).

¹⁶ R. BARNES, *ARE YOU SAFE FROM BURGLARS?* 22 (1971).

in some candidates receiving career escalating attention, selection and favored treatment.¹⁷ The same is true of many illicit occupations, perhaps even more so because of the need for maintaining secrecy. This would be expected to make practitioners of such an occupation more preoccupied with membership selectivity and, therefore, more insistent upon the necessity for novices to be well-recommended. Certainly this was true of professional theft as Sutherland sketched it, and it remains generally true today for good burglars. With rare exception a man becomes a good burglar through stealing with, and tutelage by, other good burglars. From them he must learn *physical* and *definitional* criminal techniques,¹⁸ how to use bondsmen and attorneys and how to manipulate the criminal justice system. Moreover, in the process of learning all this he will become plugged into a network of criminal and quasi-criminal actors with whom he can establish mutually advantageous working relationships. In order to understand the criminal careers of men who become good burglars one must focus on the causes and consequences of their initial contacts with other good burglars.

In all cases a man must be known and give evidence of good character¹⁹ before he is introduced to such men or taken out stealing. There are three principal means by which a person may establish such a reputation.

First, he may reside in an urban area with an established criminal tradition. There, as a juvenile, he might come to the attention of older thieves and this could lead to a combination apprentice—"little brother" relationship resulting in tutelage and experience in burglary.

Second, a somewhat older man, occasionally a "square john," may coincidentally spend much of his free time in the bars or lounges where thieves hang out or else he may have carried over friendships from adolescence with men who are thieves. In such a case, as a result of disruptions of other commitments, usually through family breakdown,

¹⁷ See, e.g., B. GLASER, ORGANIZATIONAL CAREERS (1968); Becker & Strauss, *Careers, Personality and Adult Socialization*, 62 AM. J. SOCIOLOGY 253 (1956); Blau, *Occupational Choice: A Conceptual Framework*, 9 INDUS. & LABOR REL. REV. 531 (1956); Hall, *The Stages of a Medical Career*, 53 AM. J. SOCIOLOGY 327 (1948).

¹⁸ The distinction between *physical* and *definitional* criminal techniques is presented and discussed in N. SHOYER, *supra* note 7, at 182-92.

¹⁹ The concept of *character* is used here in precisely the same sense in which it is used by E. GOFFMAN, *INTERACTION RITUAL* (1967).

he may later become interested in criminal pursuits where formerly he was content to work legitimately. Criminal opportunities will not be available to him, however, unless he has done something in the past to suggest that he is "tough" or close-mouthed.

I had just come out of the Air Force and me and the old lady weren't getting along. I was spending a lot of time in this one place where all the thieves hung out. (You know, there are a lot of thieves in———.) Well I had gotten into two or three fights in there and I had got a reputation as someone who wasn't afraid to fight and who wasn't afraid of the police.²⁰

On the basis of such a reputation a man might be invited to assume some part in a score.

Thirdly, some men come out of prison with "solid" reputations established in the experience. This is the most important avenue to sophisticated thievery for rural-reared men since they usually lack criminal connections. The experience of apprehension by the police, processing through the courts, and incarceration is filled with opportunities to display weakness of character. Moreover, the process is one in which it is virtually impossible to keep such indiscretions secret; inmates are under nearly constant surveillance by other inmates. This means that the man of solid character will quickly be recognized as just that. The prison, after all, is little more than an intense microcosm of the conflict between thieves and the police in the free-world.

A.: Did you have a good reputation on the streets?

R.: Yes.

A.: How did you come by that?

R.: By keeping my mouth shut. Same as in here.

Just keep your mouth shut and you don't have anything to worry about.

* * *

A.: How could I get in with good people? Say if I came in here for a gas station burglary? Or, say a house burglary where I kicked in a door and took \$35.00?

R.: Then you would simply keep your mouth shut and go on about your business. If you are all right you will be found out very soon because every day something comes up and you can prove whether you are, or you are not, all right . . .²¹

A good reputation while in "the joint" becomes a

²⁰ Field notes, January 5, 1971.

²¹ Prison interview, April 14, 1970.

form of currency which can be used to acquire contacts, tutelage, and connections following release.²²

"Partners" and "Crews"

At any given time there are numerous groups of good burglars ("crews" or "gangs") operating in the free-world. One also finds a number of unattached burglars who either prefer to work alone as much as possible or else are in search of new criminal associates ("partners" or "crime partners"). These unattached burglars may have just come out of prison, or perhaps their previous partner was "jammed" on some other "beef." Burglary crews sometimes find that they need to recruit someone to go with them on a score (a "fill in"). And the unattached burglar, of course, is also looking for a partner. In either event there may be an opportunity for the novice thief with a good reputation to find a place for himself. He may even initiate the request because of a need to get hold of some cash. Sutherland's observations on this process remain valid even today:

An emergency or crisis is likely to be the occasion on which tutelage begins. A person may lose a job, get caught in amateur stealing, or may need additional money. If he has developed a friendly relationship with professional thieves, he may request or they may suggest that he be given a minor part in some act of theft. He would, *if accepted*, be given verbal instructions in regard to the theory of the racket and the specific part he is to play.²³

Once a man has established a relationship of trust with good burglars he will start to become "connected" with a variety of actors who can assist him in his work. Moreover, the very nature of these new contacts, the assistance rendered to him, and the rewards of stealing, may tend to draw him further into criminal activities and strengthen his commitments to them. This will become apparent in the following discussion of the relationships between good burglars and "fences" and "tipsters."

The "Fence"

A fence (criminal receiver) is a person who knowingly buys stolen merchandise or commodities, generally for the purpose of resale. The fence has virtually been ignored as a subject for sociological research,²⁴ although there are occasional references

in the writings of early Chicago school sociologists to the importance of the fence as a stimulator of delinquency.²⁵ Yet when we think of fences, we too often think only about large-scale operators for whom dealing in stolen goods represents their principal or sole source of livelihood. Fences such as these are clearly important,²⁶ but we must recognize that they represent only one type of criminal receiver. Other types exist which may be equally important in the promotion of criminal careers.

Criminal receivers may be differentiated by one or a combination of the following variables: (1) the *scale* of their operation, (2) the *frequency* of purchases, and (3) their degree of *product specialization*. Fences range, therefore, from the square-john who purchases a color TV set for his own use to the individual who can handle any quantity of any kind of merchandise. In the discussion which follows, I shall largely confine myself to those criminal receivers who, at a minimum, purchase stolen commodities on a regular basis and for resale. We can analytically distinguish three areas or processes by which fences may influence the careers of the burglars with whom they do business: (1) socialization, (2) social services, and (3) inventory planning. Each of these will be discussed in turn.

The fledgling burglar's knowledge of the underworld, merchandise, and disposal of merchandise is often extremely limited. Frequently, it is no more detailed than the rumor or suspicion that, for example, some local businessman is a fence. Beyond this there may be no real idea as to just how one would actually go about selling merchandise to him. In the face of this ignorance, a business relationship with a fence can develop in one of several ways. Some beginners are sufficiently convinced of the illegality of a particular businessman that they simply ask him outright to buy whatever they have to sell. Most men, however, are introduced by friends who have already established a relationship with one or more criminal receivers. This initial contact with a fence will often lead to introductions to other fences and burglars.

As a first step, however, the fence may have to assist in the job of educating the young burglar. Learning how to distinguish valuable merchandise is especially important.

²⁵ See, e.g., F. THRASHER, *THE GANG* 186 (abridged ed. 1963); C. SHAW & H. MCKAY, *SOCIAL FACTORS IN JUVENILE DELINQUENCY* 368 (1931).

²⁶ PRESIDENT'S COMM. ON LAW ENFORCEMENT & ADMIN. OF JUSTICE, *THE CHALLENGE OF CRIME IN A FREE SOCIETY* (1967); REPORT OF PRISON COMM. ASSN. OF GRAND JURORS OF NEW YORK COUNTY, *CRIMINAL RECEIVERS IN THE UNITED STATES* (1928).

²² Cf. B. JACKSON, *A THIEF'S PRIMER* (1969).

²³ E. SUTHERLAND, *supra* note 1, at 213 (emphasis added).

²⁴ *But see* J. HALL, *THEFT, LAW AND SOCIETY* (2d ed 1952).

That meeting with [the fence] started my career in earnest. . . . In the months that I knew him I learned a lot—the value of diamonds; what to look for and what not to bother with, and above all, what I should do in case of a pinch²⁷

While in the process of teaching the novice burglar how to recognize valuable goods, the fence will educate him in other ways.

[Johnny] used to tell us a whole lot of things that we didn't know about.

He told us how to steal furs and what to do with them afterward, how to steal silver, and how to go downtown to the places where few Negroes went and steal stuff. Johnny told us how to dress. He'd tell us things about looking like a delivery boy when you went down to Park Avenue to steal something or looking like a working boy when you went down to the garment center to steal things. He knew a lot about stealing and all kinds of crime.²⁸

The consequences of these educational experiences extend far beyond the simple mastery of criminal techniques. This coaching by the fence in rational criminal techniques may lead to a reevaluation of the risks involved in criminal activity, which can be an important escalating career contingency, as others have emphasized.²⁹ Additionally, this same effect is achieved merely by meeting the fence and *concluding a successful transaction with him*. Success, then, also leads to an alteration of the perceived risks involved in the deviant activities. Simmons has made this same point on the basis of his studies of various types of deviants.

The successful completion of one or a few deviant acts usually greatly reduces the person's doubts and fears. Furthermore, the illicit opportunities for subsequent safer deviance will usually increase. The person knows where to go and what to do. If other people are involved they'll be likely to supply further opportunities on the basis of past success. Conventional and deviant behaviors are alike in that success leads to competence and reputation and makes further success easier.³⁰

The second area in which fences may promote criminal careers is through the provision of social services. Once trust has been established the fence can be helpful to the burglar in a number of ways

²⁷ P. WARREN, *NEXT TIME IS FOR LIFE* 23 (1953).

²⁸ C. BROWN, *MANCHILD IN THE PROMISED LAND* 118 (1966).

²⁹ H. BECKER, *supra* note 13, at 67; D. MAURER, *WHIZ MOB* 157 (1964).

³⁰ J. SIMMONS, *DEVIANTS* 62-63 (1969).

which go beyond that of buyer of merchandise. For example:

I had . . . this one fence I was doing a lot of business with and he was giving me scores, too. . . . He wasn't a juice man [loan shark] but if you needed \$500 and you did a lot of business with him, if you sold to him regularly, there was no problem. . . . If you had any problem and you needed money quick, say to go out of town to look at something, or if you got sort of short, he could come up with a G-note.³¹

Moreover, because of their business contacts fences occasionally learn about legitimate businessmen or business employees who have gotten themselves into some potentially embarrassing problem. For many of them this is the kind of a problem which could be solved by a contracted "burglary."³² The fence can put the businessman in touch with a burglar, and the two of them can reach an agreement which works to the benefit of each.

Another service which fences provide is one of introducing unattached burglars to an established crew, gang, or to another unattached burglar. This may lead to a fill-in in one or more burglaries and, eventually, to a more permanent working relationship. On the other hand, the fence can help a burglary crew or gang find a good fill-in.

. . . I had just did 2 to 3 years in the state of Iowa. When I come back [to Chicago] I started hanging around this tavern on the northside which was owned by two brothers. One of them was stealing with a crew who were concentrating mostly on wholesale houses. . . . These people had the tavern and they found out I did some time. . . . And I started selling stuff to this guy in the tavern. . . . And so, from hanging around there they gave me a fill-in on a score.³³

A final service, though provided only rarely by fences, is monetary assistance. This may involve a loan to a burglar during a period of inactivity or the provision of assistance in purchasing or renting the equipment needed to "take off" a particular score.

The third critical area of interaction between fences and burglars involves inventory planning. Fences, in the best tradition of free enterprise, often desire to find some means for establishing at least a limited control over the nature and quantity of their inventory. "Giving up scores" is one

³¹ Prison interview, March 13, 1970.

³² Cf. P. CROOKSTON, *VILLAIN* 143-44 (1967).

³³ Prison interview, February 18, 1970.

tested and proven technique for doing so. This consists of conveying tips on places which it would pay to burglarize, a practice which the evidence suggests is rather common.³⁴ In fact, it seems to be largely responsible for the burglar's ability to have a ready buyer before taking off a score. Thus it works to the advantage of both the fence and burglar. The criminal receiver occupies a dual role; he purchases stolen goods and simultaneously gathers information about future scores to which burglars can be tipped off. By searching out the kinds of merchandise he wants and then giving the score to burglars, he is able to control his inventory.

It was then that Jake had his big idea.

At the gambling houses he knew all sorts of people. Show people, gamblers, criminals and even guys on the legit bought hot stuff from him. Jake would go to a gambling place and if he saw someone there that he was sure would be good for a nice haul, he'd call me at my room and tell me where the guy lived. I'd hurry over there and break in. If the guy left the gambling house, Jake would call me at the place I was prowling and I'd get out fast.

Most of these people were 'sports' and they usually kept quite a bit of cash around their apartments. To them diamonds were their ace in the hole. The whole thing seemed fool-proof. I stole from these people and Jake sold their stuff to others like them.³⁵

The "Tipster"

A "tipster" ("spotter," "fingerman" or "setup man") conveys information to a burglar about certain premises or its occupants which is intended to aid him in burglarizing those premises. Even among moderately sophisticated burglars tipsters represent an important source of information.

Fingermen are essential to the burglar in any big score that is not just a lucky hit. And they are as responsible for thefts as the actual thief, because it is the fingerman who engages the burglar's interest in a certain person or place.³⁶

The question arises concerning tipsters' awareness that someone is a burglar (or some other type of thief). One answer is that novice burglars are frequently introduced to tipsters by other thieves.

³⁴ Cf. MALCOLM X, *THE AUTOBIOGRAPHY OF MALCOLM X* 144 (A. Haley, ed. 1964).

³⁵ P. WARREN, *supra* note 27, at 28-29.

³⁶ R. BARNES, *supra* note 16, at 53; see also J. MARTIN, *MY LIFE IN CRIME* 68 (1953); Williams, *A Thief Among Us*, in *Moline (Illinois) Dispatch*, Sept. 10, 17, 1965.

Another answer is that for many, but not all, thieves it is difficult to totally conceal the clues of their illicit activities. Therefore many of their friends, and even acquaintances, will either know or suspect that they are thieves.

I had a lot of friends who knew I was a burglar. Hell, if you haven't worked for two and a half years, just about anybody that knows you knows you're stealing.³⁷

From this realization that someone is a thief it is only a short step to the conveyance of information or to the placement of a standing order for some desired piece of merchandise. The evidence suggests that, quite apart from the stigmatizing consequences, public identification as a thief makes one a much sought-after person by all sorts of people with questionable designs. The ex-con, for example, has an effect which is not unlike the flame's effect upon moths. This is because

... in all walks of life you've got people who are morally dishonest. They won't go and steal something themselves. But they'll buy something stolen if they get the right price and they'll give you a little information too. As long as they don't get hurt. Those people are usually legitimate businessmen. They're in a position to give you a lot of information that you couldn't get otherwise. About the protection of different places. About the assets of different places. And the different security measures of different business houses.³⁸

Burglars (and other thieves as well) tend to have ambivalent feelings about tipsters. On the one hand they are suspicious and fearful, lest they be the unwitting recipient of either grossly exaggerated information³⁹ or information planted by the police. On the other hand, burglars are so apprehensive about the "law of averages" that they naturally tend to search for anything which holds out the promise of unnecessary exposure to "the bitch of chance."⁴⁰ Since the tipster holds out both this promise, and the possibility of large, poorly protected scores, the burglar seems unable to disregard him completely. The ambivalent feelings about tipsters are clear in the following remarks:

Working on a tip is more lousy than working blind (it is more dangerous). I would never go out

³⁷ Williams, *supra* note 36.

³⁸ J. B. MARTIN, *supra* note 36, at 65.

³⁹ Cf. B. JACKSON, *supra* note 22, at 103-04.

⁴⁰ M. BRALY, *ON THE YARD* 233 (1967).

on a tip no more *unless it was the right kind* (bank messengers or payroll or something big). The tipster may be a stool pigeon, leak, or trap. Tipsters and bad luck come together.⁴¹

The thief's ambivalence is so strong that whenever he receives a tip he tries to discern the tipster's motive. Always the underlying question in such situations is the same: If this score is good why doesn't *he* go on it?

Tipsters, it must be emphasized, are not exclusively confined to any particular social strata. They come from all walks of life.⁴² The following specific examples of tipsters are mentioned in the autobiographical literature: night watchman,⁴³ window cleaner,⁴⁴ prostitute,⁴⁵ attorney,⁴⁶ coal deliveryman,⁴⁷ catering service employee,⁴⁸ jeweler, gambler, detective, and used car dealer.⁴⁹ Also, the questionnaire sample were asked if they had "ever received a tip on a place to burglarize?" Of the total sample of 88 men, 61 per cent (n = 53) replied in the affirmative. These men were then asked to indicate the legitimate occupation of one such person. Responses were received from 26 men and these are shown in Table 1. The data presented in Table 1 should not be interpreted as a representative picture of the larger population of tipsters. The principal reason for presenting it at all is to give the reader a feel for the wide diversity of legitimate occupations encountered among tipsters.

I have already indicated that fences also frequently give up scores by passing along information to the burglars with whom they do business. Ex-thieves who hold legitimate employment but still maintain friendships with their former associates are another type. And active thieves who either cannot "make a place", because the finger of suspicion would immediately be pointed at them, or have become "sure thing grafters"⁵⁰ are another source. The latter of these typically operates as the following remarks suggest.

⁴¹ Landesco, *The Life History of a Member of the "42" Gang*, 23 J. CRIM. L.&C. 964, 986 (1933)(emphasis added).

⁴² Cf. R. E. BARNES, *supra* note 16.

⁴³ J. GENET, *THE THIEF'S JOURNAL* 58 (B. Frechtman, transl. 1964).

⁴⁴ L. PAGE, *THE YOUNG LAG* 76-77 (undated).

⁴⁵ B. WILSON, *supra* note 15, at 57.

⁴⁶ J. BLACK, *YOU CAN'T WIN* 141 (1926); P. CROOKSTON, *supra* note 32, at 128; B. JACKSON, *supra* note 22, at 121-22.

⁴⁷ J. MARTIN, *supra* note 36, at 65.

⁴⁸ MALCOLM X, *supra* note 34, at 140.

⁴⁹ R. BARNES, *supra* note 16, at 51-68.

⁵⁰ H. HAPGOOD, *AUTOBIOGRAPHY OF A THIEF* 262 (1903).

TABLE 1
LEGITIMATE OCCUPATIONS REPORTED FOR
TWENTY-SIX TIPSTERS

Occupation	N
Tavern Owner or Bartender.....	7
Owner or Employee of Victimized Place..	5
Repairman or Deliveryman.....	3
Beautician.....	2
Businessman (unspecified).....	2
Other (e.g., police officer, janitor, shipping clerk).....	7
Total.....	26

...I know guys... [who are] still more or less stealing off and on. They're more choosy with their scores. They don't get pressed. They might be just lying back and [when] something comes along they go on it—if it looks good to them. I know two of these guys out there that—they've come across scores that they didn't particularly like... and they'd say "do you want it?"... These guys really don't take any risks at all. One guy's been out there eighteen years stealing.⁵¹

The burglar, then, may receive tips from a number of sources.

At other times the burglar may take an active role in searching out persons who have the kinds of information he needs. In such cases he exchanges cash for information.

... This particular place was here in town. I knew a girl that knew a girl that worked there. So I approached this girl and said "Hey I'd like some information about this place. Why don't you ask her and see what she says, cause I'll pay her for it?" ... So this girl came back and said, "Yeah, the 15th and the 31st there's money there 'cause they cash company payroll checks..." Then I sent back for some specific information, what kind of safe it was and how the alarm was tied in... We got the place and then I gave this other girl \$500 and I never heard anymore about it.⁵²

Perhaps the importance of the tipster in the perpetuation of deviance requires an added observation. The matter can only be appreciated, however, after some observations on the psychic similarity of burglary and gambling.⁵³

The systematic burglar generally is not interested in entering a place unless he has some reason

⁵¹ Prison interview, March 20, 1970.

⁵² Interview by author, March 30, 1971.

⁵³ The application here of E. GOFFMAN'S (*supra* note 19, at 149-269) discussion of *action* should be apparent.

to believe his labors will be adequately rewarded. Yet there is always an element of uncertainty, even in those cases in which the burglar expects to receive adequate compensation. The uncertainty arises from his never knowing beforehand just *how rewarding* the score will be. This uncertainty creates an element of excitement and anticipation in burglary. One never knows, for example, when he might find the secreted cache of someone who has been cheating on his taxes. Burglars know from experience that "there are quite a lot of people who have plenty of money that they don't want to put into banks for one reason or another."⁵⁴ This realization makes of the burglar something akin to the gambler; whenever he enters a place he does so in the hope that "it might be the guy that's beating the income tax, or it might be the guy that's booking all the big football payoff or layoff."⁵⁵ Or, as one of my respondents put it: "Anytime you might be picking up \$20,000 somewhere it's going to be a little exciting." The tipster only intensifies this excitement and anticipation. For, in the eyes of the burglar, he has improved the odds; his information only serves to further convince the burglar that this could be *the* one. In large part this is based on past experience.

It's funny, you can often get money out of the most unlikely places. We once got eighteen thousand quid out of a filthy old farmhouse that you wouldn't have given a second look. It was stuffed in socks, shirts, shoeboxes, any old thing. The amazing thing about it was that when we got back and paid off the person who'd given us the information, he spat and said: "You mugs, you've left the biggest amount behind."⁵⁶

Experiences such as this, along with the continual input of new information, may keep the thief reinvolved in burglaries.

Attorneys

A burglar cannot steal repeatedly without at some time being *arrested*. But if he is to be successful at his trade he must prevent these arrests from blossoming into lengthy prison sentences. He must, in short, find some way to thwart the criminal justice system. Some attorneys are extremely skillful at doing just this.

Attorneys with skills such as these are of two

types.⁵⁷ One type of attorney relies upon illicit transactions, such as cash payoffs and political favors, to free his clients. These attorneys are not necessarily skillful in adversary proceedings for they tend to rely on backroom bargaining to accomplish their ends. The second type of attorney relies on his legal and courtroom skills to accomplish his ends. The good burglar who steals for very long will surely have occasions when he needs the services of one or both of these two types. Whether their services are *available* to him—on reasonable terms—is another question entirely.

The fledgling burglar must learn who these successful attorneys are and how he can avail himself of their services when he needs them. His reputation for integrity must be such that he is able to establish relationships with them on the basis of credit or the transferal of other types of commodities. Without the reliable services of competent attorneys the good burglar cannot avoid lengthy prison sentences. With their services he can often receive extremely light sentences for what were quite sophisticated crimes.⁵⁸

IMPLICATIONS

The process of becoming a good burglar remains today more like the process sketched by Sutherland than like the check forgers studied by Lemert. This is because in order to be successful in his crimes the burglar must gain access to and establish trusted relationships with members of deviant social circles. These deviants are very careful about whom they allow in.

This is an important point because recent work in the "labeling" tradition seems to be overly preoccupied with negative reactions to deviance by "straights." Tannenbaum, whose remarks on the "dramatization of evil" have been cited approvingly by the labelers, was careful to point out that the process of becoming delinquent is one in which the child simultaneously is rejected by the straight world and finds a niche for himself among other outcasts.

⁵⁷ See the excellent discussion of these two types of attorneys by Jackson's thief, B. JACKSON, *supra* note 22, at 123-39.

⁵⁸ I have purposely omitted a discussion of the "fix" because space limitations would not permit a treatment of the various issues involved. However, my own observations suggest that the fix has declined in use by burglars. The materials I secured in interviews are generally in accord with what other contemporary observers have reported. Cf. L. GOULD, *CRIME AS A PROFESSION* (1968); B. JACKSON, *supra* note 22; Irwin, *supra* note 6.

⁵⁴ P. CROOKSTON, *supra* note 32, at 127.

⁵⁵ B. JACKSON, *supra* note 22, at 115.

⁵⁶ P. CROOKSTON, *supra* note 32, at 125.

It is not too much to say that the development of the criminal career as here described is possible only because there are more or less well-organized and recognized agencies that live off, and depend upon, the profit-making opportunities which the criminal supplies.⁵⁹

Mack has reached similar conclusions on the basis of his studies of habitual criminals in Scotland.⁶⁰ Other observations, quite compatible with these, have been made by observers of "deviance" among industrial workers.⁶¹

Actually, one may profitably conceptualize these "supporting elements"⁶² as deviant *audiences*, in which case the processes by which they select novice burglars for tutelage and working relationships, and thereby influence career trajectories, could be easily integrated into the societal reactions writings.

The impact of deviant audiences could profitably be approached at two levels. One approach

⁵⁹ F. TANNENBAUM, *CRIME AND THE COMMUNITY* 63 (1938).

⁶⁰ Mack, *Full-time Miscreants, Delinquent Neighborhoods and Criminal Networks*, 15 *BRIT. J. SOCIOLOGY* 38, 51 (1964).

⁶¹ See, e.g., Bensman & Gerver, *Crime and Punishment in the Factory*, 28 *AM. SOCIOLOGY REV.* 588 (1963); Roy, *Efficiency and the Fix: Informal Intergroup Relations in a Piecework Machine Shop*, 60 *AM. J. SOCIOLOGY* 255 (1954).

⁶² F. TANNENBAUM, *supra* note 59, at 63.

might be somewhat functional in nature. If we can argue, as Erikson⁶³ has, that we will always "produce" deviants so long as we have an established machinery for processing them, then it might also be legitimate to suggest that the same can be said about the impact of supporting elements. Thus, the continued existence of fences, tipsters, and similar types will tend to assure that we will always produce new deviants.⁶⁴ The second approach would be to focus in even greater detail on the actual interaction between potential deviants and these audiences. The consequences of this interaction for the deviant's subsequent career process would be of principal concern. I have tried to present some data of that nature in this paper.

The establishment of contact and on-going relationships with various sorts of deviant actors can prove to be important career contingencies. This fact should sensitize us to those conditions and situations in which such relationships can be established. Once established, however, the reciprocal evaluation may open or foreclose other career possibilities.

⁶³ K. ERIKSON, *WAYWARD PURITANS* (1966).

⁶⁴ For a good historical treatment of these relationships and their importance, see J. TOBIAS, *CRIME AND INDUSTRIAL SOCIETY IN THE 19TH CENTURY*, Ch. 6 (1967).