

THE NINE REASONS WHY INMATES OFFEND:
RATIONAL CHOICE AND DETERMINISM

A Thesis
Presented to the
Faculty of
California State University,
San Bernardino

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts
in
Criminal Justice

by
Anthony Robert Carbo

March 2008

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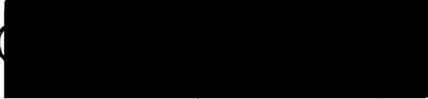
San Bernardino

by

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March 2008

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3-5-08
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ABSTRACT

The literature shows, Carbo argues, that although there are many theories of crime, there are only nine possible reasons a person violates the law: 1.) Something to gain. 2.) Not likely caught/ punished. 3.) Punishment or consequence not intimidating. 4.) The actor is unaware of his/her act. 5.) The actor is unaware the act is illegal. 6.) The actor is unaware that the action would result in a crime. 7.) The actor was encouraged by others. 8.) The actor felt forced by a habit, addiction or need. 9.) The actor felt forced by another person, a difficult situation, or a significant obligation. Carbo tests the comprehensiveness of the list by administering a survey to sentenced inmates at a correctional institution. This study supported the research hypothesis that all of the participants would agree that they had committed their illegal act due exclusively to one or more of the nine reasons. Along with other findings, the percentage of participants that committed their crime due to rational choice, determinism, or a combination of both is reported.

ACKNOWLEDGMENTS

The quality of information in this thesis could not have been achieved without the support of the following Criminal Justice professionals. I thank you all.

In alphabetical order: Probation Officer Vivian Y. Alvarado, Sgt. Pete Bamberger (SBSD), Probation Officer Teresa Barragan, Sheriff Custody Specialist Jeanna Brown, Sheriff Custody Specialist Patricia Campbell, Probation Officer III Jennifer Carreon, Probation Officer Melinda L. Carbo, Retired Police Officer Joseph Carbo (NYPD), Police Officer Salvatore Carbo (NYPD), Retired Sergeant Victor Carbo (NYPD), Police Officer Gary Crosby (Ontario), Sgt. Scot Corbin (SBSD), Sgt. Mitch Dattillo (SBSD), Sgt. Jim Evans (SBSD), Sheriff Custody Specialist Celina Fuentes, Supervising Probation Officer Steven Frazee, Judge Mary E. Fuller, Commissioner Ron Gilbert, Attorney Dave Goldstein, Dep. District Attorney Mary Hosseini, Court Interpreter Martha C. Masters, Juvenile Hall Teacher Jay C. Nichols, Professor Deborah Parsons, Deputy Sheriff Marty Powell (SBSD), Probation Officer III Juan Preciado, Deputy Sheriff Sheryl Rawlins (SBSD), Professor Pamela Schram, Professor Dale Sechrest, and Judge Ingrid A. Uhler.

To Antonia, Melinda, and Robert Carbo
and all who love them.

TABLE OF CONTENTS

ABSTRACT iii

ACKNOWLEDGMENTS iv

LIST OF TABLES ix

CHAPTER ONE: INTRODUCTION

 Reasons for Criminal Acts 1

 Background 2

 Statement of the Problem 4

 Purpose of the Study 5

 Theoretical Basis 6

 Limitations of the Study 7

 Working within the Limitations 10

 Definition of Terms 11

 Organization 11

CHAPTER TWO: REVIEW OF LITERATURE

 Overview 14

 Crime is Sometimes Rational 14

 Crime is Sometimes Not Rational 18

 Biological and Psychological Causes 19

 Social Causes 21

 Social Process Causes 23

 Reasons to Violate the Law 26

 Hypothesis 27

CHAPTER THREE: METHODOLOGY

Design of the Investigation	30
Hypothesis	30
Sample	31
Scope	32
Ethics	32
Demographics	32
Legal Concerns	33
Data Analysis	33
Survey Validity	35
Face Validity	35
Construct Validity	36
Content Validity	37
Criterion-Related Validity	37
Survey Reliability	38
Standardized Statements	38
Knowable Statements	38
Established Measures	39
Two Possible Answers	39
Cronbach's Alpha	39
Data Analysis for Reliability	40
Reliable Indexes	41
Rational Choice Index	42

Rational Choice with Encourage Index	42
Determinism: Awareness Index	43
Determinism: People, Situations, and Obligations Index	44
Determinism: Needs, Habits, and Addictions Index	45
Pre-Test	45
Last Response	46
Appropriate Statistics	47
Simple Descriptive	47
Chi-Square Based	48
Recoding for Further Techniques	48
Rank Order and Quantitative Tests	48

CHAPTER FOUR: STATISTICAL FINDINGS

Overview	50
Response Rate	51
Frequencies	51
Gender	51
Ethnicity	52
Responses	53
Frequency for Each Index	63
Frequency for Each Index Score	65
Reasons for Their Crime	66
Other Reasons	67

Other Findings	67
Gender and Punishment Severity	67
Gender and Rational Choice with Encourage	69
Nonparametric Correlations: Rank Ordered	70
T-Test	73
ANOVA	73
Conclusions	74
Significant Findings	74
Other Significant Findings	76
CHAPTER FIVE: SUMMARY AND CONCLUSIONS	
Overview	78
Summary	78
Methodology Synopsis	83
Limitations and Suggestions	85
APPENDIX A: ORAL INFORMED CONSENT (ENGLISH AND SPANISH)	88
APPENDIX B: SURVEY (ENGLISH AND SPANISH)	95
APPENDIX C: DEBRIEFING STATEMENT (ENGLISH AND SPANISH)	108
APPENDIX D: LEGAL CONCEPTS	111
REFERENCES	115

LIST OF TABLES

Table 1.	Reasons to Violate Law	18
Table 2.	Gender and Ethnicity	53
Table 3.	Frequency of Statement Responses	56
Table 4.	Frequency for Each Index	64
Table 5.	Chi Square Tests	69
Table 6.	Rank Order Correlations	72

CHAPTER ONE

INTRODUCTION

Reasons for Criminal Acts

This thesis aimed to accurately identify and categorize the general criminal motivations of sentenced inmates at Glen Helen Rehabilitation Center (GHRC). It did this in three steps. First, this thesis examined several traditionally accepted theories of crime. Specifically, this study examined rational choice and a number of deterministic theories. The deterministic theories included conditioning, general strain, institutional anomie, differential association, and differential reinforcement.

Next, this thesis consolidated all of these theories of crime. This consolidation, it is argued, was necessary because (as shown in the literature review) each theory, when applied individually, failed to explain all possible reasons for law violation. When combined, however, a theoretically exhaustive list for all reasons for law violation was created. To date, there appear to be no theories of crime that have created such a list.

Finally, after consolidating the reasons for law violation, this study used sentenced inmates at GHRC to test the comprehensiveness of the list. The primary hypothesis for this study was that the majority (if not all) of sentenced inmates at GHRC would agree that they had committed their illegal act due exclusively to one or more rational choice or deterministic factors discussed in this study. This would support the hypothesis that the consolidated rational choice and deterministic reasons for law violation are absolute.

This thesis also aimed to answer several research questions. Specifically, this study ought to accurately indicate what proportion of the sentenced inmates committed their crime due to rational choice, specific principles of determinism, or a combination of both. This study should also indicate if and how gender and/or ethnicity may be associated with survey responses and how responding to one survey statement may correlate to the responses of other survey statements.

Background

The reasons people commit crimes have been documentarily pursued since the end of the European pre-

classical era (e.g., Beccaria, 1764; Bentham, 1789; Hobbes, 1651; Rousseau, 1762). During the earlier part of the 18th century, societies (large and small) believed that deviant behavior and crime was predominantly a product of supernatural entities, such as demons and witches (Kramer & Sprenger, 1486; Lea, 1887; Newman, 1978). These entities, it was assumed, persuaded or forced human beings to do deviant and evil acts (Kramer & Sprenger, 1486; Newman, 1978).

In the latter part of the 18th century, however, reliance on traditional religious and superstitious beliefs gave way to the European Enlightenment (Newman, 1978). It was an era in history where intellectualism and rationality was rapidly becoming the most commonly valued attribute of humankind. More and more, systematic explanations for human observation, including why people commit crime, were examined.

Since the 18th Century, the scholastic world has experienced various paradigms and scientific theories for criminal behavior (Bernard, 1990; Brown, Esbensen & Geis, 2004). Snapshots in the history of criminology show the changes. For example, in the late 1700's Cesare Beccaria contended that crime was a rational decision

based on a violator's pursuit of pleasure and avoidance of pain (Bellamy, 2003). In the late 1800's Cessare Lombrosso argued that crime was determined by factors that a criminal has little or no control over (Brown, Esbensen & Geis, 2004). In the late 1900's Edwin Sutherland made the determination that crime is a product of learning in a process involving intimate interactions with other people (Sutherland & Cressey, 1974).

Statement of the Problem

Since the late 20th Century to the present, there is mounting recognition that the current theories of crime are too limited to be used individually and that different people have varying inclinations to commit crime (e.g., Elliot, 1985; Huizinga, Esbensen & Weiher, 1991; Moffitt, 1994; Nagin, Farrington & Moffitt, 1995; Simons, Conger & Lorenz, 1994). Based on the evolution of theories, one could argue that there are multiple causes of crime (Bernard, 1990; Elliot, 1985).

Why do the inmates at GHRC commit criminal acts? As it is argued in chapter two, several traditionally accepted theories of crime, when evaluated individually, fail to account for all the reasons a person may violate

the law. It is impossible to identify why the inmates at GHRC committed their crimes based on any single theory. As discussed in the next section, this thesis remedied this problem.

Purpose of the Study

The purpose of this study was to consolidate the myriad theories of crime and create a comprehensive list of reasons a person may violate the law. As it is shown in chapter two, although several empirically supported rational choice and deterministic theories of crimes exist, they all fail to account for one or more reasons addressed by other theories. For example, the principle of deterrence (rationalism) fails to account for spontaneous crimes of passion (determinism). By consolidating the principles of rational choice with deterministic theories, one theory of crime can succeed in explaining an act where another may fail - and vice versa. Although other studies have combined theories into a single empirically supported explanation for criminal acts (e.g., Akers & Silverman, 2004), there appear to be no studies that incorporate them into a single master list of principles. The current study

should extend the present knowledge of traditionally accepted theory.

The hypothesis for this study was that sentenced inmates at GHRC commit illegal acts due to rational choice, specific deterministic factors, or a combination of both. Fortunately, the principles of all of the theories discussed in this study were effectively condensed into nine reasons for law violation. To what degree, if any, did these reasons account for the crimes committed by the participants?

Theoretical Basis

The present research corresponds with previous empirically supported theories of crime. Specifically, the consolidated principles of this study are based on the empirical findings from studies that have tested rational choice theory. The consolidated principles of the current study also incorporate the empirical findings of tests for deterministic theories such as the conditioning theory, general strain theory, institutional anomie theory, differential association theory, and differential reinforcement theory. The support for these theories are cited and discussed in the literature review

portion of this study. To avoid redundancy, this study will only discuss empirical support for the relevant theories in the literature review.

Limitations of the Study

This study used theories that have been empirically supported by previous studies in the United States and many parts of the world. However, the applications of these theories were applied to a relatively small study population. The results of this study could only be generalized to sentenced inmates at GHRC.

Further, this study did not address all known theories of crime. It only utilized enough traditionally accepted theories to holistically identify reasons for law violation. For example, Travis Hirschi's (1969) social bond theory was not addressed in this thesis. It was not addressed because the combination of rational choice, general strain, and differential association more than adequately identified the reasons for law violation associated with "stakes in conformity" (Hirschi, 1969).

This thesis did not suggest that the theories discussed in this study are the only ones that can explain all the reasons for law violation. Other

combinations of theories may work just as well. This thesis represents just one (arguably) successful combination.

The motivations of the participants were based on a survey. The survey was used to assess the opinions of various inmates based on a limited set of standardized questions. Most of the questions were closed-ended. These questions forced the participant to decide if they agreed or disagreed with a statement about themselves. Depending on the life experiences of the participant, they may have had difficulty deciding which one of the options applied to them. They may have felt tempted to choose one or the other randomly to complete the survey quicker due to boredom or fatigue. Problems such as these may have negatively affected validity. At best, survey responses can only provide approximate indications of what the inmates believe about their own motivations to commit criminal acts.

This study only surveyed inmates serving some incarceration time at GHRC for violations (misdemeanors and felonies) of California laws. Although some of the inmates may have been temporarily held for violations in

other states, only those inmates convicted of California law were allowed to participate in the current study.

This study did not address specific offenses for individual participants. At best, the researcher knew that each participant was convicted of either a misdemeanor and/ or a felony and was, at the time of the study, sentenced for some incarceration time at GHRC. It should be noted that the inmates at GHRC were convicted for various crimes - such as crimes against persons, property, and public order. These categories include murder, sexual assault, robbery, battery, burglary, larceny, forgery, and embezzlement. They also include auto theft, disturbing the peace, trespassing, drunkenness, drug possession / use, and prostitution.

The length of incarceration at GHRC was not addressed in this study. The Participants' length of stay varied from approximately one day to one year. Some inmates that were sentenced for serious offenses, such as murder, were serving a portion of their incarceration at GHRC while they were awaiting transfer to an available state prison.

Finally, the social classes of the inmates were never addressed in this thesis. The researcher was not

able to discern one participant's income or property ownership from another. Social class information was not available and was beyond the scope of this thesis.

Working within the Limitations

The survey was administered to a representative sample of sentenced inmates at GHRC. Although the study could not be generalized to all convicted criminals, it was generalized for sentenced inmates at GHRC. All sentenced inmates, regardless of gender, ethnicity, offense seriousness, social class, and length of incarceration time (or other factors) had an equal chance of being selected for the survey.

Participants, who were not satisfied that the survey statements adequately identified their reasons to offend, had an option of answering an open-ended question. The open-ended question would have given such participants an opportunity to express, in their own words, why they committed a criminal act. Although, ultimately, all participants were satisfied, the open-ended question option increased the internal validity of the survey (Tewksbury & Mustaine, 2004).

Definition of Terms

For the purpose of this study, a sentenced inmate is any inmate that was found to be guilty of a California law. Examples of California law include the California Penal Code (CPC), the California Vehicle Code (CVC) and the California Health and Safety Code (HSC). A defendant accused of a violation of a California law may be found guilty by trial before a judge, before a jury, or as a consequence of a plea bargain.

It is imperative to understand that, under certain circumstances, a person may be found guilty of a crime even if he or she did not know the act was a violation of the law. Further, a person may be found guilty of a crime even if, at the time the act was committed, he or she was unaware of what he or she was doing. Finally, even if a person feels compelled or forced to commit a criminal action, he or she may still be held culpable (See Appendix D, Legal Concepts).

Organization

A review of the relevant literature is completed in the next chapter. The review includes a discussion of the presence and absence of empirical support for the

rational choice perspective (including the deterrence theory). The literature review also includes a brief evaluation of five deterministic theories for criminal acts. Based on the literature review, the hypothesis is stated.

In chapter three, the methodology for the current study is discussed. A researcher-designed instrument was used to measure motivations of sentenced inmates at GHRC. This study applied the fundamental principles of rational choice and the theoretical consequences of deterministic factors to the opinions expressed by a representative sample of sentenced inmates at GHRC.

Chapter four contains statistical findings and conclusions. Statistics such as the response rate, relevant frequencies, index reliability measures, chi-square tabulations, rank-order correlations, T-tests, and a one-way analysis of variance (ANOVA) are examined. Some insignificant statistics are briefly mentioned.

Chapter Five summarizes the previous chapters. It is a comprehensive overview of the thesis and its findings. In the final chapter, the significance of the study and its conclusions are stated. Finally, the

limitations and weaknesses of the study are briefly reviewed and recommendations for future studies are made.

CHAPTER TWO

REVIEW OF LITERATURE

Overview

Criminal theories argue that law violations occur for specific reasons (e.g., Agnew, 1985; Beccaria, 1764; Eysenck, 1981; Sutherland & Cressey, 1974; Wilson, 1983). The purpose of this chapter was to review relevant literature on several traditionally accepted theories of crime. Based on the review of each theory, this chapter lists the reasons for violating the law. Then, this chapter combines all of the reasons to violate the law from all of these theories. This exercise ultimately produced a conjectural list of all possible reasons a person may violate the law.

Crime is Sometimes Rational

Rational choice is the ability to analytically consider one's own action in a cogent, calculating way while also considering the pros and cons of the action (Beccaria, 1764; Tunnell, 1992; Wright, Caspi, Moffitt, & Paternoster, 2004). Rational choice theorists see humans, including criminals, as rational beings.

Further, rational choice theorists contend that humans are hedonistic (they strive to increase pleasure and/or to reduce discomfort), and have free will. One type of theory that assumes criminal behavior is based on rational thought is the deterrence theory (Beccaria, 1764; Wilson, 1983; Wright et al., 2004).

According to the deterrence theory, a currently popular premise for the general public (Wright et al., 2004), people are less likely to commit crime as the chance of being punished for the crime increases (Beccaria, 1764; Ellis, 2005; Wright et al., 2004). Sanctions should be swift, severe and certain (Bellamy, 2003). The deterrence theory says that (to protect society) one should take advantage of a potential offender's rational mind, hedonistic desire, and free will by advertising criminal sanctions (Beccaria, 1764; Ellis, 2005).

There is support for this premise (Wilson, 1983). However, studies of the deterrence theory show that it is effective only under highly varied circumstances. For example, deterrence may be effective on adults who drink and drive. A five-year study was conducted with a focus on national legislation, enacted in Japan, to address the

problem of driving under the influence (DUI). The legislation lowered the blood alcohol legal limit while increasing the sanctions for drinking and driving. The researchers reported conclusive evidence that the legislation had a measurable affect on decreasing the alcohol-related vehicle fatalities (Deshapriya & Iwase, 1998).

As a more recent example, deterrence may be effective on young adults who wish to joyride. A sample of 228 high school students was asked what would prevent them from illegally taking another person's car for a joyride. The respondents most often stated that the fear of being caught and convicted of the offense would most likely keep them from committing the act (McDonagh, Wortley & Homel, 2002).

Although there is support that the deterrence theory can explain some criminal and deviant actions for some people under certain circumstances (e.g., Bennett, 1991; Deshapriya & Iwase, 1998; Kennedy & Forde, 1990; McDonagh, Wortley & Homel, 2002; Tittle & Rowe, 1974; Van Den, 1982), there are also studies that show deterrence is not always the reason why a person will commit a crime

(e.g., Brown, 1978; Spohn & Holleran, 2002; Zimring & Hawkins, 1973).

Based on the literature, one may conclude that rational choice and the deterrence theory can explain at least some reasons why a person may violate the law. As shown in Table 1, several possible reasons why a person may violate the law include the following factors.

First, a person who violates the law may do it because he or she believes there is something he or she may gain by doing the act. Second, a person who violates the law may do it because he or she believes that he or she will not be caught or punished for doing the act. As professed by Cesare Beccaria, certainty is a primary principle of deterrence (Beccaria, 1764). Third, a person who violates the law may do it because he or she believes that the punishment (or other consequences) for doing the act would not be significant or hard to handle. Severity is an important principle of deterrence (Beccaria, 1764). Furthermore, weighing the costs of an action is a central part of rational choice (Beccaria, 1764; Bentham, 1789).

Table 1. Reasons to Violate Law

Theory	Reasons for a criminal act
Rational Choice	<ol style="list-style-type: none">1. There is something to gain by doing the act.2. It is unlikely that he or she will be caught or punished for doing the act.3. The punishment (or other consequences) for doing the act is perceived to be easy to handle.
Determinism	<ol style="list-style-type: none">4. The actor is unaware of his or her actions.5. The actor is unaware that the act is against the law.6. The actor is unaware that his or her action would result in a crime.7. The actor was encouraged to do the act by others.8. The actor felt forced to do the act by an uncontrollable habit, addiction or need.9. The actor felt forced to do the action by another person, a difficult situation, or a significant obligation.

Crime is Sometimes Not Rational

A person does not always commit a crime based on a rational decision. Determinism, as opposed to rationalism, may explain some types of criminal behavior that rational choice theories cannot.

Determinism assumes that people behave differently because of factors they have little or no control over (Cullen & Travis, 1982; Fishbein, 1990). Therefore, an offender's behavior may be attributed to factors other than his or her free will. There are assorted deterministic theories that explain how factors compel or encourage criminal behavior (e.g., Eysenck, 1981; Fishbein, 1990; Merton, 1938; Akers & Lee, 1996). Biological, psychological, and sociological factors are currently used to explain some types of criminal conduct.

Biological and Psychological Causes

Biological deterministic theories are traditionally accepted as plausible causes of crime that should not be ignored (Fishbein, 1990). One example of a biological/psychological deterministic theory of crime is the conditioning theory (Eysenck, 1981; Eysenck & Gudjonsson, 1989). Conditioning theory contends that a person may commit a criminal act due to possessing an abnormal personality (Eysenck, 1981; Fishbein, 1990). Eysenck and Gudjonsson (1989) found that a person may have uncontrollable needs to act violently, possess retarded decision-making skills, or lack a healthy appreciation for consequences of his or her actions.

The conditioning theory of crime is just one of the many biological and psychological explanations for criminal behavior. Reis and Roth (1993) found that a combination of alcohol abuse (an addiction) and high testosterone levels (a hereditary factor) is associated with violent behavior. The victim of a drug addiction may be unaware of his her actions while under the influence of drugs or alcohol.

There are many studies that suggest that, under certain conditions and circumstances, a person may not be aware of his or her actions or may be unable to control his or her actions due to an emotional, mental, or physical need, disposition or compulsion (e.g., Andrews & Bonta, 1994; Barondes, 1997; Booth & Osgood, 1993; Eysenck, 1981; Feldman; 1993; Fishbein, 1990; Reiss & Roth, 1993; Virkkunen & Linnoila, 1993).

One may conclude that biological and/or psychological theories of crime can explain at least some criminal actions. Several possible reasons why a person may commit an act that violates the law include the following factors.

First, a person who violates the law may do it because he or she is unaware of what he or she is

physically doing. Second, a person who violates the law may do it because he or she is unaware that the act he or she is physically doing is a crime. Third, the actor may be unaware that his or her action will ultimately result in a crime.

It should be noted that any theory that supports a criminal's lack of awareness as the reason for his or her illegal act also supports these principles. It should also be noted that lack of awareness does not necessarily indicate a disorder. For example, even mentally healthy people occasionally daydream, lose their temper, or otherwise fail to pay attention to their actions.

Social Causes

A person may commit a criminal act (in addition to biological and psychological reasons) due to social forces or environmental deficiencies that place pressure or present obligations that encourages law violation (Hoffmann & Ireland, 2004). Two examples of social deterministic causes of crime are strain theories such as the general strain theory and institutional anomie theory.

General Strain Theory. The general strain theory (GST), proposed by Robert Agnew (1985), is one example of

strain theories. Strain theories assume that, due to the structure of society, sub-culture, or group, pressure is exerted on individuals that may encourage or coerce criminal acts. This pressure causes mental strain. To alleviate or relieve the strain, these individuals may engage in criminal behavior (Agnew, 1985; Agnew & White, 1992; Hoffmann & Ireland, 2004).

Institutional Anomie Theory. The institutional anomie theory (IAT), proposed by Robert Merton (1938), is another example of strain theories. IAT contends that society generates desires and it encourages its members to satisfy them (Maume & Lee, 2003; Merton, 1938).

Although these approved goals and means enable people to pursue success in socially acceptable ways, they also apply pressure on some segments of the society to engage in nonconforming behavior in an effort to attain success (Merton, 1968; Merton, 1938). This may result in shortcuts or nonconforming behavior, such as crime/delinquency to obtain money (Maume & Lee, 2003).

Conclusion on Strain. Although there is plenty of support that strains such as difficult situations and significant obligations can help explain some reasons why a person would commit a criminal act (e.g., Agnew,

Brezina, Wright & Cullen, 2002; Agnew, 1985; Hoffmann & Ireland, 2004; Mazerolle & Maahs, 2000; Mazerolle, 1998; Maume & Lee, 2003; Merton, 1968; Merton, 1938), there are also plenty of studies that show strain is not always the reason why a person will commit a crime. Some research on strain theories find that there are inconclusive findings, findings with mixed results, or findings that show an outright lack of a significant association between strain and specific criminal acts in question (e.g., Bernard, 1987; Brown, 1985; Clelland & Carter, 1980; Johnson, 1980; Tittle, Villemez & Smith, 1978).

Social Process Causes

A person may commit a criminal act (in addition to biological, psychological, and reasons related to strain) due to direct interactions with other people (Kim & Goto, 2000). This is known as social process. Two examples of social process causes of crime are differential association theory (DAT) and differential reinforcement theory (DRT).

Differential Association Theory. The differential association theory (DAT), proposed by Edwin Sutherland, asserts criminal behavior is learned. According to Sutherland and Cressey (1974), learning specific

techniques and acquiring deviant value systems, allows a person to engage in deviant acts. Sutherland did not believe that anyone is a "born criminal". Instead, people are taught how to behave well, or behave badly, in a social framework (Sutherland & Cressey, 1974; Tittle, Burke, & Jackson, 1986). DAT states that he or she learns the drives, motives, rationalization, and attitudes to commit a given offense. Through learning, people define the violation of law as favorable or unfavorable. They make a decision to violate the law based on how often, how long, how important, and how intense they are exposed to incentives to break the law. A person makes a decision to commit a criminal act because he or she is exposed to more favorable reasons than unfavorable reasons to violate the law (Sutherland & Cressey, 1974).

Differential Reinforcement Theory. A second kind of social deterministic theory of crime is the differential reinforcement theory (DRT). The differential reinforcement theory, proposed by Akers and Lee (1996), asserts that the techniques and skills necessary to engage in deviant behavior can be learned in a social context. Akers and Lee expanded Sutherland's

differential association theory by adding to it the components of voluntary and involuntary response conditioning (Akers & Lee, 1996; Simpson, 2000). Rewards or other positive consequences will reinforce the appeal of the behavior whereas punishments will serve as a deterrent. Rewards can be direct or indirect. Rewards, for example, may fulfill ideological, political, religious, or other goals. Akers and Lee also argue that behavior is shaped through imitation. Imitative behavior may be autonomous of the learning process. Further, criminal behavior can be outright expected when it has been differentially reinforced and defined as desirable. Akers adds that his theory involves rational choice (Akers & Lee, 1996; Simpson, 2000).

Conclusion on Social Process. There is support for social process theories. For example, According to Dull (1983), in a study on juvenile friendships, deviance was shown to be the strongest and most consistent predictors of deviance in the subjects themselves. The violators felt obligated to please their delinquent friends. Social process theories can help explain some criminal, delinquent, and deviant actions (e.g., Akers & Lee, 1996; Dull, 1983; Simpson, 2000; Tittle, Burke, &

Jackson, 1986) but social process theories (as well as social deterministic theories) ignore biological deterministic causes of crime.

Reasons to Violate the Law

As shown in Table 1, all of the theories discussed in this chapter reveal several specific reasons why a person may violate the law. The first row shows the basic principles of rational choice theories. There are several principles here. First, the violator has something she or he wishes to gain. Second, it is unlikely that he or she will be caught or punished for doing the act. Third, the punishment or other consequences for doing the act is perceived to be insignificant or easy to handle (Beccaria, 1764; Dugan, Lafree & Piquero, 2005). The second row shows the basic principles of determinism (i.e. biological or psychological theories). The actor is unaware of his or her action (Eysenck, 1981; Fishbein, 1990), unaware the action is against the law or will result in a crime, or the actor feels compelled to do the act.

The compulsion is due to an uncontrollable habit, addiction or need (e.g., Andrews & Bonta, 1994; Barondes, 1997; Booth & Osgood, 1993; Eysenck, 1981; Feldman; 1993; Fishbein, 1990; Reiss & Roth, 1993; Virkkunen & Linnoila, 1993). The third row shows some principles of social deterministic theories (the other principles overlap with rational, biological and psychological principles). An actor may feel encouraged (e.g., Sutherland & Cressey, 1974) or forced to do an action by another person (i.e. close friend or parent), a difficult situation (i.e. a lack of funds), or a significant obligation.

As mentioned earlier, the theories discussed in this thesis are not necessarily the only ones that support the nine reasons for criminal acts. However, this thesis does argue that reasons for law violation are supported (at least) by the theories that have been discussed.

Hypothesis

If the nine reasons discussed in this study accounted for all the reasons a person commits a criminal act, the sentenced inmates at GHRC would have committed their acts for one or more of those reasons. In other

words, the inmates should have committed their criminal acts due to one or more of the listed rational choice or deterministic factors or a combination of both (See Table 1).

If the nine reasons discussed in this study did not account for all the reasons a person commits a criminal act, the sentenced inmates at GHRC should have committed their acts for other reasons. This would have indicated that the rational choice or deterministic factors discussed in this chapter did not account for their basis to commit a criminal act.

Finally, if the inmates committed criminal acts for one or more reasons discussed in this study and for one or more reasons not represented in this study, this would indicate that these inmates violated a law due (in part) to the listed rational choice or deterministic factors or a combination of both and for a reason not discussed. In other words, the rational choice or deterministic factors discussed in this chapter would have only accounted for some of their basis to commit a criminal act.

The hypothesis was that the majority (if not all) of the sentenced inmates at GHRC physically violated the law exclusively due to one or more of the nine reasons shown

in table 1. This would support the contention that a criminal act is due to one or more of the rational or deterministic factors discussed in this study or to a combination of both kinds of factors.

CHAPTER THREE

METHODOLOGY

Design of the Investigation

With the approval of the facility administration sergeant, 130 sentenced inmates from Glen Helen Rehabilitation Center (GHRC) were asked to participate in a 17 statement survey. Ultimately, only 120 agreed to partake. The survey was designed to test the hypothesis that the nine reasons discussed in this study accounted for all possible reasons for law violation. A copy of the survey was provided for the researcher to read to the 120 participants (See Appendix B).

Hypothesis

It was hypothesized that three factors of rational choice and six specific deterministic factors accounted for all possible reasons a person commits an illegal act (See Table 1). It was argued that this study would support the research hypothesis for sentenced inmates at GHRC if the participants agreed with one or more of the rational choice or deterministic reasons supplied in the survey. If, however, a significant portion of the

inmates did not agree with the reasons, and instead, agreed that the reason he or she violated the law was due to some "other" factor (See Appendix B, Survey Question 16), then the null hypothesis could not have been rejected.

Sample

One hundred and thirty inmates were selected by using a calculator. Specifically, the calculator was used to randomly pick 130 out of a possible 1,446 beds - which was the maximum capacity for inmates at GHRC.

At first, bed spaces were randomly picked - not the actual participants. Each bed had a specific, unchanging identification number. Obtaining potential participants from random bunk numbers ensured a strictly random sample and helped to avoid researcher bias.

If a randomly selected bed happened to be unoccupied, already selected from a previous random pick, or occupied by a pre-trial inmate, another bed was randomly selected. The process continued until 130 beds, occupied by sentenced inmates, was selected.

Scope

The scope of the participants were sentenced inmates convicted in San Bernardino County, of at least one offense, and were sentenced to serve some or all of their correction time at GHRC. Participants were serving time for either one or more misdemeanors, one or more felonies, or a combination of either type of crime category.

Ethics

The current study was approved by the Institutional Review Board (IRB). All participants gave oral informed consent before they were allowed to partake in the study. Participants were granted a level of confidentiality. Further, the San Bernardino County Sheriff's Department, including GHRC, had a confidentiality policy that required the staff to keep all private inmate information confidential.

Demographics

All participants were over 18 years of age. The participants contained both males and females, representing a variety of ethnic backgrounds. A simple random sample should have produced a sample with a similar demographic proportion.

According to recent GHRC data, males made up approximately 74 percent of the inmate population. Females made up approximately 22 percent of the facility population. The facility currently houses approximately 20 percent African American, 35 percent White, and 44 percent Hispanic inmates. Approximately one percent of the inmates are categorized as an "other" ethnic group.

The survey was read to each inmate in order to accommodate those who might not have been able to read the English language. An interpreter was made available for inmates who were unable to understand spoken English.

Legal Concerns

For legal reasons, only sentenced inmates were used in this study. This was done to avoid placing participants in a compromising position of discussing criminal activity while still in an adjudication process.

Data Analysis

The measuring instrument was a survey consisting of 16 statements. The participants (those selected inmates who choose to participate) were asked to "agree" or "disagree" with each statement. A two-response survey was found to be most appropriate for this study. An

alternative survey measurement instrument such as the likert scale, for example, was not used for several reasons. First, the intensity of the response for each survey statement was not an objective. Second, fewer options for participants will help avoid participant boredom and indecision. Finally, two response surveys are inherently more reliable than those with more response options (Vogt, 2005).

The survey was designed to assess why sentenced inmates at GHRC believed they committed the action that led to their conviction. Five statements supported the fundamental principles of rational choice. Ten statements supported the principles of determinism discussed in Chapter Two. One statement supported neither (See Appendix B).

Data for this study was entered into computer software from the SPSS statistical package. SPSS is a comprehensive system for analyzing data from a variety of files and generating complex statistical analyses (George & Mallery, 2007; Mertler & Vannatta, 2005).

Survey Validity

The survey was created based on the guidance of several studies and research references (e.g., Pontell, Granite, Keenan & Geis, 1985; Rumsey, 2003; Tewksbury & Mustaine, 2004). The survey was designed to maintain several levels of validity.

Face Validity

Face validity, for the purpose of this study, is the survey's ability to realistically measure the reasons for the law violation of the participants. One could argue that the survey had face validity in that there was a logical relationship between what was being tested and what was being asked (Vogt, 2005). For example, to test if a participant had something to gain by violating the law, the participants were asked, simply, if they had something to gain. Previous studies show face validity for these types of questions (Comnick, 1996; Fraser-Estavillo, 2001).

The survey's face validity would have been reduced if the survey, for some reason, was not a true reflection of what the participants honestly believed. If the participants lied, for example, the survey would have lost face validity. Since the participants were promised

confidentiality, there was at least some reason to rely on the honesty of respondents (Rumsey, 2003). However, since the participants were in custody, they may have had a desire to please the researcher. They may have consciously or subconsciously believed that they would have gotten out of jail earlier if they answered the survey a certain way. They may have had a motive to choose answers that presented themselves with the least culpability. For example, the participants may have dishonestly chosen reasons for law violations that showed that they were unaware of their actions or were forced to do their illegal act.

Construct Validity

Construct validity is the contention that the way the survey is answered logically relates to the reasons of law violation (Rumsey, 2003; Vogt, 2005). The survey assumed, for example, that if a participant said that he or she was unaware that he or she violated the law, this was a valid indicator that the participant was, in fact, unaware that he or she violated the law. Previous studies show construct validity for these types of questions (Comnick, 1996; Fraser-Estavillo, 2001).

Content Validity

Content validity, for the purpose of this study, refers to how much the survey covers the range of meanings included within the survey questions (Vogt, 2005). The questions were designed to have clear meanings. They needed to be subjectively understood by the individual participants (Rumsey, 2003). For example, the agreement on the concept of "something to gain" did not have to be agreed upon by various theorists, researchers or criminologists. The individual participant's perspective is the focus of this study. Thus, all that matters is that the participant felt that he or she had something to gain.

Criterion-Related Validity

Criterion-related validity, for the purpose of this study, refers to how well the results of this survey could predict future reasons to commit a law violation (Vogt, 2005). It assumed that the participant's past behavior will help predict future behavior. For example, if a subject said he or she was forced to commit an illegal act, the subject will probably do the same act in the future until his or her perceived coercive stimulus is removed. Previous studies show criterion-related

validity for the current type of measurement-instrument (Comnick, 1996; Fraser-Estavillo, 2001).

Survey Reliability

Reliability may be defined as freedom from random error (Vogt, 2005). Surveys are said to be reliable when they consistently obtain the same (or very similar) responses. As discussed below, the survey for this study was designed to be reliable in several ways.

Standardized Statements

The survey used in this thesis was a standardized stimulus. The unchanging statements were carefully worded for validity (on several levels). Although reliability does not require validity, measures that are valid inherently tend to exhibit reliability (Vogt, 2005).

Knowable Statements

Unreliable surveys might inappropriately solicit responses in which participants may not know the answers. This increases the chance of random error because it encourages guessing. The survey in the current thesis was designed to be clear and meaningful to the target

population. The design of the survey should have reduced guessing - thereby increasing reliability.

Established Measures

As pointed out in the previous section, the survey used in this thesis was created based on guidance of several studies and research references (e.g., Pontell, Granite, Keenan & Geis, 1985; Rumsey, 2003; Tewksbury & Mustaine, 2004). Because the current survey was based on previous survey designs deemed to be reliable, this survey was also expected to be reliable.

Two Possible Answers

Validity aside, two-response surveys are inherently more reliable than those with more response options (Vogt, 2005). For example, if the current survey had used a test-retest method for reliability, all things being equal, it would have been expected to show more stability in responses than a Likert scale or (if readjusted) semantic differential. Less response options mean less response variability.

Cronbach's Alpha

After all the data was collected, the Chronbach's Alpha measure was administered to the results for the use in appropriate indexes. Cronbach's Alpha was the measure

of internal reliability used for items in the current instrument. In the next section of this chapter, the measure is explained in further detail.

Data Analysis for Reliability

Kuder-Richardson 20 (KR20) is a statistical formula designed to assess the internal consistency or reliability of tests (i.e. survey responses). The KR20 may be used for surveys in which items have only two possible answers (Vogt, 2005). Because the items that make up the indexes in the current study had only two possible answers (Agree/ Disagree), it was an ideal measure of internal reliability.

A widely used form of KR20 is the Cronbach's Alpha (Vogt, 2005). SPSS uses Cronbach's Alpha (Coefficient Alpha) for dichotomous data. The coefficient alpha is the equivalent to the KR20 (SPSS, 2006).

After all the data was collected, the Cronbach's Alpha was applied to the results. A reliability coefficient, used to measure the inter-correlation of the statements in the current survey, range from 0 to 1. Scores closer to 1.0 suggest that the statements in an index are measuring the same concept - such as rational

choice. An acceptable coefficient alpha is .70 or above (Vogt, 2005).

Prior to conducting the survey, it was believed that one index for rational choice and one index for determinism would be a reliable measure. According to the Cronbach's alpha analysis of the data, however, this was not the case. Although the rational choice index was acceptable (Cronbach's Alpha .726) the determinism index, which originally included all the non-rational choice items, was below the .70 mark. When items were further divided, however, several reliable indexes emerged from the data analysis.

Reliable Indexes

The Cronbach's Alpha tests revealed five reliable indexes. The first index was the Rational Choice index. The second was the Rational Choice with Encourage index. The third index was Determinism based on Awareness. The fourth index was Determinism based on People, Situations, and Obligations. The fifth was the Determinism based on Needs, Habits, and Addiction index. As discussed later in this chapter, these indexes made the data appropriate for rank order and quantitative tests.

Rational Choice Index

The Rational Choice Index (RC) measures the level of rational choice used by each participant based on their responses to statements 4 (something to gain), 12 (believed would not be caught), 13 (believed would not be punished), 14 (believed punishment would be easy), and 15 (believed there was nothing to lose). Participants who "agreed" with these statements earned a higher RC score than inmates who "disagreed" with these statements. The Cronbach's Alpha for the Rational Choice index is .726. Because the coefficient alpha is above .70, it appears to be a reliable index.

The scale of the possible level of RC for a participant, based on his or her response, range from 0 (no RC) to 5 (highest RC). In other words, the more rational choice items the inmate "agreed" with, the higher his or her rational choice score.

Rational Choice with Encourage Index

The Rational Choice with Encourage index (RCE) measures the level of rational choice combined with being encouraged based on their responses to statements 4 (something to gain), 12 (believed would not be caught), 13 (believed would not be punished), 14 (believed

punishment would be easy), 15 (believed there was nothing to lose), and 5 (being encouraged by others).

Participants who "agreed" with these statements earned a higher "Rational Choice with Encourage" score than inmates who "disagreed" with these statements. The Cronbach's Alpha for this index is .703.

The scale of the possible level of RCE for a participant, based on his or her response, range from 0 (no RCE) to 6 (highest RCE). In other words, the more rational choice items the inmate "agreed" with, the higher his or her Rational Choice index score.

Logically, because RC and RCE share five items, a participant who scores high on the RC index will also score high on the RCE index if they also agreed with 5 (being encouraged by others).

Determinism: Awareness Index

The Determinism Based on Awareness (DA) measures the level of determinism used by each participant based on their responses to statements 1 (not aware of action), 2 (not aware the act was illegal), and 3 (not aware the act would result in a crime). Participants who "agreed" with these statements earned a higher DA score than inmates

who "disagreed" with these statements. The Cronbach's Alpha for this index is .716.

The scale of the possible level of DA for a participant, based on his or her response, range from 0 (No DA) to 3 (Highest DA). In other words, the more DA items the inmate "agreed" with, the higher his or her DA score.

Determinism: People, Situations, and Obligations Index

The Determinism: People, Situations, and Obligations (D:PSO) measures the level of determinism used by each participant based on their responses to statements 6 (forced by others), 7 (forced by situation), and 8 (forced by significant obligation). Participants who "agreed" with these statements earned a higher DA:PSO score than inmates who "disagreed" with these statements. The Cronbach's Alpha for this index is .725.

The scale of the possible level of D:PSO for a participant, based on his or her response, range from 0 (No D:PSO) to 3 (Highest D:PSO). In other words, the more items the inmate "agreed" with, the higher his or her D:PSO score.

Determinism: Needs, Habits, and Addictions Index

The Determinism: Needs, Habits, and Addiction (D:NHA) measures the level of determinism used by each participant based on their responses to statements 9 (forced by a need), 10 (forced by habit), and 11 (forced by addiction). Participants who "agreed" with these statements earned a higher DA:NHA score than inmates who "disagreed" with these statements. The Cronbach's Alpha for this index is .704.

The scale of the possible level of D:NHA for a participant, based on his or her response, range from 0 (No D:NHA) to 3 (Highest D:NHA). In other words, the more Determinism: Needs, Habits, and Addiction items the inmate "agreed" with, the higher his or her D:NHA score.

Pre-Test

This instrument was originally pre-tested through administration to a convenience sample of persons who study or have direct contact with incarcerated people (i.e., Criminal Justice Students, Sheriff Deputies, Probation Officers, Attorneys and Judges). Convenience sampling runs a high risk of bias. The results of the convenience sampling were not part of this thesis. It

was merely a tool used to correct any unclear statements. Pre-tests help ensure validity of surveys (Rumsey, 2003).

The survey used in this thesis was also reviewed by several criminal justice professors. Because the average reading level of an incarcerated person in the United States is approximately sixth grade, and the lower range reading level is believed to be third grade (Taylor & McAtte, 2003), the surveys were adjusted to cater to the lower range.

Sixth grade reading comprehension levels range from one syllable words such as "crutch" to five syllable words such as "irresistible". Third grade reading comprehension levels range from (more simple) one syllable words such as "done" to three syllable words such as "already" (Johnson, 1987).

The survey was read to each participant. Inmates, therefore, did not need to know how to read the survey. They were, however, requested to listen to the survey.

Last Response

As mentioned earlier, participants could have "agreed" that the reasons given in the survey failed to adequately identify why they committed their crime. If

that was the case, they would have been provided an open-ended question (See Appendix B, Survey Question 17). The answers given for the "open-ended" questions would have been reported for inmates that "agreed" there was a reason for his or her law violation that was not covered in any of the survey statements. Ultimately, the open-ended question was never used by any participant.

Appropriate Statistics

This section gives a brief overview of the types of statistical analysis the reader can expect to see in the next chapter of the current study. The rationale for each type of statistics is briefly explained.

Simple Descriptive

This study, first and foremost, represented simple survey research. The majority of analysis involved descriptive statistics. The hypothesis for this research was adequately addressed through a summarization of the data with descriptive techniques such as frequency distribution and cumulative frequency. Included with these statistics were the margin of error and an alpha level of .05.

Chi-Square Based

Nevertheless, more advanced techniques, such as hypothesis testing with Pearson's Chi-Square were used. Furthermore, related nonparametric measures such as Fisher's exact test, Phi Coefficient, Lambda and Cramer's V were also used to address more complex research concerns.

Recoding for Further Techniques

In its original form, the data collected in the current research was categorical. Therefore, if it was not remedied, measures of central tendency (such as mean and median) would not have been appropriate (Vogt, 2005; Walsh & Ollenburger). Further, measures of variability (such as a standard deviation) would also not have been appropriate. Finally, measures of relative rank would also have been inappropriate due to the nominal (and mostly dichotomous) variables that saturate the current study (Mertler & Vannatta, 2005; Vogt, 2005).

Rank Order and Quantitative Tests

The data in the current study, however, was recoded. Specifically, inmate responses were placed on a rank index. For example, if some inmates happened to have chosen more rational choice statements to commit their

offenses, these participants received a higher "Rational Choice Score". Inmates who chose fewer rational choice statements, however, received a lower "Rational Choice Score". The same technique was applied to obtain a "Determinism Score".

Because this research recoded some of the data in the form of rankings, Spearman's rank order correlation (ρ) was an ideal measure for the current study (Walsh & Ollenburger, 2001). Based on the ρ (nonparametric measure), this study was also able to test the strength of possible correlations such as between gender and the type of reason selected for law violation.

In addition, because each inmate was given a score, the data became open to a t-test (Mertler & Vannatta, 2005; Vogt, 2005). Specifically, this study contained an independent variable (IV) of gender (with two obvious categories) and a quantitative dependent variable of score. Furthermore, the data also became open to a one-way analysis of variance (ANOVA): Specifically, this study supplied an independent variable of ethnicity (containing 4 categories) and a quantitative dependent variable of score.

CHAPTER FOUR

STATISTICAL FINDINGS

Overview

This chapter explains the statistical findings for the current study. First, this chapter discusses the response rate. Second, it reports the frequencies for male and female participants. Third, the frequencies of African American, White, Hispanic, and "other" ethnic groups are reported. Fourth, the chapter reports the frequency of responses for each statement collected from the participants. Next, the frequencies for the reliable indexes (discussed in the previous chapter) are reported. Then, based on the frequency of responses, a conclusion for the hypothesis is made.

Finally, other significant results from Chi-Square tabulations and Rank-Order correlations are presented. Invalid or insignificant statistical findings are not reported. Although a T-test and a one-way analysis of variance (ANOVA) were applied to the data, all of the results of these statistics were found to be insignificant.

Response Rate

Of the 130 inmates that were requested to partake in the current study, ten inmates refused participation. The response rate for this study was 120/130 or approximately 92 percent. This is a very good response rate. Statisticians consider a "good" (minimum bias) response rate to be anything equal to or over 70 percent (Rumsey, 2003).

Frequencies

Once the margin of error is included (Rumsey, 2003), the probabilities that the results of the survey are representative of sentenced inmates at GHRC are reported with 95 percent confidence. The 120 sentenced inmates were randomly selected from the parameter of all possible sentenced inmates residing in GHRC. Further, all the sentenced inmates had an equal chance of selection. Finally, the sample size (with respect to response rate and appropriate statistics) was large enough for the information reported.

Gender

From the same sample of 120 inmates, the following gender demographics were obtained. The sample contained

29 females and 91 males. This represented 24.2 percent females and 75.8 percent males (See Table 2).

This study can report, with 95 percent confidence, that the gender demographic of GHRC sentenced inmates contain 68.3 to 83.3 percent male sentenced inmates. The calculated margin of error is plus or minus 7.5 percent. A recent census of the facility shows that the actual percent of sentenced males is 666/860 or 77.44 percent.

Ethnicity

Of the sample of 120 inmates, the following demographics were obtained. The raw data shows that the sample contained 23 African American, 40 White, 56 Hispanic, and 1 "Other" Ethnicity. The sample contained 19.2 percent African American, 33.3 percent White, 46.7 percent Hispanic, and .8 percent "Other" respectably (See Table 2).

The margin of error for the sample size helps to better estimate the demographics of the parameter. The margin of error for the proportion of African American, White, and Hispanic sentenced inmates are plus or minus 8.9, 8.5, and 7.0 respectively.

Table 2. Gender and Ethnicity

Variables	Frequency	Percent
Gender		
Females	29	24.20
Males	91	75.80
Total	120	100.00
Ethnicity		
Other	1	.80
Black	23	19.20
White	40	33.30
Hispanic	56	46.70
Total	120	100.00

Responses

From the same sample of 120 inmates, frequencies of responses were obtained. In this section, each survey statement, the raw number of participants that agreed with the statement, and the percent of the sample that agreed is reported. Further, the margin of error for each percentage is stated.

The responses are not mutually exclusive. They do not add up to exactly 100 percent. As it is shown below,

many inmates chose both rational choice and deterministic reasons for their law violation. For example, some inmates agreed that they had something to gain while also agreeing that they felt forced by a need. Based on this combination, one may infer that the respondent's alleviation of need was also his or her gain.

Ironically, a rational decision may arise from a deterministic setting. It may be argued that rational choice is, perhaps, relative to the choice maker.

Not Aware of Action. The first statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you were not aware of what you were doing. In other words, you did not know what you were doing" (See Appendix B, Survey Statement 1).

The proportion of the participants that "agreed" with this statement was 29 out of 120 inmates or 24.2 percent (See Table 3). The margin of error for this statistic is 7.5 percent.

Not Aware the Action Was Illegal. The second statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you did not know that the act was against the law.

In other words, you did not know that you were doing a crime" (See Appendix B, Survey Statement 2).

The proportion of the participants that "agreed" with this statement was nine out of 120 inmates or 7.5 percent (See Table 3). The margin of error for this statistic is 4.8 percent.

Not Aware the Act Would Result in a Crime. The third statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you did not believe your actions would result in a crime. In other words, you did not know that what you were doing would lead to a crime" (See Appendix B, Survey Statement 3).

The proportion of the participants that "agreed" with this statement was 25 out of 120 inmates or 20.8 percent (See Table 3). The margin of error for this statistic is 7.3 percent.

Table 3. Frequency of Statement Responses

Statement	Agree (%)	Disagree (%)	Total (%)
1. Not aware of action	29 (24.2)	91 (75.8)	120 (100.0)
2. Not aware act was illegal	9 (7.5)	111 (92.5)	120 (100.0)
3. Not aware act would lead to a crime	25 (20.8)	95 (79.2)	120 (100.0)
4. Had something to gain	99 (82.5)	21 (17.5)	120 (100.0)
5. Encouraged by others	35 (29.2)	85 (70.8)	120 (100.0)
6. Forced by others	20 (16.7)	100 (83.3)	120 (100.0)
7. Forced by situation	54 (45.0)	66 (55.0)	120 (100.0)
8. Forced by obligation	47 (39.2)	73 (60.8)	120 (100.0)
9. Forced by a need	83 (69.2)	37 (30.8)	120 (100.0)
10. Forced by a habit	69 (57.5)	51 (42.5)	120 (100.0)
11. Forced by addiction	63 (52.5)	57 (47.5)	120 (100.0)
12. Believed would not be caught	86 (71.7)	34 (28.3)	120 (100.0)
13. Believed would not be punished	54 (45.0)	66 (55.0)	120 (100.0)
14. Believed punishment would be easy	51 (42.5)	69 (57.5)	120 (100.0)
15. Nothing important to lose	59 (49.2)	61 (50.8)	120 (100.0)
16. Other reason	0 (0.0)	120 (100.0)	120 (100.0)

Had Something to Gain. The fourth statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you had something (anything) you could gain by doing the act. In other words, doing the crime would help you get something that you wanted" (See Appendix B, Survey Statement 4).

The proportion of the participants that "agreed" with this statement was 99 out of 120 inmates or 82.5 percent (See Table 3). The margin of error for this statistic is 6.7 percent.

Encouraged by Others. The fifth statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you were encouraged to do the act by another person(s). In other words, one or more people made you feel that doing the crime was o.k." (See Appendix B, Survey Statement 5).

The proportion of the participants that "agreed" with this statement was 35 out of 120 inmates or 29.2 percent (See Table 3). The margin of error for this statistic is 8.0 percent.

Forced by Others. The sixth statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you believed you

were forced to do the act by another person(s). In other words, one or more people pushed you into doing the crime" (See Appendix B, Survey Statement 6).

The proportion of the participants that "agreed" with this statement was 20 out of 120 inmates or 16.7 percent (See Table 3). The margin of error for this statistic is 6.7 percent.

Forced by a Difficult Situation. The seventh statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you believed you were forced to do the act by a difficult situation. In other words, you were having such a hard time in your life that you had no choice but to do the crime" (See Appendix B, Survey Statement 7).

The proportion of the participants that "agreed" with this statement was 54 out of 120 inmates or 45 percent (See Table 3). The margin of error for this statistic is 8.9 percent.

Forced by a Significant Obligation. The eighth statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you believed you were forced to do the act by a significant obligation. In other words, you had

something you had to do, but could not do, unless you had done the crime" (See Appendix B, Survey Statement 8).

The proportion of the participants that "agreed" with this statement was 47 out of 120 inmates or 39.2 percent (See Table 3). The margin of error for this statistic is 8.7 percent.

Forced by a Need. The ninth statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you believed you were forced to do the act by a need (any need). In other words, you felt like you needed to do what you did so badly that you had no choice but to do it" (See Appendix B, Survey Statement 9).

The proportion of the participants that "agreed" with this statement was 83 out of 120 inmates or 69.2 percent (See Table 3). The margin of error for this statistic is 8.3 percent.

Forced by a Habit. The 10th statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you believed you were forced to do the act by a habit. In other words, you did the act so often in the past that you felt you

had to do it again" (See Appendix B, Survey Statement 10).

The proportion of the participants that "agreed" with this statement was 69 out of 120 inmates or 57.5 percent (See Table 3). The margin of error for this statistic is 8.7 percent.

Forced by Addiction. The 11th statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you believed you were forced to do the act by an addiction. In other words, things like drugs/ alcohol (in anyway) made you do the crime" (See Appendix B, Survey Statement 11).

The proportion of the participants that "agreed" with this statement was 63 out of 120 inmates or 52.5 percent (See Table 3). The margin of error for this statistic is 8.9 percent.

Believed Would Not be Caught. The 12th statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you believed that you would not be caught for doing the act" (See Appendix B, Survey Statement 12).

The proportion of the participants that "agreed" with this statement was 86 out of 120 inmates or 71.7

percent (See Table 3). The margin of error for this statistic is 8 percent.

Believed Would Not be Punished. The 13th statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you believed that you would not be punished for doing the act" (See Appendix B, Survey Statement 13).

The proportion of the participants that "agreed" with this statement was 54 out of 120 inmates or 45 percent (See Table 3). The margin of error for this statistic is 8.9 percent.

Believed Punishment Would Not be Hard. The 14th statement was as follows. "One of the reasons you violated the law was because, at the time you did that act, you did not believe that the punishment would be hard to handle. In other words, you believed the punishment would be easy" (See Appendix B, Survey Statement 14).

The proportion of the participants that "agreed" with this statement was 51 out of 120 inmates or 42.5 percent (See Table 3). The margin of error for this statistic is 8.7 percent.

Believed There Was Nothing to Lose. The 15th statement was as follows. "One of the reasons you violated that law was because, at the time you did the act, you did not feel that anything important would be lost by doing the act" (See Appendix B, Survey Statement 15).

The proportion of the participants that "agreed" with this statement was 59 out of 120 inmates, or 49.2 percent (See Table 3). The margin of error for this statistic is 8.9 percent.

There Was Another Reason. The 16th statement was as follows. "There was another reason you violated the law that was not covered by one or more of the reasons already mentioned in this survey" (See Appendix B, Survey Statement 16).

The proportion of the participants that "agreed" with this statement was 0 out of 120 inmates or zero percent (See Table 3).

The margin of error for this statistic cannot be calculated. For sample proportions where the sample size (n) multiplied by the sample proportion (.00 in this case) is less than five, the margin of error formula is not appropriate (Rumsey, 2003). Further, even if one were

to reverse the proportion and seek a margin of error for 1.00, the formula still would not be appropriate (Rumsey, 2003). The sample size (120) multiplied by 1 minus the sample proportion is also less than five.

Frequency for Each Index

Table 4 shows the frequency of participants that scored one or more points on each index. Out of 120 participants, 105 (87.5 percent) scored at least one point on the rational choice index. In other words, approximately 88 percent (margin of error 5.8) of the participants reported that they committed their crime due to one or more rational choice reasons.

Out of the 120 participants, 108 (90 percent) scored at least one point on the rational choice with encouraged index. In other words, approximately 90 percent (margin of error 5.5) of the participants reported that they committed their crime due to one or more rational choice reasons and because they felt they were encouraged by others (See Table 4).

Out of the 120 participants, 36 (30 percent) scored at least one point on the DA index. In other words, approximately 30 percent (margin of error 8.3) of the

participants reported that they committed their crime due to being unaware of their actions, unaware that their actions were illegal, or unaware that their actions would lead to a crime (See Table 4).

Table 4. Frequency for Each Index.

Index	None (%)	Some (%)	Total (%)
Rational Choice	15 (12.5)	105 (87.5)	120 (100.0)
Rational and Encouraged	12 (10.0)	108 (90.0)	120 (100.0)
Determinism: Not aware	84 (70.0)	36 (30.0)	120 (100.0)
Determinism: People, situations, obligation	57 (47.5)	63 (52.5)	120 (100.0)
Determinism: Needs, habit, addiction	20 (16.7)	100 (83.3)	120 (100.0)

Out of the 120 participants, 63 (52.5 percent) scored at least one point on the DA:PSO index. In other words, approximately 53 percent (margin of error 8.9) of the participants reported that they committed their crime due to being forced by other people, forced by a difficult situation, or forced by an obligation (See Table 4).

Finally, out of the 120 participants, 100 (83.3 percent) scored at least one point on the DA:NHA index.

In other words, approximately 83 percent (margin of error 6.7) of the participants reported that they committed their crime due to being forced by a need, a habit, or an addiction (See Table 4).

Frequency for Each Index Score

The following highlights the index score frequencies for the 120 participants. Because these are only highlights of extreme scores, no table has been provided.

First, out of 120 participants, 15 (12.5 percent) scored no points on the rational choice index. This suggests that about 13 percent of the participants used no rational choice (at all) when they committed their crime. The highest possible score (five) was obtained by 22 out of 120 participants (18.3 percent).

Second, 12 (10 percent) scored no points on the rational choice with encouraged index. These participants appeared to have committed their crime without rational choice or encouragement from others. The highest possible score (six) was obtained by 12 participants (10 percent).

Third, 84 (70 percent) scored no points on the DA index. This suggests that these inmates were at least

somewhat aware of their actions. The highest possible score (three) was obtained by only 6 participants (5 percent). This maximum score indicates that these inmates were very aware of both their actions and the illegality of their actions.

Fourth, 57 (47.5 percent) scored no points on the DA:PSO index. This suggests that about 48 percent of the inmates did not feel pressure to commit their crime by people, situations or obligations. The highest possible score (three) was obtained by 15 out of the 120 participants (12.5 percent).

Finally, 20 (16.7 percent) scored no points on the DA:NHA index. This suggests that about 17 percent of the inmates did not feel pressure to commit their crime by a need, habit or addiction. The highest possible score (three) was obtained by 50 out of 120 participants (41.7 percent).

Reasons for Their Crime

Based on the results of the survey, 97.5 percent of the participants "agreed" that they committed their offense due to one or more rational choice factors and one or more deterministic factors mentioned in the

survey. Furthermore, 100 percent of the participants "agreed" with at least one of the reasons (rational and/ or deterministic) for committing their individual crimes.

Other Reasons

None of the participants (zero percent) reported that he or she believed there was an additional reason why he or she committed their offense. The "open-ended" survey question was not used because the prerequisite to state the question was not met by any participant.

Other Findings

In the process of gathering and analyzing data for the hypothesis, two dependent variables were found to be associated with gender. In this section of the study, the results of two Chi-Square tabulations are discussed.

Gender and Punishment Severity

The Chi-Squared test is a categorical test statistic. It is, therefore, appropriate for the current research as originally coded (Vogt, 2005). The observed frequencies in comparison to the expected frequency for gender on the dependent variable "believed the punishment

would be easy" were significantly higher for men than women (See Table 5).

According to the Pearson Chi-Square, the probability (.022) was less than the alpha level of .05. Further, the likelihood ratio was relatively small (.019) which suggested a strong relationship. The Fisher's exact test (.030), showed significance at less than .05 alpha level (See Table 5).

However, based on both Phi and Cramer's V the strength of association was weak. Based on Phi squared, gender explained about 4 percent (.0441) of the variance for an inmate "agreeing" that they committed their criminal act due to the anticipated punishment not being hard (See Table 5). It should be noted that a Lambda directional measure was attempted but was unable to be computed because the asymptotic standard error equals zero.

Table 5. Chi Square Tests

Cross-tabulations	df	χ^2	p	LR	Fisher	Phi	V	Φ^2
Gender - Punish easy	1	5.3	.022*	.019	.030 *	.210	.210	.0441
Gender - Rational Choice/ encouraged	1	4.2	.039*	.008	.038 *	.188	.188	.0353

Note. * $0 < P < .05$. ** $p < .001$.

Gender and the Rational Choice with Encourage

The observed frequency in comparison to the expected frequency for gender on the dependent variable "Rational Choice with Encourage" appeared significantly higher for women than men (See Table 5).

According to the Pearson Chi-Square, the probability (.039) was less than the alpha level of .05. Further, the likelihood ratio was small (.008) which suggested a strong relationship. The Fisher's exact test (.038), showed significance at less than .05 alpha level. However, based on both Phi and Cramer's V the strength of association was weak (.188). Based on Phi squared, gender explained about 4 percent (.0353) of the variance for an inmate "agreeing" that they committed their

criminal act due to the rational choice statements with being encouraged by others.

There was a potential problem identified in the matrix for these statistics. Specifically, there were cells with an expected count of less-than-five (<5). The cells with this expected count constituted 25 percent of the expected count. The results are still discussed, however, because 25 percent of expected counts are acceptable by some researchers (George & Mallery, 2007).

Lambda directional measure was attempted for the finding but was unable to be computed. The asymptotic standard error equals zero for the data entered. Lambda significance is inconclusive. Based on the totality of information, however, this finding was deemed to be valid and significant.

Nonparametric Correlations: Rank Ordered

The Spearman's rho (rank order correlation) has been used to determine the possible relationships between gender and the scores earned (i.e. for rational choice) based on the statements selected for law violation. There were no significant findings at the alpha level of .05.

The Spearman's rho was also used to determine possible relationships between ethnicity and the scores obtained by statements selected for law violation. Again, there were no significant findings.

There were, however, several correlations between the various types of responses to survey statements. First (See Table 6), there appeared to be a strong positive correlation between Rational Choice index scores and Rational Choice with Encourage index scores (.968). The relationship appears to be significant (two-tailed at .000). This is not surprising because these two indexes share a majority of items from the survey.

Second (See Table 6), as expected, there appeared to be a moderate negative relationship between the Rational Choice index scores and the Determinism based on Awareness index scores (-.511). This too was significant (two-tailed at .000). It appears that the more likely a participant chose to agree with a lack of awareness as a reason for his or her law violation the less likely he or she would choose to agree with a rational choice item.

Table 6. Rank Order Correlations

Response Correlations	Coefficient	p
Rational choice & Rational choice with encouraged	.968	.000**
Rational choice & Determinism: Aware	-.511	.000**
Rational choice with encouraged & Determinism: Aware	-.510	.000**
Rational choice with encouraged & Determinism: NHA	.188	.039*
Determinism: Aware & Determinism: PSO	-.294	.001**

Note. * $0 < P < .05$. ** $p < .001$.

Third (See Table 6), there appeared to be a moderate negative relationship between Rational Choice with Encourage and the Determinism based on Awareness scores (-.510). This too was significant (two-tailed at .000).

Fourth (See Table 6), there appeared to be a weak positive relationship between Rational Choice with Encourage and the Determinism based on Needs, Habits, and Addiction index scores (.188). This too was significant (two-tailed at .039).

Finally (See Table 6), there appeared to be a weak negative relationship between Determinism based on Awareness scores and the Determinism based on People,

Situations, and Obligations scores (-.294). This was significant (two-tailed at .001).

T-Test

The mean scores obtained from the female participants for any indexes were not significantly different from those obtained by male participants. Based on the t test for "equal variances assumed", no differences in the means were significant. The closest to the alpha level .05 (two tailed) was found for gender and the mean Rational Choice with Encouraged index score (.196).

ANOVA

A one-way analysis of variance examining ethnicity (as the independent variable) and statement selected score (as the dependent variable) was conducted. The ethnicity examined were "Black", "White", "Hispanic", and "Other".

Although African American participants had a higher mean score for Rational Choice (3.30) and for Rational Choice with Encourage (3.70) than other races, the ANOVA revealed that the differences are not significant at the .05 alpha level. In fact, none of the scores obtained from each ethnic group was found to be significantly

different from any other ethnic group in this study (no table).

Conclusions

The purpose of this research was to apply specific principles of rational choice and determinism to see if these reasons for law violation are exhaustive. If they are not exhaustive (null hypothesis) then we would expect that, statistically, the majority of sentenced inmates at GHRC would "agree" with statement 16 of the survey. In essence, the inmates would "agree" that they committed their offense for a reason not covered by the rational choice or deterministic factors offered to them in the survey.

Significant Findings

None of the inmates in the sample agreed with statement 16 (See Appendix B, Survey Statement 16). In other words, none of the inmates reported that there was another reason for committing his or her criminal act that was not already covered in the measurement instrument.

The results of the survey support, with 95 percent confidence, several conclusions about the sentenced inmates at GHRC (parameter). First, approximately 82 to

93 percent of the sentenced inmates at GHRC committed their criminal act due to at least some rational choice. Second, about 85 to 96 percent committed their criminal act due to some rational choice while being encouraged by others. Third, approximately 22 to 38 percent committed their criminal act, all or in part, due to being unaware of their action, unaware that their action was illegal, or unaware that their action would lead to a crime. Fourth, approximately 44 to 61 percent committed their crime, all or in part, because they felt forced by one or more people, a difficult situation, or a significant obligation. Finally, about 77 to 90 percent committed their crime, all or in part, due to feeling forced by a need, habit, or addiction. Because none of the reasons for law violation are mutually exclusive, the reasons reported by the participants frequently overlap with other reasons.

Overall this study supports the research hypothesis. Specifically, the majority of sentenced inmates at GHRC committed their illegal acts for one or more of the rational choice or one or more of the deterministic reasons discussed in the current study. The statistical findings discussed in this chapter support the conclusion

that the nine reasons for law violation (See Table 1) are exhaustive.

Other Significant Findings

According to chi-square tests, there is support that gender plays a part in why some of the inmates at GHRC committed their crime. Sentenced males at GHRC were significantly more likely than sentenced females at GHRC to commit their crimes due to believing that the punishment would be relatively easy. Being male, however, only increased this likelihood by about four percent.

Females, on the other hand, were significantly more likely to commit their crime because of a combination of rational choice and being encouraged by others. Being female amplified this likelihood by approximately 4 percent.

Based on the Spearman's rho, the more an inmate committed a crime due to rational choice, the more likely he or she was also encouraged by others. This conclusion was based on the strong positive correlation between rational choice scores and rational choice combined with the encourage scores.

Based on the Spearman's rho, the more a participant reported being unaware of his or her actions or legality of actions, the less likely he or she would report making a rational choice about his or her crime. Furthermore, participants who stated that they were unaware seemed less likely to report making a rational choice while being encouraged by others. This was not surprising.

The Spearman rho also indicates that the more an inmate reported committing their crime due to a rational decision while being encouraged, the more likely he or she would report being forced by a need, habit or addiction. The Spearman rho shows a weak correlation, however.

Finally, it appears that the more an inmate reported committing their crime due to being unaware (of action or legality of action), the less likely he or she would report being forced by people, situations or obligations. Here, again, the Spearman rho shows a weak correlation.

CHAPTER FIVE

SUMMARY AND CONCLUSIONS

Overview

This chapter summarizes the previous chapters. It is a comprehensive overview of the thesis and its findings. First, a summary of this thesis is provided. The summary includes the completed goals of this thesis, conclusions about the literature review, the hypothesis for this thesis, the research questions addressed, and the general findings for this study. Next, a synopsis of the methods is provided. The synopsis includes the type of sample and measurement instrument used for this study. Furthermore, this synopsis briefly reviews the scope of participants and the types of Statistical analysis undertaken. Subsequently, the limitations of the study are restated in brief. Finally, suggestions for future researchers able to circumvent the limitations are made.

Summary

This thesis identified and categorized the general criminal motivations of sentenced inmates at Glen Helen Rehabilitation Center (GHRC). It first examined a number

of traditionally accepted theories of crime, including rational choice and several deterministic theories. The deterministic theories included conditioning, general strain, institutional anomie, differential association, and differential reinforcement.

This thesis then consolidated all of these theories of crime to create one theoretically exhaustive list. This list was designed to holistically state reasons for law violation. The purpose of this consolidation was to remedy the failure of each individual theory to assert all the possible reasons for illegal acts.

According to the literature review, people commit criminal acts because of following rational choice and deterministic reasons. First, there is something to gain by doing the act. Second, it is unlikely that he or she will be caught or punished for doing the act. Third, the punishment (or other consequences) for doing the act is perceived to be easy to handle.

Fourth, the actor is unaware of his or her actions. Fifth, the actor is unaware that the act is against the law. Sixth, The actor is unaware that his or her action would result in a crime. Seventh, the actor was encouraged to do the act by others. Eighth, the actor

felt forced to do the act by a habit, addiction or need. Ninth, the actor felt forced to do the act by another person, a difficult situation, or a significant obligation.

This thesis then tested the comprehensiveness of the list by administering a measurement instrument to sentenced inmates at GHRC. The measurement instrument, a survey, was used to obtain the opinions of the participants. The purpose of this administration was to test the hypothesis that the majority (if not all) of the sentenced inmates at GHRC would agree that they had committed their illegal act due to a reason annotated in the consolidated list - and for no other reason. This would support the hypothesis that the nine consolidated reasons for law violation are absolute.

Overall, after the data was evaluated, the null hypothesis was rejected for the alternative hypothesis. Specifically, this thesis supports the conviction that the consolidated reasons for law violation, stated above, are comprehensive.

This thesis also addressed several research questions. This study indicated the percentage of sentenced inmates that committed their crime due to

rational choice, determinism, or a combination of both. It should be remembered that the responses were not mutually exclusive. They did not, when combined, necessarily add up to 100 percent. The reasons given for law violation generally overlapped with other reasons.

This study made the following findings. First, approximately 82 to 93 percent of the sentenced inmates at GHRC committed their criminal act due to at least some rational choice. Second, about 85 to 96 percent committed their criminal act due to some rational choice while being encouraged by others. Third, approximately 22 to 38 percent committed their criminal act, all or in part, due to being unaware of their action, unaware that the action was illegal, or unaware that their action would lead to a crime. Fourth, approximately 44 to 61 percent committed their crime, all or in part, because they felt forced by one or more people, a difficult situation, or a significant obligation. Finally, about 77 to 90 percent committed their crime, all or in part, due to feeling forced by a need, habit, or addiction.

Although there were no significant findings regarding ethnicity, two findings were made regarding gender. This study indicated, based on chi-square tests,

that males were more likely to commit an offense because they believed the punishment would be relatively easy. Further, females were more likely to commit their crime because of a combination of rational choice and being encouraged by others.

Finally, this thesis identified correlations between one reason to violate the law and another. First, the more an inmate reported committing his or her crime for a rational choice reason, the more likely the inmate would report committing a crime for both rational choice and being encouraged by others.

Second, as expected, the more a participant reported being unaware of his or her actions or legality of actions, the less likely he or she would report making a rational choice about his or her crime. Furthermore, participants who stated that they were unaware seemed less likely to report making a rational choice while being encouraged by others.

Third, the more an inmate reported committing their crime due to a rational decision while being encouraged, the more likely he or she would report being forced by a need, habit or addiction.

Finally, the more an inmate reported committing their crime due to being unaware (of action or legality of action), the less likely he or she would report being forced by people, situations or obligations.

Methodology Synopsis

A simple random sample, made up of 130 sentenced inmates at GHRC, was requested to take part in a 17-statement survey. Of the 130 inmates requested, 120 inmates agreed to participate (.92 Response Rate).

The survey was designed to test the hypothesis that the nine general reasons discussed in this study account for all possible reasons for law violation. The participants were asked to think of a crime that they have committed. Then, the participants were asked to "agree" or "disagree" with various statements from the survey.

For example, one statement stated, "One of the reasons you violated that law was because, at the time you did the act, you believed you would not be caught for doing the act". If the participant "agreed" with this statement, it was an indication that one of the reasons the participant violated the law was because he or she

believed he or she would not get caught. This particular statement supported rational choice as a reason for law violation (See Appendix B, Survey).

The survey was created based on the guidance of several studies and research references. It was designed to maintain face, construct, content, and criterion-related validity. Further, due to its standardized statements, appropriate statements for its target population, established measures, limited response options, and Cronbach's Alpha tests, the survey was accepted as a reliable measure for this thesis.

The scope of the participants are sentenced inmates convicted in San Bernardino County, of at least one offense, and are sentenced to serve some or all of their correction time at GHRC. The participants were all adults (18 years or older).

The actual sample contained 29 females (24.2 Percent) and 91 males (75.8 Percent). Further, the sample contained 23 African Americans (19.2 Percent), 40 White (33.3 Percent), 56 Hispanic (46.7 Percent), and 1 "Other" (.8 Percent) ethnicity.

Statistical analysis, appropriate for the type of survey used, included simple descriptive, and chi-square.

The data was later recoded to include several rank indexes to measure concepts such as rational choice and determinism. The data was then analyzed using rank order and quantitative tests - such as the Spearman's rho.

Limitations and Suggestions

This thesis was applied to a relatively small study population. The results of this study can only be generalized to sentenced inmates at Glen Helen Rehabilitation Center.

If time and budget constraints allow, it is strongly suggested that future researchers consider repeating this study on a larger scale. The methods used in this thesis should be appropriate for virtually any correctional facility in the United States. The measurement instrument appears to be both valid and reliable for incarcerated persons.

This thesis did not address all known theories of crime. It only utilized enough traditionally accepted theories to holistically identify general reasons for law violation.

It is recommended that future research include comparisons of the nine reasons of law violation with

additional theories. Perhaps additional insights may be obtained that were overlooked in the current study. Non-traditional theories may also be appropriate for comparisons.

This thesis assessed the opinions of various inmates based on a limited set of standardized questions. Ultimately, this study did not utilize an open-ended question. Depending on the life experiences of a participant, they may have difficulty deciding which one of the options applies to them. Further, boredom or fatigue may encourage guessing.

Although open-ended questions tend to be less reliable, future research may consider utilizing additional open-ended questions for increased validity. At best, closed-ended survey responses can only provide approximate indications of what participants want to report.

This study did not address specific offenses for individual participants. This was done to reduce the risk of a low-response rate. Inmates charged with child-molestation, rape or lewd conduct, for example, may have been reluctant to participate in the survey if disclosing this information was required. At best, this study is

aware that each participant has been convicted of either a misdemeanor and/or a felony. The specific type of offense the participants may have been thinking of during the survey is unknown.

Future researchers should consider using the survey on a sample where the offense analysis is controlled. This would limit the scope of the research to specific offences, but it would increase the depth of the investigation. Is shoplifting a product of rational choice or determinism? Is grand theft auto a product of desire for a gain or is it more commonly caused by an obligation?

This study also did not address the participants' length of incarceration or social class. These factors may be very significant in explaining why a participant "agreed" or "disagreed" with survey items.

Future researchers should consider using the survey on a sample where such factors are controlled. Participants in a lower social class may tend to offer significant needs or obligations as their reason to commit crime. Higher social class participants may opt to select gains (such as excitement) as their primary motivation to offend.

APPENDIX A

ORAL INFORMED CONSENT (ENGLISH AND SPANISH)



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Department of Criminal Justice

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(909) 537-5506

Oral Informed Consent Text

Hi _____, I am (INTERVIEWER' S
NAME).

I am very interested in gathering opinions for a psychological study. The purpose of the study is to better understand why we, as human beings, sometimes violate the law. Although everyone, at one time or another, fails to obey a law, it is not everyday that that we stop and ask ourselves why this is the case.

I am requesting your participation in a survey. The survey contains 17 statements. You will be asked if you "agree" or "disagree" with each statement. I would like you to give me your honest opinion. There are no "wrong" or "right" answers. The survey is expected to take five to eight minutes to complete.

The survey is confidential. It will not have your name, address or any information that might reveal your identity. Although you have been randomly selected for this survey by your bunk number, the bunk number list will be destroyed (shredded) after all of the surveys have been completed.

I must advise you that participating in this survey will have no affect on your custody time, probation or parole. You should also know that I am required to report future plans for escape and any plans to hurt yourself or others.

The survey is designed to be quick, but thought provoking. Discussing why you committed a crime may make you feel uncomfortable. If, at anytime, you do not feel like continuing with the survey, feel free to stop me, or to tell me anything that concerns you. It is your absolute right to refuse participation and to withdraw any data that you have contributed without penalty.

The information obtained by this survey, and surveys contributed by other participants, will be used primarily for a Master of Arts thesis Anthony Carbo is completing for California State University, San Bernardino. The information may also be used as a tool for class

discussion in one of the Glen Helen Rehabilitation Center's rehabilitation programs. If you have any future questions regarding risks and benefits of this survey, feel free to contact Anthony Carbo or Dr. Dale Sechrest through California State University, San Bernardino (CSUSB). The faculty advisor contact phone number is (909) 537-5566. This research has been approved by the Institutional Review Board at CSUSB.



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Oral Informed Consent Text (Spanish)

¡Hola! _____, soy (nombre del entrevistador).

Estoy haciendo un estudio psicológico y me gustaría mucho conocer su opinión. El propósito del estudio es comprender porque nosotros, los seres humanos a veces violamos la ley. Aunque todos hemos violado la ley alguna vez, no nos detenemos a pensar porque.

El estudio contiene 17 declaraciones y le voy a pedir que por favor conteste "si estoy de acuerdo" o "no estoy de acuerdo" a cada una de ellas. Por favor sea sincero. No hay respuestas correctas ni incorrectas, y le va a tomar de 5 a 8 minutos contestar.

El estudio es confidencial; no se va a revelar su nombre ni su dirección ni nada que lo pueda identificar. Lo escogimos a usted al azar por medio del número de su litera, pero cuando termine usted de contestar el cuestionario, destruiremos el número.

Debo informarle que el hecho de que usted participe en el estudio, no afectará su sentencia, ni las reglas de su probatoria o libertad vigilada; pero si usted tiene planes de escaparse o de lastimar a alguien o de lastimarse usted mismo, lo tendré que reportar.

Aunque el cuestionario se contesta rápido, quizás lo ponga a usted a pensar. El hablar del porque se cometen los delitos, quizás lo haga sentirse incomodo. Si en algún momento ya no quiere usted continuar, dígame, o dígame lo que le preocupa. Tiene usted todo el derecho de negarse a participar y borrar cualquier dato que nos haya dado, si así lo desea.

La información que se saque de estos estudios, se usara para la tesis de maestría en artes de Anthony Carbo en "California State University, San Bernardino". Esta información también se va a usar como herramienta en las clases de uno de los centros de rehabilitación de Glen Helen. Si en el futuro tiene usted alguna pregunta en cuanto a los riesgos o beneficios de esta investigación, comuníquese con Anthony Carbo o con el Dr. Dale Sechrest por medio de "California State University, San Bernardino". El teléfono del consejero de la facultad es

(909) 537-5566. La mesa directiva de CSUSB ya ha aprobado la investigación.

APPENDIX B

SURVEY (ENGLISH AND SPANISH)

SURVEY

Survey Preparation

There are several terms in this survey that should be defined before we begin. The terms are as follows:

Aware: For the purposes of this survey, being aware means that you know what you are doing. It means you are fully awake and alert as to what is occurring to you or around you.

Gain: For the purposes of this survey, a gain is something you want to have. A gain can be more money, respect from friends, excitement or anything you desire to get.

Encouraged: For the purposes of this survey, being encouraged to do something means that you are somehow inspired or persuaded to act. For example, one may feel encouraged to wear a hat at a party if everyone else is also wearing a hat.

Forced: For the purposes of this survey, being forced means that you have little or no choice in a matter at hand.

Statements

Think about one of the latest crimes you have done. Thinking of that particular crime and that crime only, give me your opinion on the following statements:

1. One of the reasons you violated that law was because, at the time you did the act, you were not aware of what you were doing. In other words, you did not know what you were doing.

_____ (1) Agree (2) Disagree

2. One of the reasons you violated that law was because, at the time you did the act, you did not know that the act was against the law. In other words, you did not know that you were doing a crime.

_____ (1) Agree (2) Disagree

3. One of the reasons you violated that law was because, at the time you did the act, you did not believe your actions would result in a crime. In other words, you did not know that what you were doing would lead to a crime.

_____ (1) Agree (2) Disagree

4. One of the reasons you violated that law was because, at the time you did that act, you had something (anything) you could gain by doing the act. In other words, doing the crime would help you get something that you wanted.

_____ (1) Agree (2) Disagree

5. One of the reasons you violated that law was because, at the time you did that act, you were encouraged to do the act by another person(s). In other words, one or more people made you feel that doing the crime was o.k.

_____ (1) Agree (2) Disagree

6. One of the reasons you violated that law was because, at the time you did that act, you believed you were forced to do the act by another person(s). In other words, one or more people pushed you into doing the crime.

_____ (1) Agree (2) Disagree

7. One of the reasons you violated that law was because, at the time you did that act, you believed you were forced to do the act by a difficult situation. In other words, you were having such a hard time in your life that you had no choice but to do the crime.

_____ (1) Agree (2) Disagree

8. One of the reasons you violated that law was because, at the time you did that act, you believed you were forced to do the act by a significant obligation. In other words, you had something that you had to do, but could not do, unless you had done the crime.

_____ (1) Agree (2) Disagree

9. One of the reasons you violated that law was because, at the time you did that act, you believed you were forced to do the act by a need (any need). In other words, you felt like you needed to do what you did so badly that you had no choice but to do it.

_____ (1) Agree (2) Disagree

10. One of the reasons you violated that law was because, at the time you did that act, you believed you were forced to do the act by an uncontrollable habit. In other words, you did the act so often in the past that you felt that you had to do it again.

_____ (1) Agree (2) Disagree

11. One of the reasons you violated that law was because, at the time you did that act, you believed you were forced to do the act by an addiction. In other words, things like drugs/ alcohol made you do the crime.

_____ (1) Agree (2) Disagree

12. One of the reasons you violated the law was because, at the time you did that act, you believed that you would not be caught for doing the act.

_____ (1) Agree (2) Disagree

13. One of the reasons you violated the law was because, at the time you did that act, you believed that you would not be punished for doing the act.

_____ (1) Agree (2) Disagree

14. One of the reasons you violated the law was because, at the time you did that act, you did not believe that the punishment would be hard to handle. In other words, you believed the punishment would be easy.

____ (1) Agree (2) Disagree

15. One of the reasons you violated the law was because, at the time you did that act, you did not feel that anything important would be lost by doing the act.

____ (1) Agree (2) Disagree

16. There was another reason you violated the law that was not covered by one or more of the reasons already mentioned in this survey.

____ (1) Agree (2) Disagree

17. (If the participant agrees with Statement #16) - Briefly explain why you committed the crime.

Survey Preparation (Spanish)

Antes de empezar, vamos a definiré algunas de las palabras que usaremos en el estudio.

Estar consciente: En este estudio, estar consciente significa que usted sabe lo que esta haciendo, que esta bien despierto y alerta a lo que pasa a su alrededor.

Ganancia: para propósito de este estudio, ganancia es algo que usted quiere tener. La ganancia puede ser en dinero, respeto de los amigos, la emoción de la aventura o cualquier cosa que usted desee conseguir.

Animarse: Cuando en el estudio se hable de animarse refiere a que usted esta inspirado o persuadido a la acción, por ejemplo; Uno puede animarse a usar sombrero para ir a una fiesta donde todo mundo va a llevar sombrero.

Verse forzado: En este estudio, estar forzado, significa que usted no tenia otra alternativa en la asunto.

Statements (Spanish)

Acuérdese de último delito que usted cometió, piense solamente en ese delito y déme su opinión sobre los siguientes puntos:

1. Una de las razones por las que usted cometió ese delito fue porque en el momento de la acción usted no estaba consciente de lo que hacia. En otras palabras, que no sabia lo que estaba haciendo.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

2. Una de las razones por las que usted cometió ese delito fue porque en ese momento usted no sabía que la dicha acción era contra la ley. En otras palabras, que no sabia que estaba cometiendo un delito.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

3. Una de las razones por las que usted cometió ese delito fue porque en el momento de la acción usted no creyó que la acción resultaría en delito. En otras palabras, que no sabia que lo que lo que estaba haciendo lo llevaría a ocasionar un delito.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

4. Una de las razones por las que usted cometió ese delito fue porque en el momento de la acción usted tenía algo que ganar, (lo que sea). En otras palabras, que cometer el delito le ayudaría a conseguir algo que usted quería.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

5. Una de las razones por las que usted cometió ese delito fue porque en ese momento otra persona lo animó a cometer la acción. En otras palabras, que una o más personas le hicieron sentir que estaba bien cometer el delito.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

6. Una de las razones por las que usted cometió ese delito fue porque en el momento de la acción otra persona lo forzó a cometer la acción. En otras palabras, una o más personas le empujan a cometer el delito.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

7. Una de las razones por las que usted cometió ese delito fue porque en el momento de la acción una situación muy difícil lo forzó a cometer la acción. En otras palabras, estaba pasando por momentos difíciles. Y no tuvo usted otra alternativa más que cometer el delito.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

8. Una de las razones por las que usted cometió ese delito fue porque una obligación muy importante lo forzó a cometer la acción. O sea que usted tenía que hacer algo, y para lograrlo tuvo que cometer el delito.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

9. Una de las razones por las que usted cometió ese delito fue porque en el momento de la acción usted se vio forzado por una necesidad. O sea que usted sintió un impulso tan fuerte de hacerlo, que tuvo que hacerlo.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

10. Una de las razones por las que usted cometió ese delito fue porque en el momento de la acción usted tenía una costumbre incontrolable que lo forzó a cometer la acción. O sea que, estaba usted tan acostumbrado a eso, que no le quedo otra que volverlo a hacer.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

11. Una de las razones por las que usted cometió ese delito fue porque en el momento de la acción usted tenía una adicción que lo forzó a cometer la acción. O sea que las drogas o el alcohol lo obligaron a cometer el delito.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

12. Una de las razones por las que usted cometió ese delito fue porque en el momento de la acción, usted creyó que no lo iban a cachar.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

13. Una de las razones por las que usted cometió ese delito fue porque en el momento de la acción, usted no creyó que por eso lo fueran a castigar.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

14. Una de las razones por las que usted cometió ese delito fue porque en el momento de la acción, no creyó usted que el castigo que le darían sería muy difícil de soportar. O sea que usted pensó que el castigo sería suave.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

15. Una de las razones por las que usted cometió ese delito fue porque en el momento de la acción, usted pensó que no tenía nada importante que perder.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

16. Hay otra razón que usted tuvo para violar la ley que no se ha mencionado en el estudio.

_____ (1) si estoy de acuerdo (2) no estoy de acuerdo

17. Si usted está de acuerdo con el punto 16, explique brevemente porque cometió usted el delito.

APPENDIX C

DEBRIEFING STATEMENT (ENGLISH AND SPANISH)



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Debriefing Statement

Thank you for participating in this study. I hope it was a positive experience for you. If you have any concerns about your participation, feel free to contact Anthony Carbo or Dr. Dale Sechrest through California State University, San Bernardino (CSUSB). The faculty advisor contact phone number is (909) 537-5566. This number may also be used to request group results of this study. Thanks again.



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Debriefing Statement (Spanish)

Gracias por su participación en el estudio. Espero que sea una experiencia positiva. Si tiene usted alguna duda, comuníquese usted con Anthony Carbo o con el Dr. Dale Sechrest en "California State University, San Bernardino" (CSUSB). El teléfono es (909) 537-5566. En este número también puede usted preguntar por los resultados de todo el estudio.

Nuevamente gracias.

APPENDIX D
LEGAL CONCEPTS

Specific intent is a violator's resolve or determination to commit an act the law prohibits or omit an act imposed by a legal duty. California Evidence Code (CEC) states that specific intent is required by some California law, but not all.

For example, CPC defines "theft" as the taking, the carrying away or the fraudulently appropriating with the specific intent to permanently deprive the property of another (California Penal Code, 2007).

Some California law requires only general intent. General intent requires that an accused violator intended to do an act in question even if he or she had no intention or knowledge of violating the law. According to CEC 668 (2007), unless specific intent is a prerequisite of the statute, unlawful intent is presumed from doing an unlawful act.

For example, CPC 415(3) defines "using offensive words in a public place" as the use of offensive words in a public place which are inherently likely to provoke an immediate violent reaction (California Penal Code, 2007). A person may be found guilty of violating CPC 415(3) even if he or she did not realize others could hear, did not

know using such words was a criminal act, or said them due to an unintentional fit of anger (2007).

A person may be found guilty of CVC 22349, excessive speed, even if he or she inadvertently pushed too hard on his or her accelerator while listening to an upbeat song on the radio. It does not matter that the motorist was unaware that he or she was violating the law. He or she was still committing a crime - an infraction (California Vehicle Code, 2007).

A person could be convicted of a crime even if he or she was unaware of his or her actions. For example, according to California Evidence Code (CEC) 22(a), if a person voluntarily becomes exceedingly intoxicated then commits a crime, his or her lack of control or knowledge of his or her action may not be used as an excuse for the illegal act - even when the act requires specific intent (California Evidence Code, 2007). It is also possible for a person to be convicted of a crime even if they are insane.

According to CEC 522, a person accused of committing a criminal act has the burden of proving he or she was insane at the time the criminal act was committed (California Evidence Code, 2007). A person who is

factually insane at the time of the offense; but fails to prove his or her insanity, may be found guilty of a crime.

Criminal negligence is the failure to use the degree of care which a reasonable and prudent person would exercise under the same circumstances. For example, a person who fires a bullet towards the sky may be found guilty of CPC 192, manslaughter, if the bullet falls and kills a bystander. The actor may not have wanted or even anticipated the harm. The actor may be guilty of CPC 192 nevertheless (California Evidence Code, 2007).

A person could be convicted of a crime even if he or she felt forced to do the act. According to CEC 550, a defendant has the burden of proving that he or she felt a reasonable compulsion to commit a criminal act. If a person factually believed he or she had no other option but to commit a criminal act, but he or she is unable to prove that fact, he or she may be convicted of a crime (California Evidence Code, 2007).

According to CPC 198, if a person is afraid for his or her life and kills someone based on this fear, he or she may still be convicted of murder or manslaughter (California Evidence Code, 2007).

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