

## CASE STUDY 1.1

# Criminology in Action: The Legalization of Cannabis

After being illegal for almost a century, cannabis has now been legalized in Canada. The new law, the *Cannabis Act*, was given royal assent in June 2018, and retail sale of cannabis began in October 2018.

As the following chapter notes, the criminalization of certain kinds of conduct has changed over time—the distribution of alcohol is no longer a crime, nor is homosexual conduct, and neither is a physician’s act of performing an abortion or the act of a physician in assisting in the death of a terminally ill patient. At the same time, we have seen new forms of criminalization over the past few decades—penalties for child sexual exploitation on the Internet, offences relating to violations of the confidentiality and availability of computer data, identity theft, and identity fraud.

How are we to understand what happened with the legalization of cannabis? The drug was criminalized by Canada in 1923, with no discussion taking place in the House of Commons regarding the new law. The only mention was a single statement: “There is a new drug in the schedule.” (*Debates*, p. 2124) In 1923, cannabis was virtually unknown in Canada. An Edmonton magistrate, Emily Murphy, wrote a book in 1922 called *The Black Candle*, in which she condemned the traffic in cocaine and opium, linking their distribution to the Chinese and to Black people in America. This was described in racist terms as an attempt to injure “the bright browed races of the world” (p. 88). One chapter in *The Black Candle* was titled “Marijuana—The New Menace.” She told her readers that marijuana use could lead to unimaginable violence and was also likely to produce insanity in its users.

From 1923 to 1961 penalties related to cannabis (and to cocaine and opiates) escalated dramatically. All were described in the *Narcotic Control Act of 1961* as “narcotics,” though only opiates actually fit such a pharmacological description. And the *Narcotic Control Act of 1961* provided a maximum term of life imprisonment for those who distributed these “narcotics,” an increase from the maximum penalty of 14 years’ imprisonment that had been set out in 1954.

It was perhaps ironic that just five years later, in 1966, cannabis use increased dramatically in Canada, in the face of the most severe penalties our country had ever enacted. The initial response of the judiciary, when faced with an annual toll of 1,000 convictions for possession of cannabis, was to sentence about half of all those convicted to significant terms of imprisonment.



Former chief of the Ontario Provincial Police and Toronto Police Service Julian Fantino (middle) celebrates the opening of his cannabis business. Fantino was previously known for his tough-on-crime stance, including support for drug prohibition.

This “get tough” approach to cannabis was not successful. By 1975, there were 40,000 convictions annually for cannabis possession, and fines, probation, and absolute and conditional discharges were handed down in more than 90 percent of cases; imprisonment became a rarity.

In the late 1960s and throughout the 1970s, cannabis was an export-import business in Canada. Very little cannabis was produced domestically, and both cannabis and hashish were exported from many different countries around the globe: hashish from Lebanon and Afghanistan, cannabis from Thailand, Mexico, the United States, and Colombia. By the late 1980s, however, the export-import industry began to give way to domestic production, both indoors and outdoors. Cannabis of higher potency was produced, along with a greater variety of strains. A similar transformation took place in the United States and in many other Western nation-states.

Government responses to these kinds of changes first began in 1969, with the appointment of the LeDain Commission by then Prime Minister Pierre Trudeau. The Commission reported back to the federal government in 1972, recommending both the elimination of criminal penalties for possession and support for permitting cultivation for personal use. These changes were not acted upon by the federal government, but the judiciary and the police gradually began to change societal responses to cannabis use through police discretion in not always bringing charges forward and through the judicial imposition of much less punitive sentences after conviction.

By the 1990s, the domestic production of cannabis was well established and a variety of advocacy groups had formed, urging the legalization of cannabis and holding annual rallies in Vancouver (for example, the 4/20 event held on April 20), at which cannabis was openly consumed by thousands of individuals.

It had become clear, not only through scientific inquiry but also through the knowledge of millions of experientially informed consumers, that cannabis was much less of a threat to public health than more commonly used and legal recreational drugs, notably alcohol and tobacco.

During the federal election campaign of 2015, the Liberal party, led by Justin Trudeau, promised to legalize cannabis if elected. When they became government in the fall of that year, with a strong majority, they began to set in motion the steps that would lead to legalization. The government indicated that they wanted legalization to accomplish two objectives: the elimination of the illicit market and a reduction in youth access to cannabis. A task force was constructed, and it reported to government in the fall of 2016, recommending a system that would monitor the supply of the drug to avoid pesticides and other contaminants, provide labelling to indicate the potency of the product in terms of both THC and CBD levels, and avoid advertising or promotion of the product. All cannabis was to be produced by “licensed producers” who would have the ability to sell their products across the country via mail order. Individual provinces would determine the age required for purchase and the kind of retail, beyond mail order, that might be provided. The task force recommended that cannabis and alcohol not be sold from the same store, given the synergistic impacts of consuming both drugs. The task force also recommended that a maximum of four plants could be grown in individual dwellings.

The *Cannabis Act* was introduced in the House of Commons in April 2017 and made its way through both the House and the Senate, and a significant number of

committee hearings before receiving royal assent in June 2018. Most of the recommendations of the task force are embodied in the legislation. The federal government has control of the supply chain; only the products of licensed producers may be sold, via mail order or through provincial systems of retail. The provinces set the age for purchase (it will vary from 18 to 19 years of age, depending on the province) and determine, usually along with municipalities, what kinds of retail (private or public stores) will be allowed.

Canada is only the second country in the world to legalize cannabis, following Uruguay's lead in 2013. More important, however, has been the experience in a number of US states. Washington and Colorado legalized cannabis, and sales have been taking place since 2014. More recently, California and Oregon have legalized it, meaning that almost 25 percent of Americans now live in jurisdictions where cannabis is legal.

What should we be studying as legalization unfolds in Canada? There are many interesting and important questions. Will the illicit market slowly disappear? How much enforcement and regulation will be required to encourage the disappearance of this market? Will youth access increase, decrease, or stay about the same? Will adult use increase? Will driving impaired by cannabis increase, decrease, or stay at about the same level? And finally, what will happen to the criminal records of the hundreds of thousands of Canadians who were convicted of cannabis possession? Will these records be expunged, allowing these individuals to escape from the travel and employment disabilities that often follow from criminal conviction? As criminologists, we will want to study a range of impacts of this significant change in criminal justice policy.

### **Before You Read Chapter 1**

- What kinds of criminological study are mentioned in this case study?
- Why is this a worthwhile case study for criminologists to examine? What larger questions or issues does it raise for anyone studying crime?
- What other kinds of current crimes might be decriminalized or legalized in the future?
- Is the criminalization of cannabis analogous to the criminalization of other currently illegal drugs?



# What Is Criminology?

## LEARNING OUTCOMES

After reading this chapter, students will be able to:

- Identify the various disciplines and areas of study that formed the foundation of modern criminology.
- Explain the social, cultural, and demographic trends in the 20th century that led to the rise in prominence of criminology as an area of study.
- Identify the range of subjects that criminologists study and the corresponding range of approaches they take to study crime.

## CHAPTER OUTLINE

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## Introduction

The *Oxford Reference Dictionary* defines criminology quite simply as the “scientific study of crime.” More specifically, the word “crime” is derived from the Latin word “crimen,” and the “-ology” tacked onto our English “crimin” refers us to the study of crime.

The behaviours that are at the heart of crime have been a part of human conduct for as long as we have lived on the planet as *Homo sapiens*. In pre-state societies, there were assaults, robberies, thefts, and homicides—the kinds of activities that we regard today as criminal and punishable by the state.

But **criminology**—the scientific study of crime—is a relatively recent development. Although one can point to the Code of Hammurabi or the pronouncements of the Roman republic as examples of early codifications of crime, or to the work of an 18th century philosopher of punishment such as Cesare Beccaria, the study of crime itself did not really begin in any systematic way until the 19th century (Rafter, 2009). And even then there was not a great deal of coherence within the field, a phenomenon that arguably continues in the present. The German psychiatrist Krafft-Ebing wrote of sexual deviations, the Italian anthropologist Lombroso wrote of criminal man, and the French sociologist Durkheim wrote much more broadly of the normalcy of crime in all human societies. It’s also fair to note that criminology began, within a global context, as a subset of the discipline of sociology.

### **criminology**

The study of crime and criminal behaviour, which are defined by reference to criminal law.

## Criminology as an Academic Discipline

In Canada, the study of crime in universities began during the 1950s, at the University of British Columbia. The new program in criminology was announced in 1954, originating from the division of sociology within the Department of Economics, Political Science and Sociology. The spur for the development of the new program was an

emerging sense that correctional efforts—the rehabilitation of offenders—were going to be assisted by an accumulating body of knowledge (Parkinson, 2008). The proponents of the program argued that offenders could no longer be seen as “born criminals,” and they pointed to the local Haney Correctional Centre as the site of an emerging progressive correctional administration that was concerned about developing educational and vocational programs, maintaining family and community ties for offenders, and developing programs of probation and parole.

Although this program was short-lived, closing in 1959 and becoming part of the School of Social Work, the impetus for the study of crime in Canada, and in other Western nation-states, was clearly building. In 1963, Denis Szabo declared the arrival of “a new discipline” and “a new profession” at the Université de Montréal. Similarly, also in 1963, the Centre of Criminology at the University of Toronto was established as a research entity by J.L.J. Edwards. In 1967, Tadeusz Grygier established the Department of Criminology at the University of Ottawa as an applied interdisciplinary program, with courses to be offered in both English and French. And in 1973, Simon Fraser University’s School of Criminology, led by a former faculty member of the Université de Montréal, Ezzat Fattah, began to offer its program, again interdisciplinary in structure. Additionally, from the 1960s to the present, criminology programs emerged within departments of sociology at many universities, focused on understanding crime as a form of **deviance** and then studying the processes of defining criminal law, the social precursors to involvement in crime, and the potential range of appropriate and/or effective responses to law breakers.

### deviance

Behaviour that differs from accepted social norms; it may include acts that violate specific rules (crime), sexual behaviours, or non-criminal acts that challenge accepted values.

### *The Emergence of Criminology in the Postwar Era: The Social Backdrop*

These developments necessarily raise the question of why, during the 1960s and 1970s, the study of crime emerged as a subject of scholarly inquiry, no longer limited to the relatively exclusive purview of philosophers, theologians, and politicians. Canada was not the only nation-state in which this kind of rapid growth of the discipline occurred. In both the United States and the United Kingdom, the study of crime emerged as both a burgeoning and contested form of academic inquiry (Laub, 2004; Taylor, Walton, & Young, 1973).

Urbanization and industrialization were key features of social life in Canada, the United Kingdom, and the United States during the late 19th and early 20th centuries. There was substantial migration from rural areas to urban areas and the creation of new categories of crime, which were often directed at the behaviours of the urban poor: new proscriptions against vagrancy, drunkenness, and prostitution. The early 20th century also witnessed the beginnings of globalization—immigration in the form of inexpensive labour arriving from China, Japan, and the developing world. And these new immigrants represented an economic threat to established labour. They also brought long-established parts of their cultures with them to their new world—smoking opium from China, hashish from India, and coca and cocaine from South America. These alternatives to tobacco and alcohol were resisted and criminally prohibited, and laws were passed to aid deportation of “foreign drug pedlars” and to restrict immigration.

Put differently, the culture was changing. It was more urban and more global, and these changes created tensions. With increased literacy and increased access to information there were also challenges for the perpetuation of long-established institutions. The practice of capital punishment began to be criticized, public executions moved behind

closed doors, out of sight of the population, and reformers began to urge more humane treatment of law breakers, and to ask for more economic support for the urban poor.

By the end of the Second World War, social conflicts had become social threats. Global annihilation now appeared as a possibility, underlined by the Cold War between two dominant global powers, the United States and the Soviet Union. And so began the 1960s. Crime rates began to escalate in a time of youth rebellion. Young people were urged to “make love, not war” in the wake of the US entry into Vietnam, while Timothy Leary urged experimentation with a counter-cultural grouping of mind-active drugs. “Tune in, turn on, and drop out” was his rallying cry. There was also a **demographic** shift of some relevance. The percentage of young men within the populations of Canada, the United States, and the United Kingdom increased dramatically, beginning in the mid-1960s. The so-called baby boomers, born between 1946 and 1964, entered their crime-prone years (between the ages of 15 to 29) in the mid-1960s. In every era of human history, and in every part of the world today, young men commit a disproportionate amount of crime relative to other age cohorts. It was perhaps not surprising, then, that in the postwar era, with this explosion in the relative contribution of young men to national populations, that crime rates should rise, though there has also been considerable debate within criminological literature as to the statistical importance of this demographic shift (Fox, 2000; Marvell & Moody, 1991).

### demographics

Statistical data relating to characteristics of a population, such as relative size of age groups, gender balance, or any other measurable information.

### correlation

The finding that two measurable phenomena occur together, suggesting a relationship, but not necessarily one of direct cause and effect.

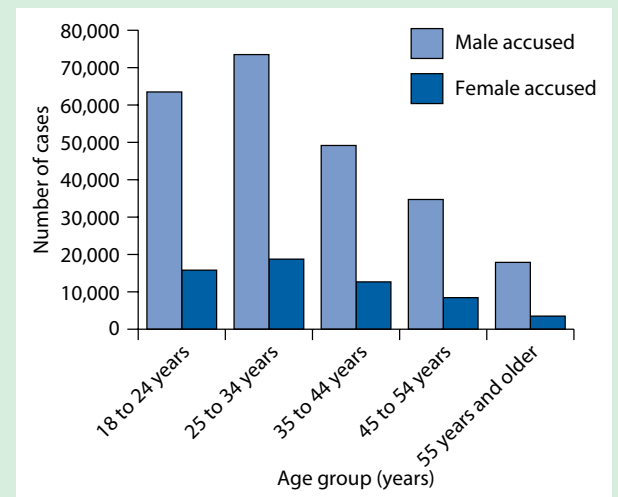
## BOX 1.1

### Correlates of Crime

As we will see in Chapter 4, Measuring Crime, a full understanding of the prevalence of crime is highly dependent on how crime is defined and how it is then reported to, processed, and counted by police. It is safe to say, however, that young men—not just in Canada today, but in most times and places throughout history—tend to commit a disproportionate amount of crime, as Figure 1.1 illustrates. Both age and sex can be seen in this figure as important **correlates** of crime; that is, they are factors that do not *cause* crime, but they are strongly linked to criminal behaviour. Simply put, young men make contributions to crime statistics that are remarkably disproportionate to the size of their population in Canada, the United States, the United Kingdom, and elsewhere.

Several other correlates of crime will be discussed at relevant points in this book, including, for example, the disproportionate representation of poverty, race, and income inequality within certain criminal justice statistics. The difficult task for criminologists is to try to understand the significance of these correlations. They do not express cause-and-effect relationships, but responding to this information, and understanding the meanings of these relationships, is important in the construction of an effective criminal justice policy.

**FIGURE 1.1** Cases Completed in Adult Criminal Court, by Age Group and Sex of the Accused, Canada, 2014–2015



Source: Maxwell (2017, Chart 9).

At the same time, alcohol consumption was increasing dramatically, approximately 50 percent per capita between 1966 and 1975. The birth control pill had also dramatically changed male–female relationships with its emergence in the mid-1960s, allowing women to experiment with sex without the risk of pregnancy and outside of marriage. Not surprisingly, rates of divorce, aided by more social acceptance of the dissolution of marriage, increased four-fold, again within the space of a decade. Added to that social upheaval, young women were leaving the family or marital home for the workplace. In Canada, the number of women in the labour force increased from 2.2 million in 1966 to more than 5.5 million in 1975. These were dramatic social changes for both men and women, and they weren't always easy to accept, particularly for men (Boyd, 1988).

Crime rates—perhaps understandably, given this backdrop—were increasing dramatically (see Figure 12.2 in Chapter 12, Crime Choice Theory). There were many ways in which the social changes of the 20th century, particularly those of the post-Second World War era, created the social conditions in which criminology emerged as an academic discipline. What was to be done about the use of cannabis and these other drugs, flowing from far-flung regions of the globe? What was to be done about the conflict between youth and the generation of their parents? What was to be done about the increasing disintegration of marriage and the problems of domestic violence? What was to be done about the new roles of women? Criminology entered the fray with multiple and sometimes conflicting agendas: controlling crime, reducing conflict, emancipating women and youth, and evaluating policies that might best respond to these new realities.

### ***Criminology: A Discipline or a New Home for Already Established Disciplines?***

What does it mean to be a criminologist? The field has typically been interdisciplinary in its orientation, drawing on long-established disciplines such as sociology, psychology, law, geography, history, political science, and economics, and more recently, with developments in understanding DNA and **forensic entomology**, the fields of chemistry and biology. Those educated in all of these realms tend to bring to the study of criminology both the substantive base of knowledge from their disciplines and a corresponding range of methods for undertaking academic inquiry. Psychology, as the study of individual behaviour, tends to focus on the criminal individual, often classifying this individual, trying to predict the risk of reoffending, and then evaluating the effectiveness of various forms of rehabilitation or treatment. Psychological explanations of crime have evolved over the years, moving from Freudian psychoanalysis to personality theory, to theories of moral development, and, more recently, to developmental conceptions of criminal involvement (Moffitt, 1993). In all of these constructions of crime, the individual is front and centre: An individual's psyche and behaviours are the focus of the study of crime.

Sociological analyses of crime are, not surprisingly, focused on the social order—the extent to which social forces work to define crime, and to create conditions in which crime might either flourish or diminish. Sociological analyses of crime are essentially trying to understand how the social context of our lives works to create law and certain kinds of crime and crime rates, as well as to point to social and structural

#### **forensic entomology**

The study of insects to assist in legal investigations; insects found on a corpse can help identify facts about the time and place of the victim's death.



changes that might be made in order to effectively respond to the challenges that crime presents. Sociology has, historically, been the dominant paradigm within criminology, giving rise, among other conceptions, to social control theory, labelling theory, differential association, notions of anomie, and, more recently, to a range of critical theories of crime: moral panics and the culture of control, Marxian and neo-Marxian analysis, Foucauldian perspectives, and post-modern conceptions of **criminality**. For as long as criminology has been a subject for academic inquiry, social analyses of crime, law, and deviance have tended to be pre-eminent. Crime and criminal conduct have been regarded as more likely to be driven by social conditions than by individual aberrations.

### **criminality**

The state of being criminal; criminal acts or practices.

## **BOX 1.2**

### **Understanding Deviance**

All societies define some behaviours as deviant, and some of these deviant behaviours are also regarded, through the further step of criminalization by the state, as crimes. These shifting definitions of deviance and crime can differ markedly across societies. For example, some nations regard alcohol consumption as both deviant and criminal; others regard sexuality outside of marriage as deviant and, in some circumstances, as criminal and deserving of severe penalties.

The history of crime teaches us that deviance, and crime itself, are both malleable constructions. In late 19th-century Canada, homosexuality was illegal and punishable by imprisonment. Today, however, gay marriage is legal, and we have openly gay politicians, celebrities, and an ever-growing number of athletes and other public figures. (Meanwhile, in some countries, particularly several in Africa, punishment for homosexuality has recently grown *more* severe, including life imprisonment—which illustrates how tolerance and definitions of deviance can trend in the opposite direction.)

Similarly, doctors who performed abortions in 19th-century Canada were subject to criminal conviction and even faced the possibility of a death sentence. Canadians have also debated in recent years whether some kinds of illegal drug use should properly be regarded as criminal and/or deviant. This debate culminated in the recreational use of cannabis becoming legal in Canada in 2018 after the Liberal Party made legalization one of their campaign promises in the 2015 election campaign. It had become clear, as countless politicians and other “law-abiding” people admitted to smoking pot, that the general public

no longer considered this to be criminal behaviour. Today, cannabis is largely considered to be like alcohol and tobacco—a potential risk to an individual’s health that should be subject to some regulation, but not generally considered a crime deserving of punishment, and not a deviant act in the opinion of most people.



Michael Leshner and Michael Stark celebrate a court’s decision allowing them to wed. In 2003, they became the first legally married same-sex couple in Canada. This landmark decision was one clear illustration of how social attitudes had shifted in recent decades.

The study of law is also central to the study of criminology, as it defines the landscape of crime, setting out the specifics of prohibited behaviours and the penalties that may attach to various acts of law breaking. The history of law provides insight into the changing nature of crime, allowing students to come to terms with the malleable nature of some forms of deviance, and the evolving nature of what might be viewed as appropriate responses to crime. A consideration of the evolution of criminal law provides insight into the creation of new forms of criminality. For example, legal analysis allows for discussion of the emergence of a global prohibition of certain mind-active drugs in the early 20th century, an experiment that began as a moral crusade against intolerable harms, but is now facing difficult challenges to both its empirical logic and its corresponding moral underpinnings. Similarly, study of the history of criminal law allows students to view changing responses to long-established and universally condemned forms of conduct. For example, in Canada in the latter half of the 19th century, capital punishment was regarded in law as an appropriate punishment not only for murder but for many other crimes. Study of subsequent amendments to criminal law, and the debates that surrounded these amendments, allows students to reflect on not only changing approaches to the punishment of crime, but also on the logic and utility of these changing approaches.

The disciplines of history, geography, political science, and economics have, historically, been less central to the study of criminology than psychology, sociology, and law, but they have each made different kinds of contributions. The social and spatial geography of crime have been critical to the development of programs of crime prevention through environmental design, and to the tracking of serial predatory offenders across time and space (Brantingham & Brantingham, 1984; Rossmo, 1999).

Detailed histories of crime, law, and criminal behaviours have permitted greater understanding of the utility of law and a range of various legislative and policy initiatives, and of the kinds of variables that might either foster crime or serve to diminish it. More recently, the discipline of economics has also made important contributions to criminology, permitting evaluative analyses of the costs and benefits of various crime reduction initiatives. With recent developments in the utility of gathering DNA at crime scenes, and in studying key elements of the decomposition of bodies to determine time of death (forensic entomology), the fields of chemistry and biology have both become a significant part of criminology, providing evidence that can be both inculpatory and exculpatory.

Is there, however, a discipline of criminology that will, in time, displace or unite all of these long-established disciplines? Or is criminology better described simply as the study of crime, and, as such, wholly dependent on the methods and literatures of sociology, psychology, law, and other disciplines? There are now many universities across the Western world that offer MA, MSc, and PhD programs in criminology. In Canada alone, the Université de Montréal, the University of Toronto, and Simon Fraser University all currently offer doctoral programs in criminology. But can any of these institutions claim ownership of a new academic discipline?

The faculty in departments and schools of criminology do appear to represent a variety of disciplines: law, psychology, sociology, economics, and geography, and also the natural sciences. But they also have individuals with doctorates in criminology.

**BOX 1.3****Why Study Crime?**

Before embarking on an in-depth examination of the many aspects of criminology covered in the chapters that follow, it is worthwhile to stand back and consider several general questions about the *value* of studying crime. Thinking about these issues helps one appreciate the role that criminology plays in defining and shaping our society, and why it is important and beneficial—both for individuals and society—to understand crime and criminal behaviour.

**What to criminalize and how to respond to crime?**

First, we need to think about what we as a society should criminalize. The power to define a person as criminal, and then to be able to deprive that person of liberty, is an extraordinary power. We learn from the history of crime that its content is highly malleable—in Canada alone, within the past century, we have come to regard some previously criminal acts as tolerable behaviours and some forms of punishment as inappropriately harsh and counterproductive. We also know that the powers of the police and the criminal justice system have often been abused or misapplied. The questions of how the state defines and responds to crime say a great deal about our culture, and they are deserving of careful consideration.

**What does the best evidence tell us about our responses to crime and their effectiveness?**

There are some forms of crime that have always been defined as such: Physical offences against persons, theft, and fraud come quickly to mind. But how effective are the typical responses to these crimes? Does imprisonment for certain kinds of crime have significant impacts on crime rates—that is, is it an effective deterrent? What about probation, fines, or conditional sentences? Can

neighbourhoods and communities be designed in ways that will reduce opportunities for crime, and therefore crime itself? Do the media influence our responses to crime, and do they give us an accurate understanding of crime? These are all important questions, and criminological research can provide important insights into the utility of various approaches and the creation of sound policies.

**Can the study of crime help us to respond to emerging challenges?**

Since the beginning of the 21st century we have witnessed significant social changes in Western society. Concerns about terrorism since the attacks of September 11, 2001 have led to expanded security measures and surveillance, which have in turn raised fears about compromised privacy and human rights. More generally, we have seen the proliferation of the Internet and of telephones that are also computers and cameras. What are the implications of these changes for crime and crime detection? We must now contend with identity theft, Internet and telephone fraud, and more, all of it within a virtual and global context. On any given day, we all face the possibility of being victims of these new kinds of crimes. How can we effectively respond to these new challenges?

Furthermore, while crime rates have dropped in most Western nations, there is a great deal of ongoing debate about why this has happened: A simple demographic shift? A cultural shift? Improvements in technologies for combatting crime? More effective policing? Or is a large proportion of crime simply shifting to a new, virtual terrain? If we are to understand both the present and the future of our society, and determine how best to deal with these challenges, these are some of the key questions we must attempt to answer.

Perhaps the difficulty for those who argue that criminology is a separate discipline, rather than simply a particular focus of study, is, however, one of demonstrating a set of theories and methods that are specific to criminology and quite separate from those other disciplines. Some of the most recent and arguably innovative approaches within criminology—life course development theory, geographic profiling, DNA profiling, and critical criminology—can be seen to have origins in psychology, geography, chemistry, and sociology, respectively.

## Criminology: What Do We Study?

As criminology is home to a host of disciplines, it is not surprising that the questions that criminologists ask tend to vary significantly, and this in part depends on the field of their training and in part depends on the lens or framework through which they understand the realities of crime. This issue of what to study takes us back to the social and political backdrop against which the study of criminology emerged in the 1960s and 1970s. Crime rates were rising, and the social conflicts described earlier in this chapter did set the stage for a more rigorous analysis of crime. Perhaps not surprisingly, though, the questions of what to study and how to study produced multiple responses, as they still do today.

### criminalization

To define an act as a crime and thereby subject that act to formal punishment.

For example, the process of **criminalization** itself has been subject to considerable scrutiny. The criminalization of the possession and distribution of certain kinds of drugs is an ongoing process that has produced a considerable amount of research, as has the criminalization and subsequent decriminalization of abortion and the contested criminalization of the trade in sexual services. In each of these instances, criminologists have examined the legal history of criminalization and its consequences, but they have also considered the effectiveness of the law, its intended and unintended consequences, the harms imposed by these illegal activities, and the harms imposed by the laws that control these activities.

In these contested terrains of criminal law, the disciplinary background of the criminologist remains critical. A historian will canvass and catalogue the emergence of law and legal amendments in substantial detail, attempting to explain the social, political, and economic context of changing law. A psychologist will consider the harms to the individual, not only from involvement in these typically consensual activities, but also from the law itself. An economist will consider the cost effectiveness of various sanctions. Does, for example, the provision of a supervised injection site for injection drug users reduce health care costs through avoidance of HIV and hepatitis C infections?

But once we move away from the contested terrains of crime—from those forms of conduct that might be viewed as socially tolerable and capable of regulation rather than as unacceptable behaviours deserving of the possibility of imprisonment—the focus of inquiry becomes quite different.

### *Crime Rates: Why Do They Go Up? Why Do They Go Down?*

Since 1960, we have amassed a considerable amount of data reported by police (for example, the Canadian Uniform Crime Reporting Survey [UCR]) that documents the extent of particular types of crime. We are now able to look back for decades from the present, using data from dozens of nation-states, in order to determine whether specific types of crimes have increased or decreased over time within specific jurisdictions. We can also compare different nation-states over time to determine whether the trends observed are crossing national boundaries.

We have learned that the reliability of these police data vary: Reports of homicides do tend to have a very close relationship to the actual number of homicides committed in most jurisdictions. But police reports of theft, assault, and even sexual assault may represent a minority of all such incidents, depending on willingness to report

For more on the UCR Survey, see Chapter 4.

the particular crime, perceived significance of the incident, and both individual and societal attitudes toward involvement with police and the **criminal justice system**. Fortunately, we also have a considerable amount of additional data generated by surveys of individual victimization that documents the extent of crime experienced by a random selection of citizens in a given jurisdiction (for example, the *General Social Survey* [Statistics Canada, 2013]). The combination of police reports of crime and ongoing surveys of criminal victimization provides a more complete and nuanced understanding of changing crime rates.

Criminologists study these changing crime rates in order to provide explanations for increases and decreases. Put differently, what variables produce an increase in certain kinds of crime, and, more important, having understood what drives crime rates up, what can we do to push them in the opposite direction? Alternatively, once crime rates have fallen, what can we attribute this to? And how can we produce more of the same? Much has been written, for example, about the crime drop experienced in Canada and the United States from the 1990s to the present (Blumstein & Wallman, 2000; Farrell, Tilley, Tseloni, & Mailley, 2011; Pinker, 2011).

What we have learned is that patterns of increase and decrease in crime rates are not universal; the explanations for these increases or decreases vary for different types of crime and are not consistent across nation-states. For example, motor vehicle theft has dropped significantly over the past 15 years, largely because improvements in motor vehicle alarm and access technology have made the possibility of theft much less likely (Kriven & Ziersch, 2007).

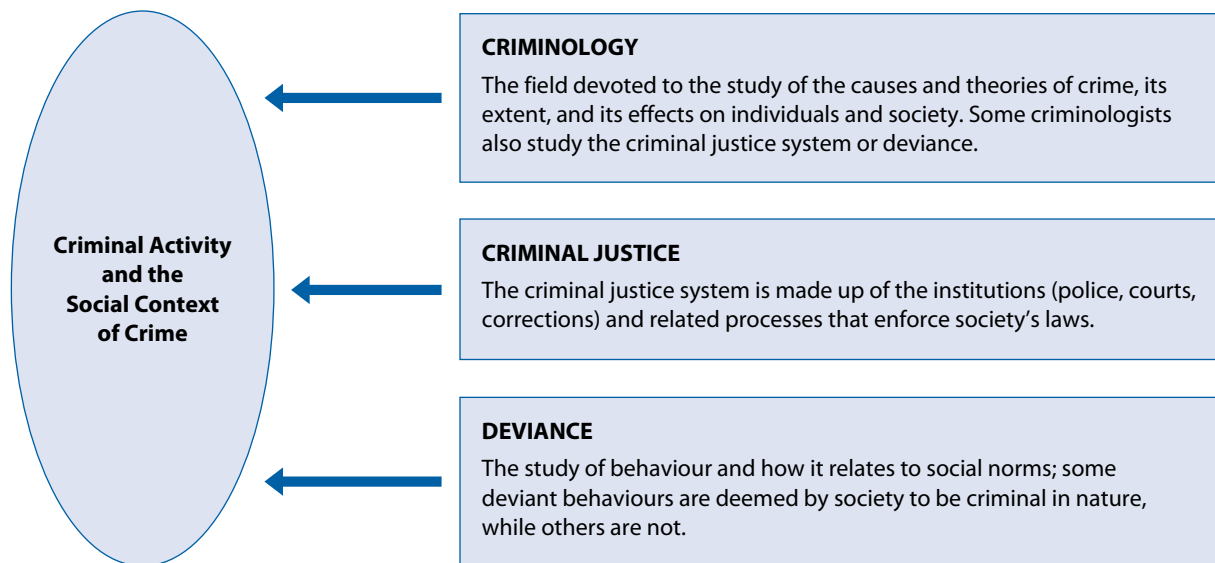
But why have homicides in Canada and the United States dropped to almost half the rates experienced in the late 1970s? There are many different explanations (Pinker, 2011; Zimring, 2006) but no universally accepted accounting for this change. We can point to a vast amount of correlational data regarding crime rates and other variables, but cause–effect descriptions and conclusions are simply not possible. Nonetheless, the tracking of crime and attempts to explain increases and decreases, notably the increases of the late 1960s and the early 1970s, and the decreases of the past 20 years, are a critical focus for criminology. If we are to reduce the impact that crime has on our everyday lives, we need to understand how and why particular kinds of crime increase and decrease over time. It is, for example, not surprising to learn that while many forms of personal and property crime have declined markedly over the past 20 years, online victimization, identity theft, and credit card fraud have all dramatically increased (United Nations Office on Drugs and Crime, 2013). Further, credit card companies do not typically report these fraudulent activities to police, leading us to underestimate one critical area of increase in property crime.

### ***Studying Criminals and Their Pathways to Crime***

An important part of criminology, beyond understanding the creation of criminal law and concomitant penalties, and beyond understanding changing crime rates, is the task of understanding why particular individuals commit crime and, in some circumstances, continue to do so. What, for example, are the characteristics of those convicted of crime, and why do some people commit a significant amount of crime, while others do not?

#### **criminal justice system**

The various institutions and processes through which an offender passes, such as the police, the courts, and correctional facilities and programs.

**FIGURE 1.2 Criminology, Criminal Justice, and Deviance**

We've learned that most people convicted of crime are male and relatively young (typically between the ages of 15 to 34); they also tend to have few resources and little education. Early criminologists like Cesare Lombroso argued for the heritability of crime—a conception of a “born criminal,” while William Sheldon argued in the mid-1950s that body type or somatotyping is strongly linked to criminal behaviour, with well-muscled mesomorphs more likely to commit criminal offences. Neither of these conceptions linking biology to criminality were able to find much empirical support, but research in the past 20 to 30 years has begun to regard criminal conduct as a complex mix of both biology and environment.

#### traits

Those attributes or features that distinguish or characterize an individual.

It appears that some individuals have personality **traits** and characteristics that predispose them to crime (Raine, 2013), but biology does not predetermine criminality. A series of studies of adopted children and identical twins raised apart have prompted some rethinking of the relative significance of environment in predisposing individuals to involvement in crime. When Sarnoff Mednick, William Gabrielli Jr., and Barry Hutchings (1984) discovered, after considering a sample of more than 14,000 Danish adoptions, that these children were significantly more likely to commit crime if their biological fathers had criminal records—trumping the influence of the criminal records held by the adopted fathers who raised them—the findings were denounced in some quarters and met with disbelief in others. But other research has served to confirm the thrust of this finding. Although our tendency has been to view crime as environmental in origin, research data suggest that our biology can also create challenges and predispositions that can, in some circumstances, outweigh environmental influences. Again, while biology may not be determinative, we are learning that it is not as unimportant as was once thought. Just as intellectual and athletic abilities are widely acknowledged to have a genetic backdrop, we are now accepting that difficult personalities can have a biological origin (Raine, 2013).

We have also learned that acquired trauma can have a significant impact on predispositions to crime. Frontal lobe damage, for example, has now been clearly linked to an

increase in the likelihood of impulsively aggressive behaviour (Brower & Price, 2001). And the prevalence of brain injuries in prison populations has been very clearly identified as both disproportionate to the general population and a significant risk factor for reoffending (Raine, 2013).

In studying the criminal and pathways to crime, criminologists have come to appreciate the complex mix of biological predisposition and environmental influences, permitting a more nuanced analysis of the genesis of crime. We now tend to regard biological risks, whether in the realm of a psychopathic personality, brain injury, or the complex mix of mental health and substance abuse difficulties, as having a synergistic relationship with a dysfunctional environment, a social backdrop often characterized by physical and emotional abuse and neglect.

Further, study of the criminal has also allowed us the opportunity to understand that there is often little **empirical** support for some of our populist conceptions. Just as during the 1960s and 1970s we came to reject the simplicity of Lombroso's criminal man and Sheldon's somatotyping, we have more recently come to realize that adult sex offenders are not specialists in that particular kind of crime—that is, men who predominantly commit a relatively narrow range of predatory sex offences.

Sex offenders are, rather, a much more diverse population, their crimes encompassing a range of offences, from incest and inappropriate touching to predatory attacks on strangers; predatory attacks on strangers are actually very rare events (Bonnar-Kidd, 2010; Bonnycastle, 2012). Sex offenders (with the notable exception of pedophiles) also tend not to specialize in sex offences; they are more accurately classified as anti-social deviants who commit a range of crimes, some of which happen to be sex offences (Lussier, Tzoumakis, Cale, & Amirault, 2010). We've also learned that most sex offenders have relatively low rates of reoffending, again contrary to populist conceptions (Hanson & Bussière, 1998). These findings raise important questions, for example, about the empirical logic of a sex offender registry. Why, we might ask, do we have a sex offender registry that houses such a varied range of offenders, particularly when the rates of reoffending for most of these kinds of crime are actually much lower than for other crimes?

It's clear, then, that much can be learned through the study of offenders, sometimes leading to findings that conflict with popular misconceptions and societal biases. And although those who study the individual offender are often criticized for failing to take account of social conditions and thereby inadvertently demonizing and **stigmatizing** offenders, it can also be argued that this kind of research can serve to create an improved understanding of the difficulties that offenders face, and the challenges that we have, correspondingly, in responding appropriately and humanely to their circumstances. Studies focused on offenders can also allow us to understand when young men and women are at risk of involvement in crime, and this understanding may help us find ways to prevent the harms that these individuals are likely to impose upon others and upon themselves.

### ***Technologies of Crime Control: Criminology in Aid of Detection and Avoidance of Crime***

The study of criminology has also produced innovative and potentially valuable technologies for the control of crime; a rich academic literature has developed within this realm, documenting not only the techniques, but also their costs, benefits, and potential limitations.

#### **empirical**

That which is understood or verified through experiment, measurement, or direct observation; as opposed to theoretical.

#### **stigmatize**

To strongly disapprove of a person or behaviour; to find disgraceful.

**interventions**

Strategies intended to shape the physical environment to mitigate crime; also various programs targeting individual offenders, offering alternatives to criminal behaviour.

**geographic profiling**

A tool that permits police officers to focus on the likely residence of offenders in cases of serial crimes.

**net widening**

Imposing a form of control on individuals who might otherwise not be subject to such control.

Crime prevention through environmental design (CPTED) is a term that was originally set out by the late criminologist C. Ray Jeffery (Jeffery, 1971). It is, essentially, a multidisciplinary approach, and almost all of these **interventions** appear in an urban environment, using, among other initiatives, landscape and lighting design to increase natural surveillance. Crime prevention through environmental design seeks to manage crime by decreasing both the opportunity for a crime to occur and an individual's motivation to commit crime, and by simultaneously increasing the risk to the offender if the crime is to be committed. There is a considerable body of empirical evidence demonstrating the utility of this approach (Casteel & Peek-Asa, 2000; Cozens, Saville, & Hillier, 2005; Felson, 1987). Further, many criminology programs now offer courses focused on the practicalities of this approach, and encourage students to both investigate and solve specific problems faced by local communities (Brantingham & Brantingham, 1993). Critics of CPTED argue, however, that environmental design can only displace crime into less-protected environments, and does not address the root causes or motivations that underlie the commission of criminal offences. Further, some critics suggest that CPTED shifts the responsibility for crime prevention away from the state and onto the individual, expecting citizens "to become prudent consumers of crime prevention advice or else face moral and/or ethical sanction for not holding up their end of the proverbial bargain" (Parnaby, 2007, p. 73).

**Geographic profiling** is aligned with crime prevention through environmental design, drawing upon an understanding of urban environments, the behaviours of serial predatory offenders, and using mathematical tools to determine the likely home residence of a given offender. Developed by Dr. Kim Rossmo, a former detective with Vancouver police, it is a method that focuses an investigation of serial crimes into a relatively small geographic area, through looking at the spatial patterns of such crimes and the specific hunting behaviours of the offenders (Rossmo, 1999). Although geographic profiling only considers the spatial behaviour of serial offenders, it has a demonstrated success in specific cases, and has spawned a literature that builds on the accuracy of its projections (Levine & Block, 2011).

Electronic monitoring, also known as electronic tagging, typically involves an offender wearing an electronic device that allows his or her location to be monitored through a control centre. Electronic monitoring permits both pre-trial release back into the community and the serving of a sentence within the community, often referred to as home detention. The advantages of electronic monitoring can be significant; the process avoids the costs of placing the offender in a correctional facility, and the well-documented negative impacts of incarceration on the individual. The concerns expressed regarding electronic monitoring have to do with its potential for **net widening**—imposing a form of control on individuals who might otherwise not be subject to such control—and its potential for demeaning intrusions into personal privacy. Additionally, there is the practical issue of how to respond quickly and effectively when an offender either removes the monitor or travels outside the permitted range.

Empirical studies of the effectiveness and consequences of electronic monitoring have revealed, however, that it is a technology that does not appear to be used to widen the net of control over offenders. Rather, it seems that it is an effective public safety alternative to the use of imprisonment, reducing reoffending for the population placed under such surveillance (Padgett, Bales, & Blomberg, 2006).

The trial of O.J. Simpson for the murder of his wife Nicole Brown Simpson focused global attention on the use of DNA evidence in criminal trials. Deoxyribonucleic acid



is a molecule that encodes genetic instructions in all living organisms. It is akin to a fingerprint when used to identify an individual, and, in fact, is often referred to as genetic fingerprinting. The forensic science of DNA testing has had considerable advances during the past 25 years and is now widely used in criminal trials in order to link an accused to a crime scene and a particular victim or victims (and to exclude an accused from a crime scene). In the O.J. Simpson case, the defence team poked holes in the handling of the DNA evidence, arguing that it could have been contaminated at several different points, leading to physical evidence that was unreliable. However, although police mishandling of the evidence was problematic in many ways, the evidence still pointed to Simpson's guilt—his blood was found at the crime scene, the blood of his wife was found on his sock, and the blood of his other victim, Ron Goldman, was found in his car.

Although DNA evidence can be mishandled and inappropriately ignored (as in the Simpson case), it has become a very valuable tool in the detection of crimes, allowing conclusions regarding guilt that are both inculpatory and exculpatory. In Canada, both Guy Paul Morin and David Milgaard have been compensated for their wrongful convictions, largely due to the contribution of DNA evidence.

## The Study of Crime: What Theories, What Methods?

As the preceding sections of this chapter demonstrate, criminologists employ a significant range of approaches in studying crime—from a detailed examination of the legal history of the criminal law, to evaluation of the effectiveness of various criminal sanctions and geographic profiling. When one looks at the content of university courses in criminology, whether at the graduate or undergraduate level, it appears that courses on theory and methods are pre-eminent. There are many other courses in the curricula of criminology schools and departments: policing, corrections, criminal law, sentencing, penology, juvenile delinquency, drugs and crime, white collar crime, and criminal investigations. But at the heart of the criminological enterprise are courses that are focused on theory and methods.

What theories guide criminology and criminologists? Some theorists, who might describe themselves as critically inclined, focus on the power of the state and its potential for abuse; others might describe themselves as rational choice theorists, arguing that crime occurs as a consequence of rational choices made by willing (or largely willing) actors. Still others use learning theory as a guide for their scholarly analysis. One prominent department of criminology focuses on teaching theories related to anomie, differential association, social control, social disorganization, routine activities, deterrence, and developmental approaches. A theory course in another department of criminology has a somewhat overlapping agenda that includes labelling theory, differential association, Marxist theories of crime, and moral regulation.

With the issues of methods to be employed by criminologists there is a similar breadth, though most discussions of methods tend to focus on a distinction between **qualitative** and **quantitative** approaches. It's a distinction that is, at least to some extent, rooted in particular disciplines. Lawyers and sociologists are generally more likely to employ qualitative methods of analysis. In contrast, psychologists and economists are more likely to employ quantitative frameworks.

But these distinctions also have some elasticity; there are sociologists who conduct research that is very much quantitative, relying on the analysis of large sets of data,

### qualitative

The study of phenomena based not on measurement but on an exploration of the reasons for human behaviour and the qualities of subjective experience.

### quantitative

Relating to the measurement of something—its quantity—rather than its qualities.

and there are psychologists who focus on qualitative approaches to crime and criminal behaviour by interviewing offenders and their victims. The combination of quantitative and qualitative methods, also known as a mixed methods approach, has gained popularity during the past 20 years. Adam Trahan and Daniel Stewart (2013) argue, for example, that the current divide between quantitative and qualitative research is restricting our ability to develop a coherent understanding of crime and criminal justice, and that mixed methods—combining qualitative and quantitative approaches in a single study—provides a way out of this difficulty. (See Box 1.4, below.)

But before we embark on any discussion of the relative merits of quantitative, qualitative, and mixed methods approaches, we must think first about the nature of the questions we ask about crime, law, and offenders and their victims. Let's suppose that we want to know whether the extent, nature, or character of homicide has changed in Canada over a 50-year span—between 1964 and 2014. Statistics Canada can provide us with a substantial amount of quantitative data from police-generated forms, filled out after a homicide has been uncovered. We can document changing rates, any changes over time in the methods used to commit such crime, the gender and age of victims and suspects, provincial and municipal differences in prevalence, and potentially changing motivations for these killings.

## BOX 1.4

### Qualitative and Quantitative Approaches to Studying Crime

The study of crime has been dominated by quantitative analyses of crime. Richard Tewksbury (2009) notes that only 10 to 15 percent of all articles published in peer-reviewed criminological journals use qualitative methods. He goes on to make the bold claim that this is lamentable, as qualitative methods—interviews, field observations, and participant involvement—have superior value in “the creation of criminological and criminal justice knowledge” (p. 38). We do not have to agree with Tewksbury's claim, however, to see the value of both approaches, sometimes used in isolation of one another and most profitably used in combination.

Both quantitative and qualitative methods have their limitations. With quantitative methods, there is often a justifiable fear that the method dominates the inquiry—that increasingly sophisticated statistical manipulations of data may add little to our understanding of a particular phenomenon. Put differently, the questions we ask are at the heart of the criminological enterprise, and the quantitative responses we receive from quantitative study inevitably point to correlations, not cause–effect relationships. For example, even the startling finding by Mednick et al. (1984) that adopted male children are more likely to commit crime if their biological fathers (rather than their adopted fathers) had criminal records, is not without its

limitations. We don't really know what specific behaviours or attributes have been inherited and what impact these attributes might have on the development of criminality over time. The Mednick et al. (1984) data also revealed a strong genetic link with property crime but not with violent crime. With quantitative data, the methodology employed is always open to criticism, and our abilities to explain the variations that exist between two variables are typically quite limited. For example, David Weisburd and Alex Piquero (2008), after examining empirical tests of criminological theory in criminology between 1968 and 2005, concluded:

The overall level of variance explained is often very low, with 80 or 90 per cent unexplained. There has been no improvement over time . . . . Criminologists will need to pay much more attention to what is not explained in criminological modeling if they are to make significant advances in understanding crime. (p. 453)

What sorts of things do you believe qualitative research can tell us about crime and criminal behaviour that quantitative methods might not? Conversely, what would quantitatively oriented criminologists cite as the shortcomings of research that is too reliant on qualitative approaches?

A significant part of the answer to this question depends, then, on the use of quantitative methods—engaging in a systematic empirically based inquiry, using numerical data, and depending on mathematical, statistical, or computational techniques. But this question could also benefit from qualitative research. Two possible examples are interviews with police officers who have investigated homicide during this time span and interviews with individuals convicted of homicides during this time span. These interviews could add much detailed and rich information about the potentially changing nature of homicide, complementing the rigour of quantitative analysis.

While the insights obtained from qualitative data may be useful contributions to building knowledge within a given field, they cannot be assumed to apply to a much larger group of individuals. In part, this is because the techniques—field observations or semi-structured interviews—are more subjective and more likely to be affected by the differing approaches and potential biases and inclinations of individual interviewers. But what also contributes to a lack of reliability with qualitative data is the typically small number of interviews (or number of data points). There is an irony here—the value of qualitative data usually increases as its similarities to quantitative data increase. For example, if one researcher conducts four interviews with users of crystal meth regarding the origins of their use of the drug, current patterns of consumption, reasons for using, and their hopes for the future, the results may be somewhat useful, perhaps even illuminating. But if 10 different researchers each conducted 20 interviews of a similar kind, in 10 Canadian provinces, the finding would have much more relevance and utility. One might argue that this is the Achilles heel of qualitative research. In order to achieve a greater legitimacy and respect within the discipline of criminology, it must, at least in some important ways, begin to more closely resemble its older and more established brother, quantitative methods.

## The Big Tent: Toward an Inclusive Criminology

Robert Gordon, the former Director of the School of Criminology at Simon Fraser University, refers to the philosophy of his approach in relation to research, teaching, and practice in the field of criminology as one that embraces a “big tent.” What he means to convey with the term “big tent” is that all credible approaches are welcome—from crime prevention through environmental design to critical analysis of the history of laws, practices of enforcement, and sentencing rationales; from understanding how and why individuals commit crimes to what can be done to make a continuing trajectory of crime less likely. Criminology can comfortably house subjects as diverse as improving our understanding of the hunting patterns of serial sex offenders, documenting and explaining the resilience of illegal markets, understanding what drives the spatial and temporal distribution of crime in urban neighbourhoods, and using forensic entomology to determine time of death in homicide investigations.

Professor Gordon also typically expresses a caveat that goes along with his “big tent” vision of the School of Criminology. “You are all welcome here,” he has said, “just don’t try to burn the tent down.” Put differently, this is a call for tolerance. We are best served by an inclusive criminology, one that is worthy of support and remains mindful of the many conflicts that have hampered—and stimulated—our field over time. As you read through the following chapters, I hope you will find work that will challenge you and encourage you to look at the subject matter of crime and criminology through many different lenses. This is the challenge that criminology offers: a problem in search of multiple solutions, with many avenues of approach available.

## SUMMARY OF KEY POINTS

- Although crime has been a part of societies throughout history, the serious scientific and academic study of crime is a relatively recent development.
- Criminology has typically been a very interdisciplinary field of study, drawing on disciplines as diverse as law, sociology, psychology, geography, political science, economics, gender studies, and more.
- All societies define some behaviours as deviant, and some of these deviant behaviours become subject to criminalization by the state. These definitions of deviance and crime can differ markedly across societies but can also be quite malleable. Consider, for example, recent changes in public attitudes and legal responses relating to cannabis and homosexuality in North America in only the last decade.
- Criminology can play a valuable role in determining how society copes with many new 21st-century challenges, including those relating to the current revolution in communications technologies.
- The findings of criminologists often provide information that serves to correct popular misconceptions or societal biases about the nature of crime and criminals.
- There are two categories of methods—qualitative and quantitative—that are used to study crime, each with its own advantages and disadvantages, depending on the context or goal of the research. Many criminologists now see a fusion of quantitative and qualitative methods as a particularly compelling approach to the study of crime.

## QUESTIONS FOR CRITICAL DISCUSSION

1. Can you imagine a time in which criminology will be regarded as an entirely distinct discipline, such as psychology, law, or sociology? Give reasons for your answers.
2. Given that most data gathered by criminologists are correlational, how much explanatory power does criminological research actually have? Does the use of correlational data represent a serious limitation for the field?
3. What do you think are the main reasons for the increase in crime rates in Canada from the late 1960s to the early 1970s? And, correspondingly, what do you think are the main reasons for the general decrease in crime rates that occurred in Canada over a quarter century, from the early 1990s to circa 2015?

## SUGGESTED FURTHER READINGS

*Canadian Journal of Criminology and Criminal Justice*: <https://www.ccja-acjp.ca/pub/en>

*Criminology* (journal): <https://onlinelibrary.wiley.com/journal/17459125>

*Journal of Law and Society*: <https://onlinelibrary.wiley.com/journal/14676478>

*Journal of Research in Crime and Delinquency*: <http://jrc.sagepub.com>

*The Yale Law Journal*: <http://www.yalelawjournal.org>

## Websites

The American Society of Criminology: <http://www.asc41.com>

## CASE STUDY 2.1

# Immigration, Public Safety, and Criminal Activity

In April 2014, an organization by the name of Immigration Watch Canada distributed a flyer in the city of Brampton targeting the Sikh community. The flyer featured two photos, the top one a group of mostly white Canadians and the bottom photo a group of Sikhs. “Is this what you really want?” asked the flyer, underneath the second photo. In April 2018, the same organization criticized the city of Vancouver for making an apology to its Chinese citizens for the ways in which they were discriminated against near the beginning of the 20th century. The organization claimed it was “probably one of the most outrageous acts ever committed against its European-based population,” adding that the apology “comes after immigrants, particularly Chinese from Mainland China, have driven housing costs into the stratosphere for hundreds of thousands of Metro Vancouver residents” (Immigration Watch Canada, 2018).

Concerns about Canada’s immigration system, while not as intemperate as these remarks, have also been expressed by Andrew Scheer, the leader of Canada’s Conservative party. In July 2018, he tweeted, “Canadians expect our immigration system to be safe, orderly and compassionate. They expect the government to take a border crisis of their own creation seriously. For months our @CPC\_HQ team has been asking to see Justin Trudeau’s plan, but it’s clear he doesn’t have one” (AndrewScheer, 2018). A poll undertaken by EKOS Research in August 2018 found that while only 12 percent of Liberal supporters and 17 percent of NDP supporters believe that too many visible minorities are immigrating to Canada, 73 percent of Conservative supporters say that there are too many of these people coming to our country (VoiceOfFranky, 2018).

Candice Malcolm, a syndicated columnist, writing in the *Toronto Sun* in November 2017, complained that “our immigration system seems to put the desires of newcomers and the whims of political elites ahead of the well-being of all Canadians. Trudeau wants more refugees, with less security. He wants more immigration, but with less of a focus on integration and national unity. The Trudeau government’s immigration agenda is a dangerous combination, and it’s one that Canadians are understandably rejecting” (Malcolm, 2018).

Are these fears legitimate? Are Canada’s refugees a significant source of criminal activity? Is our collective security being compromised? Is our system of immigration, as Scheer has implied, unsafe, disorderly, and lacking compassion? Statistics Canada reports that from 2006 to 2014, when Conservative leader Stephen Harper was prime minister, the number of immigrants coming into Canada averaged about 250,000 annually. Since the Liberal government of Justin Trudeau came to power in 2015, the



Syrian immigrants, who fled from violence, make a new home in Canada.

average annual number of immigrants has been about 275,000 (from 2015 to 2017), an increase of about 10 percent. Immigration Minister John McCallum stated in 2016 that he wanted to boost immigration levels to “help alleviate the demographic challenges of an aging population.” The *Globe and Mail* reported in May 2018 that the significant number of immigrants from Syria, Canada’s compassionate response to a humanitarian crisis in that country, largely explains the slightly unusual increase in the 2016 calendar year (Grant, 2016).

Are Canada’s immigrants a threat to law and order? A 2014 study in the Department of Economics at the University of British Columbia found no immediate relationship between immigration and property crime, but noted that over time, through the creation of changing neighbourhood characteristics, there was a net reduction in crime committed by immigrants to Canada (Zhang, 2014). A Statistics Canada study from 2004 focused on rates of violent victimization, finding that immigrants were significantly less likely to report such victimization than were native born Canadians (Perrault, Sauvé, & Burns, 2009). And perhaps the most comprehensive attempt to improve our understanding of this relationship is to be found in *The Oxford Handbook of Ethnicity, Crime and Immigration*. Although there are difficult methodological issues involved in understanding the relationship between immigration and crime, there is little evidence of higher crime rates caused by immigration into either Canada or the United States (Bucierius & Tonry, 2014). In sum, while there may be occasional violence committed by recent immigrants to Canada, even a conservative reading of the best available evidence suggests there is no greater threat to public safety than that which comes from native-born Canadians.

### Before You Read Chapter 2

- Who serves to gain from the misleading characterizations of immigration described here? In what ways might they benefit?
- What is the purpose of this kind of coverage of this issue? Why might a media organization, like the *Toronto Sun*, engage in such inflammatory rhetoric?
- Can you think of similar cases in which the media play a role in influencing public opinion on a controversial issue?
- What role *should* the media play in describing, reporting, or commenting on crime and the criminal justice system?