



**Week 6**

# **Property Crime and Typologies**

## **Performance Task**

**Assignment #2**

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# Scenario

**Case Number:** 0998881

**Date:** 20 May 2016

**Reporting Officer:** Colt Winchester

**Incident Type:** Property Crime

**Address of Occurrence:** 222 Citation Way, Happy Town, GA 15486

**Witnesses:**

Clifford Tonell: Store owner, Male, 48, White

Bo Foot: Security Officer (Employee), Male, 76, White

Andrea Sianturi: Employee, Female, 27, Asian American

Susan Bunion: Customer: Female, 35, Asian American

**Weapon/Objects Used:**

On May 20, 2016, at approximately 18:00, officers responded to the Socks for Feet Outlet located at 222 Citation Way. According to the Socks for Feet Security Officer Bo Foot, three people entered the store and began walking down the Big Feet area of the store. Security Officer Bo Foot observed suspect one take three dozen pairs of the *Big Guy* brand socks and place them down his pants. Security Officer Bo Foot then followed the three suspects into the Hammer Toe section of socks where Security Officer Bo Foot observed suspect two place two dozen pairs of the *Hang Nail Free* brand of socks into suspect three's purse. As Security Officer Bo Foot approached the suspects the suspects began to run. As Suspect one began to run he bumped Security Officer Foot causing him to fall to the floor. All three suspects ran out of the store into the back parking lot of the store.

The store owner Clifford Tonell identified the three suspects as:

Suspect (1) Bubba Hurt

Suspect (2) Skeeter Redrum

Suspect (3) Summer Breeze

Please refer to inventory sheet for cost of merchandise stolen.

All three suspects were later apprehended and arrested at the Just for Kicks Martial Arts studio located at 626 Felony Drive. All of the property was recovered inside Skeeter Redrum's 1969 Ford Pinto.

# Task

1. Your task as the District Attorney is to determine what charges, if any, and the penalties (refer to Penalty Sheet in the Document Library) for such charges, for all three individuals involved in this incident. You should base your answer on an understanding of the definitions by reviewing the Criminal Code for the State of Georgia: Title 16 Crimes and Offenses: Offenses involving Theft found in the [Document Library](#).
  - Please refer to the inventory sheet for the cost of merchandise stolen.
2. Next, examine the crime scenario and give your opinion on whether the crime committed was done by amateurs or professionals. (refer to the [Document Library](#))
3. Identify what type of criminal typology could be applied to the suspects based on your lesson notes. (refer to the [Document Library](#))

## Formatting Requirements:

Your assignment must follow these formatting requirements:

- Be four pages typed, double spaced, using Times New Roman font (size 12), with one-inch margins on all sides. All the information you need is in the Document Library.
- Include a cover page containing the title of the assignment, your name, professor's name, the course title, and the date. The cover page is not included in the required assignment page length.

## Self-Assessment Checklist:

Use this to check your work before you submit your assignment:

- My paper determines what charges, if any, and the penalties for the charges, if any.
- My paper presents my opinion about whether the crime(s) committed were done by amateurs or professionals.
- My paper identifies the type of criminal typology that could be applied to the suspects.

# Rubric

Grading for this assignment will be based on the quality of your responses, logic/organization of the paper, and language and writing skills, using the following rubric.

Points: 250	Assignment 2: Property Crime and Typologies Performance Task			
Criteria	Unacceptable Below 70% F	Fair 70-79% C	Proficient 80-89% B	Exemplary 90-100% A
1. Determine what charges, if any, and the penalties for such charges, for all three individuals involved in this incident.  Weight 25%	Does not determine what charges, if any, and the penalties for such charges, for all three individuals involved in this incident.	Partially determines what charges, if any, and the penalties for such charges, for all three individuals involved in this incident.  The charges and penalties need further development and supporting details.	Satisfactorily determines what charges, if any, and the penalties for such charges, for all three individuals involved in this incident.  Most of the charges and penalties were determined; additional details would improve this section.	Thoroughly determines what charges, if any, and the penalties for such charges, for all three individuals involved in this incident.
2. Examine the crime scenario and give your opinion on whether the crime committed was done by amateurs or professionals.  Weight: 25%	Does not examine the crime scenario and give your opinion on whether the crime committed was done by amateurs or professionals.	Partially examines the crime scenario and starts to present an opinion on whether the crime committed was done by amateurs or professionals.	Satisfactorily examines the crime scenario and gives an opinion on whether the crime committed was done by amateurs or professionals.  More supporting details about your opinion would improve this section.	Thoroughly examines the crime scenario and gives a solid, well-supported opinion on whether the crime committed was done by amateurs or professionals.
3. Identify what type of criminal typology could be applied based on your lesson notes.  Weight: 25%	Does not identify what type of criminal typology could be applied.	Partially identifies what type of criminal typology could be applied.  Additional details about the type of criminal typology would improve this section.	Satisfactorily identifies what type of criminal typology could be applied.  Most of the details about criminal typology were provided.	Thoroughly identifies what type of criminal typology could be applied.
4. Clarity, writing mechanics, and formatting requirements.  Weight: 25%	More than 6 errors present.	5-6 errors present.	3-4 errors present.	0-2 errors present.

# Document Library

<b>CLERKS OFFICE:</b>		<b>HAPPY TOWN POLICE DEPARTMENT</b>				
		<b><u>INCIDENT INFORMATION FORM</u></b>				
		Date: 20 May 2016	Case Number: 0998881	Reporting Officer: Colt Winchester		
<b>ARRESTED</b>	<b>DOB</b>	<b>HEIGHT</b>	<b>WEIGHT</b>	<b>RACE</b>	<b>GENDER</b>	<b>PRIORS</b>
BUBBA HURT	01/05/1990	6'05	290 lbs	W	M	Y
SKEETER REDRUM	05/14/1992	6'0	185 lbs	W	M	Y
SUMMER BREEZE	07/05/1996	5'07	145 lbs	W	F	Y

CLERKS OFFICE:	<h2 style="margin: 0;">HAPPY TOWN POLICE DEPARTMENT</h2> <h3 style="margin: 0;"><u>INCIDENT INFORMATION FORM</u></h3> <h4 style="margin: 0;">WITNESS(S)</h4>					
	Date: 20 May 2016		Case Number: 0998881		Reporting Officer: Colt Winchester	
NAME	ADDRESS	PHONE #	OCCUPATION	AGE	RACE	GENDER
Clifford Tonell	110 FELONY DRIVE, HAPPY TOWN, GA.	444-555-777	STORE OWNER SOCKS FOR FEET	48	W	M
Bo Foot	111 MISDEMEANOR DRIVE , HAPPY TOWN, GA.	444-111-3333	SECURITY OFFICER EMPLOYEE SOCKS FOR FEET	76	W	M
Andrea Sianturi	136 FELONY CIRCLE HAPPY TOWN, GA.	444-999-4444	RETAIL SALES SOCKS FOR FEET	27	A	F
Susan Bunion	128 FELONY LN. HAPPY TOWN, GA.	444-999-5555	CRIMINAL JUSTICE INSTRUCTOR HAPPY TOWN COMMUNITY COLLEGE	35	A	F

# SOCKS FOR FEET OUTLET

## INVENTORY SHEET

MAY 20, 2016

ITEM	DESCRIPTION	COST PER PAIR OF SOCKS	PAIRS MISSING	TOTAL
MENS SOCKS	BIG GUY BRAND	\$12.00	36	\$432.00
MENS SOCKS	HANG NAIL FREE	\$10.00	24	\$240.00

# HAPPY TOWN POLICE DEPARTMENT

## WITNESS STATEMENTS

Date: 05/20/16 Time: 7:00 pm

Place: SOCKS FOR FEET OUTLET

Name: SUSAN BUNION

Address: 128 FELONY LN. HAPPY TOWN, GA.


Home Phone: 444-526-7707 Work: 444-111-2222

Cell: 444-526-7707 Other: \_\_\_\_\_

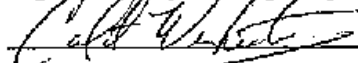
On May 20, 2016 I was shopping at the Socks for Feet. I saw a white guy with a white girl in the Hang Nail Free sock section. The white guy took some socks and put them in the white girl's purse. I believe their names are Sketer and Summel. I then heard someone yell and watched Sketer, a black guy, and a white guy run out the back door.

I have read this statement consisting of 1 page(s) and I affirm the truth and accuracy of the facts contained therein. This statement was completed at Socks for Feet Outlet

On the 20<sup>th</sup> day of May 2016



Signature of person giving voluntary statement



Signature of person witnessing voluntary statement



# HAPPY TOWN POLICE DEPARTMENT

## WITNESS STATEMENTS

Date: 05/20/16 Time: 7:00 pm

Place: SOCKS FOR FEET OUTLET

Name: ANDREA SIANTURI

Address: 136 FELONY CIRCLE HAPPY TOWN, GA.

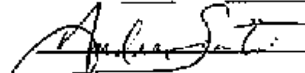
Home Phone: 444-526-7707 Work: 444-111-2222

Cell: 444-526-7707 Other: \_\_\_\_\_

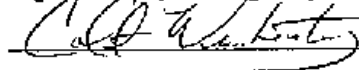
ON MAY 20, 2016 I WAS WORKING AT SOCKS FOR FEET OUTLET AND OBSERVED BURRA HURT PLACE THREE DOZEN PAIRS OF SOCKS DOWN HIS PANTS. I THEN SAW THREE PEOPLE (2 WHITE MEN AND 1 WHITE FEMALE) RUN OUT THE REAR EXIT. ONE OF THE MEN THAT RAN OUT THE REAR EXIT <sup>AS</sup> NAME IS BURRA. I DONT KNOW THE OTHERS PEOPLES NAME.

I have read this statement consisting of 1 page(s) and I affirm the truth and accuracy of the facts contained therein. This statement was completed at Socks for Feet Outlet

On the 20<sup>th</sup> day of May 20, 16

 \_\_\_\_\_

Signature of person giving voluntary statement

 \_\_\_\_\_

Signature of person witnessing voluntary statement

# HAPPY TOWN POLICE DEPARTMENT

## WITNESS STATEMENTS

Date: 05/20/16 Time: 7:00 pm

Place: SOCKS FOR FEET OUTLET

Name: BO FOOT

Address: 111 MISDEMEANOR DR. HAPPY TOWN, GA.

Home Phone: 444-556-7707 Work: 444-111-2222

Cell: 444-555-7707 Other: \_\_\_\_\_

*On May 20 2016 I was told by the store owner Clifford Tonell to watch three people (2 Males 1 female) I watched the big white guy take some socks and put them in his pants I then watched the second white man take some socks and give them to the white female and she put them in her purse. When I walked to them to ~~discuss~~ discuss the socks that were taken they began to run and the Big white guy bumped me causing me to fall. They ran out the rear exit.*

I have read this statement consisting of 1 page(s) and I affirm the truth and accuracy of the facts contained therein. This statement was completed at Socks for Feet Outlet

On the 20<sup>th</sup> day of May 2016

*[Signature]*  
\_\_\_\_\_  
Signature of person giving voluntary statement

*[Signature]*  
\_\_\_\_\_  
Signature of person witnessing voluntary statement

# HAPPY TOWN POLICE DEPARTMENT

## WITNESS STATEMENTS

Date: 05/20/16 Time: 7:00 pm

Place: SOCKS FOR FEET OUTLET

Name: CLIFFORD TONELL

Address: 110 FELONY DRIVE, HAPPY TOWN, GA.

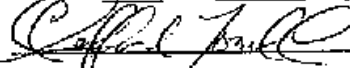
Home Phone: 444-555-777 Work: 444-111-2222

Cell: 444-555-777 Other: \_\_\_\_\_

I am the owner of Socks for Feet Outlet. On May 20, 2016  
I observed two males and a female enter my  
store. I know them as Bubba Hunt, Skeeter Redrum  
and Summer Breeze. I asked my security officer Bo Foot  
to watch them. After a few minutes I heard someone  
yell and watched BUBBA HUNT bump into Bo Foot and he  
fell to the ground. Bo Foot told me that they stole  
some merchandise.

I have read this statement consisting of 1 page(s) and I affirm the truth and accuracy of the facts contained therein. This statement was completed at Socks for Feet Outlet

On the 20<sup>th</sup> day of May, 2016

  
\_\_\_\_\_

Signature of person giving voluntary statement

  
\_\_\_\_\_

Signature of person witnessing voluntary statement

# STATE OF GEORGIA

## CRIMINAL HISTORY

**Subject Name(s)**

**BUBBA HERT (AKA)  
HURT, BUBBA BEAUREGARD**

**Subject Description****FBI Number**

618079JA8

**State Id Number**

GA183246 (GA)

**DOC Number**

146023-A (GA)

**Social Security Number**

666-66-6666

**Driver's License Number**

S0055-2826-4895-L (GA)

**Miscellaneous Numbers**

Unknown

**Sex**

Male

**Race**

White

**Skin Tone**

Medium

**Height**

6'05' (2016-03-16)

**Weight**

290 Pounds (2016-03-16)

**Date of Birth**

1990-01-05

**Hair Color**

Black (2016-03-16)

**Eye Color**

Brown (2016-03-16)

**Fingerprint Pattern**

COPO1317161817131918 (FPC)

**Scars, Marks, and Tattoos****Code**

Unknown Code (2016-03-16)

**Description, Comments, and Images**

SCAR LEG, RIGHT (GA00782800)

Embedded Image (GA0782800;) (2016-03-16)

Prison intake photo

Unknown Code (2016-03-16)

SCAR CALF, RIGHT (GA0415000)

Contact agency for image

PRCD L EAR (NCIC; (2016-03-16)

PIERCED EAR, LEFT (GA0415000)

Contact agency for image

**Blood Type**

Unknown

**Medical Condition**

Code Unknown Drug abuse

**Place of Birth**

Georgia

**Citizenship**

US (1990-01-05)

**Ethnicity**

White

**Marital Status**

Single (2016-03-16)

**Religion**

Unknown (2016-03-16)

**Employment**

Employment as of

1985-09-11

Occupation

Metal stamping

Employer

Happy Metals, Inc.

Mailing Address

1000 Violation Road

Happy County

Happy, GA 001133 US

**Residence**

Residence as of

2016-05-11

Mailing Address

6025 N Misdemeanor St. Happy Town, GA.

Telephone

444-012-5469

**Fingerprint Images**
**Type**

Ten print set (1985-09-11)

**Comments and Images**

Contact agency for image (GA0415000)

**Palmprint Images**
**Type**

Both palms (1985-09-11)

**Comments and Images**

 Contact agency for image (GA0415000)  
 Juvenile

**Photo Images**
**Type**

Mugshot (2016-05-11)

**Comments and Images**

Contact agency for image (GA0415000)

**DNA Data**
**Encoding Method**

STR (1989-03-28)

**Data and Comments**

DNA locus data table follows (GA013415Y)

Locus	Value	Locus	Value
Amelogenin	X, Y	CSF1PO	11, 12
D13S317	11	D16S539	12
D18S51	12, 17	D21S11	29.1, 32.2
D3S1358	14, 17	D5S818	11, 12
D7S820	9, 12	D8S1179	11
FGA	22, 24	TH01	6, 7
TPOX	8	vWA	14, 16

**Criminal History****Cycle 001**

**Tracking Number** 04151984375826  
**Earliest Event Date** 2016-02-01

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**Arrest** (Cycle 001)  
**Arrest Date** 2016-02-01  
**Arresting Agency** GA0415000  
**Subject Name(s)** HURT, BUBBA BEAUREGARD  
Offender ID Number 169591 (Police Dept)  
Arrest Type Adult

**Charge**

**Charge Number 01**  
Agency GA0415000  
Charge Description SHOPLIFTING  
Statute GA 943.10  
NCIC Offense Code 2299  
Counts 01  
Severity Misdemeanor

**Charge**

**Charge Number 02**  
Agency GA0415000  
Charge Description UNIFORM CONTROLLED SUBSTANCES ACT  
Statute GA 161.41  
NCIC Offense Code 3562  
Counts 01  
Severity Felony

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**Prosecutor Disposition** (Cycle 001)  
**Prosecutor Agency** GA041013A  
**Subject Name(s)** **Hurt, Bubba Beauregard**

**Charge**

**Charge Number 01**  
**Agency GA041013A**  
**Charge Description Shoplifting**  
**Statute GA 943.10**  
NCIC Offense Code 2299  
Counts 01  
Severity Felony  
Disposition NO PROSECUTION (2016-03-13; Dismissed)

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**Charge****Charge Number 02****Agency GA041013A****Charge Description UNIFORM CONTROLLED SUBSTANCES ACT****Statute GA 161.41****NCIC Offense Code 3562****Counts 01****Severity Misdemeanor****Disposition NO PROSECUTION (2016-03-13; Dismissed)**

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<b>Court Disposition</b>	No data supplied
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<b>Sentencing</b>	No data supplied
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<b>Corrections</b>	No data supplied
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# MEMORANDUM

To: Patrol Division	
From: Chief of Police Rodney Hurt	Date: February 2, 2016
Subject: PROACTIVE EXPECTATIONS	

The purpose of this memorandum is to establish increase patrols in Zone III of Happy Town. Both City Council and the Mayor are receiving numerous complaints from citizens in regards to the increase crime in Happy Town. In addition a recent News Article criticized our police professionalism.

As a result of a news story, and the concerns from our city leaders effectively immediately there will be designated patrol officers working with Vice and Narcotics to increase visibility and take a proactive approach in resolving this issue.

We will be closely monitoring the progress for the upcoming months to ensure the citizens of our city that they are safe. Remember, when it comes to enforcement efforts, our emphasis should be the quality of your service.

**Rodney Hurt**

Chief of Police Happy Town



## DIFFERENCES BETWEEN AMATEUR AND PROFESSIONAL CRIMINALS

Setting aside our disgust at the disruption of our value system, there are three major differences between the professional property offender (thief) and an “amateur” thief. First, the professional has a diminished moral capacity and multiple victims, while the amateur’s damage is much more limited. Secondly, the professional plans ahead, has a modus operandi, and an outlet for his booty (fence). Thirdly, the professional can only be stopped by incarceration, while the amateur will stop when his situation changes, because his theft is often a crime of sociological pressure and temporary opportunity (addiction, extreme poverty, underlying psychological problems, etc.). In sum, the professional must be combated with all the forces of law, while the amateur needs more sociological and psychological help to get his behavior back on track. So the law’s identifying the difference is essential to the sociological remedy.

<https://www.enotes.com/homework-help/explain-major-differences-between-professional-372874>

## Georgia Codes

### TITLE 16 - CRIMES AND OFFENSES

### CHAPTER 8 - OFFENSES INVOLVING THEFT

#### ARTICLE 1 - THEFT

#### § 16-8-1 - Definitions

O.C.G.A. 16-8-1 (2010)

16-8-1. Definitions

As used in this article, the term:

(1) "Deprive" means, without justification:

(A) To withhold property of another permanently or temporarily; or

(B) To dispose of the property so as to make it unlikely that the owner will recover it.

(2) "Financial institution" means a bank, insurance company, credit union, building and loan association, investment trust, or other organization held out to the public as a place of deposit of funds or medium of savings or collective investment.

(3) "Property of another" includes property in which any person other than the accused has an interest but does not include property belonging to the spouse of an accused or to them jointly.

#### § 16-8-2 - Theft by taking

O.C.G.A. 16-8-2 (2010)

16-8-2. Theft by taking

A person commits the offense of theft by taking when he unlawfully takes or, being in lawful possession

thereof, unlawfully appropriates any property of another with the intention of depriving him of the property, regardless of the manner in which the property is taken or appropriated.

### § 16-8-3 - Theft by deception

O.C.G.A. 16-8-3 (2010)

16-8-3. Theft by deception

(a) A person commits the offense of theft by deception when he obtains property by any deceitful means or artful practice with the intention of depriving the owner of the property.

(b) A person deceives if he intentionally:

(1) Creates or confirms another's impression of an existing fact or past event which is false and which the accused knows or believes to be false;

(2) Fails to correct a false impression of an existing fact or past event which he has previously created or confirmed;

(3) Prevents another from acquiring information pertinent to the disposition of the property involved;

(4) Sells or otherwise transfers or encumbers property intentionally failing to disclose a substantial and valid known lien, adverse claim, or other legal impediment to the enjoyment of the property, whether such impediment is or is not a matter of official record; or

(5) Promises performance of services which he does not intend to perform or knows will not be performed. Evidence of failure to perform standing alone shall not be sufficient to authorize a conviction under this subsection.

(c) "Deceitful means" and "artful practice" do not, however, include falsity as to matters having no pecuniary significance, or exaggeration by statements unlikely to deceive ordinary persons in the group addressed.

### § 16-8-4 - Theft by conversion

O.C.G.A. 16-8-4 (2010)

16-8-4. Theft by conversion

(a) A person commits the offense of theft by conversion when, having lawfully obtained funds or other property of another including, but not limited to, leased or rented personal property, under an agreement or other known legal obligation to make a specified application of such funds or a specified disposition of such property, he knowingly converts the funds or property to his own use in violation of the agreement or legal obligation. This Code section applies whether the application or disposition is to be made from the funds or property of another or from the accused's own funds or property in equivalent amount when the agreement contemplates that the accused may deal with the funds or property of another as his own.

(b) When, under subsection (a) of this Code section, an officer or employee of a government or of a financial institution fails to pay on an account, upon lawful demand, from the funds or property of another held by him, he is presumed to have intended to convert the funds or property to his own use.

(c)(1) As used in this subsection, the term "personal property" means personal property having a replacement cost value greater than \$100.00, excluding any late fees and penalties, and includes heavy equipment as defined in paragraph (2) of Code Section 10-1-731 and tractors and farm equipment primarily designed for use in agriculture.

(2) Any person having any personal property in such person's possession or under such person's control by virtue of a lease or rental agreement who fails to return the personal property within five days, Saturdays, Sundays, and holidays excluded, after a letter demanding return of the personal property has been mailed to such person by certified or registered mail or statutory overnight delivery, return receipt requested, at such

person's last known address by the owner of the personal property or by the owner's agent shall be presumed to have knowingly converted such personal property to such person's own use in violation of such lease or agreement.

(3) In the event that any personal property is not returned as provided for in the lease or rental agreement and the court orders the lessor or renter to pay replacement costs, replacement costs shall include but not be limited to:

(A) The market value of the personal property. The market value shall be established by the owner of the property by providing from a supplier of such or reasonably similar personal property a current quotation of the value of the personal property which is of like quality, make, and model of the personal property being replaced. The value to be awarded shall be the higher of:

(i) The value on the date when the conversion occurred; or

(ii) The value on the date of the trial;

(B) All rental charges from the date the rental agreement was executed until the date of the trial or the date that the property was recovered, if recovered; and

(C) Interest on the unpaid balance each month at the current legal rate from the date the court orders the lessor or renter to pay replacement costs until the date the judgment is satisfied in full.

(4) If as a part of the order of the court the lessor or renter is placed on probation, supervision of said probation shall not be terminated until all replacement costs, fees, charges, penalties, interest, and other charges are paid in full. All payments relative to this Code section shall be made to the appropriate court of jurisdiction and the court shall make distribution to the owner within 30 days of receipt thereof.

(5) In the event that the owner incurs any expenses in the process of locating a lessor or renter who did not return any personal property according to the lease or rental agreement, the court shall provide that the lessor or renter reimburse the owner for those expenses which may include, but not be limited to, credit reports, private detective fees, investigation fees, fees charged by a law enforcement agency for such services as police reports, background checks, fees involved with swearing out a warrant for incarceration, and any other bona fide expenses.

### § 16-8-5 - Theft of services

O.C.G.A. 16-8-5 (2010)

16-8-5. Theft of services

A person commits the offense of theft of services when by deception and with the intent to avoid payment he knowingly obtains services, accommodations, entertainment, or the use of personal property which is available only for compensation.

#### § 16-8-5.1 - Circumstances permitting inference of intent to avoid payment; exceptions

O.C.G.A. 16-8-5.1 (2010)

16-8-5.1. Circumstances permitting inference of intent to avoid payment; exceptions

The trier of fact may infer that the accused intended to avoid payment due for the rental or lease of any personal property in any prosecution pursuant to Code Section 16-8-2, relating to theft by taking; 16-8-3, relating to theft by deception; 16-8-4, relating to theft by conversion; or 16-8-5, relating to theft of services; if a person knowingly:

(1) Used false identification;

(2) Provided false information on a written contract;

(3) Made, drew, uttered, executed, or delivered an instrument for the payment of money on any bank or other depository in exchange for present consideration, knowing that it would not be honored by the

drawee;

(4) Abandoned any property at a location that is not the location agreed upon for return and that would not be reasonably known to the owner;

(5) Returned any property to a location that would not reasonably be known to the owner without notifying the owner; or

(6) Returned any property at a time beyond posted business hours of the owner.

No person shall be convicted under Code Section 16-8-2, relating to theft by taking; 16-8-3, relating to theft by deception; 16-8-4, relating to theft by conversion; or 16-8-5, relating to theft of services; where there was an agreement to delay payment for such property or services or the accused makes payment in full within two business days after returning the property or obtaining the services.

### **§ 16-8-5.2 - Retail property fencing; forfeiture; related matters**

O.C.G.A. 16-8-5.2 (2010)

16-8-5.2. Retail property fencing; forfeiture; related matters

(a) As used in this Code section, the term:

(1) "Retail property" means any new article, product, commodity, item, or component intended to be sold in retail commerce.

(2) "Retail property fence" means a person or entity that buys, sells, transfers, or possesses with the intent to sell or transfer retail property that such person knows or should have known was stolen.

(3) "Value" means the retail value of the item as stated or advertised by the affected retail establishment, to include applicable taxes.

(b) A person commits the offense of retail property fencing when such persons receives, disposes of, or retains retail property which was unlawfully taken or shoplifted over a period not to exceed 180 days with the intent to:

(1) Transfer, sell, or distribute such retail property to a retail property fence; or

(2) Attempt or cause such retail property to be offered for sale, transfer, or distribution for money or other things of value.

(c) Whoever knowingly receives, possesses, conceals, stores, barter, sells, or disposes of retail property with the intent to distribute any retail property which is known or should be known to have been taken or stolen in violation of this subsection with the intent to distribute the proceeds, or to otherwise promote, manage, carry on, or facilitate an offense described in this subsection, shall have committed the offense of retail property fencing.

(d) (1) It shall not be necessary in any prosecution under this Code section for the state to prove that any intended profit was actually realized. The trier of fact may infer that a particular scheme or course of conduct was undertaken for profit from all of the attending circumstances.

(2) It shall not be a defense to violating this Code section that the property was obtained by means other than through the commission of a theft offense if the property was explicitly represented to the accused as being obtained through the commission of a theft.

(e) Any property constituting proceeds derived from or realized through a violation of this Code section shall be subject to forfeiture to the State of Georgia except that no property of any owner shall be forfeited under this subsection, to the extent of the interest of such owner, by reason of an act or omission established by such owner to have been committed or omitted without knowledge or consent of such owner. The procedure for forfeiture and disposition of forfeited property under this subsection shall be as provided for under Code Section 16-13-49.

(f) Each violation of this Code section shall constitute a separate offense.

**§ 16-8-6 - Theft of lost or mislaid property**

O.C.G.A. 16-8-6 (2010)

16-8-6. Theft of lost or mislaid property

A person commits the offense of theft of lost or mislaid property when he comes into control of property that he knows or learns to have been lost or mislaid and appropriates the property to his own use without first taking reasonable measures to restore the property to the owner.

**§ 16-8-7 - Theft by receiving stolen property**

O.C.G.A. 16-8-7 (2010)

16-8-7. Theft by receiving stolen property

(a) A person commits the offense of theft by receiving stolen property when he receives, disposes of, or retains stolen property which he knows or should know was stolen unless the property is received, disposed of, or retained with intent to restore it to the owner. "Receiving" means acquiring possession or control or lending on the security of the property.

(b) In any prosecution under this Code section it shall not be necessary to show a conviction of the principal thief.

**PENALTIES FOR THEFT****§ 16-8-12 - Penalties for violation of Code Sections 16-8-2 through 16-8-9**

O.C.G.A. 16-8-12 (2010)

16-8-12. Penalties for violation of Code Sections 16-8-2 through 16-8-9

(a) A person convicted of a violation of Code Sections 16-8-2 through 16-8-9 shall be punished as for a misdemeanor except:

(1) If the property which was the subject of the theft exceeded \$500.00 in value, by imprisonment for not less than one nor more than ten years or, in the discretion of the trial judge, as for a misdemeanor;

(2) If the property was any amount of anhydrous ammonia, as defined in Code Section 16-11-111, by imprisonment for not less than one nor more than ten years, a fine not to exceed the amount provided by Code Section 17-10-8, or both;

(3) If the property was taken by a fiduciary in breach of a fiduciary obligation or by an officer or employee of a government or a financial institution in breach of his or her duties as such officer or employee, by imprisonment for not less than one nor more than 15 years, a fine not to exceed the amount provided by Code Section 17-10-8, or both;

(4) If the crime committed was a violation of Code Section 16-8-2 and if the property which was the subject of the theft was a memorial to the dead or any ornamentation, flower, tree, or shrub placed on, adjacent to, or within any enclosure of a memorial to the dead, by imprisonment for not less than one nor more than three years. Nothing in this paragraph shall be construed as to cause action taken by a cemetery, cemetery owner, lessee, trustee, church, religious or fraternal organization, corporation, civic organization, or club legitimately attempting to clean, maintain, care for, upgrade, or beautify a grave, gravesite, tomb, monument, gravestone, or other structure or thing placed or designed for a memorial of the dead to be a criminal act;

(5)(A) The provisions of paragraph (1) of this subsection notwithstanding, if the property which was the subject of the theft was a motor vehicle or was a motor vehicle part or component which exceeded \$100.00 in value or if the theft or unlawful activity was committed in violation of subsection (b) of Code Section 10-1-393.5 or in violation of subsection (b) of Code Section 10-1-393.6 or while engaged in telemarketing conduct in violation of Chapter 5B of Title 10, by imprisonment for not less than one nor more than ten years or, in

the discretion of the trial judge, as for a misdemeanor; provided, however, that any person who is convicted of a second or subsequent offense under this paragraph shall be punished by imprisonment for not less than one year nor more than 20 years.

(B) Subsequent offenses committed under this paragraph, including those which may have been committed after prior felony convictions unrelated to this paragraph, shall be punished as provided in Code Section 17-10-7;

(6)(A) As used in this paragraph, the term:

(i) "Destructive device" means a destructive device as such term is defined by Code Section 16-7-80.

(ii) "Explosive" means an explosive as such term is defined by Code Section 16-7-80.

(iii) "Firearm" means any rifle, shotgun, pistol, or similar device which propels a projectile or projectiles through the energy of an explosive.

(B) If the property which was the subject of the theft offense was a destructive device, explosive, or firearm, by imprisonment for not less than one nor more than ten years;

(7) If the property which was the subject of the theft is a grave marker, monument, or memorial to one or more deceased persons who served in the military service of this state, the United States of America or any of the states thereof, or the Confederate States of America or any of the states thereof, or a monument, plaque, marker, or memorial which is dedicated to, honors, or recounts the military service of any past or present military personnel of this state, the United States of America or any of the states thereof, or the Confederate States of America or any of the states thereof, and if such grave marker, monument, memorial, plaque, or marker is privately owned or located on privately owned land, by imprisonment for not less than one nor more than three years if the value of the property which was the subject of the theft is \$300.00 or less, and by imprisonment for not less than three years and not more than five years if the value of the property which was the subject of the theft is more than \$300.00;

(8) If the property that was the subject of the theft was a vehicle engaged in commercial transportation of cargo or any appurtenance thereto, including without limitation any such trailer, semitrailer, container, or other associated equipment, or the cargo being transported therein or thereon, by imprisonment for not less than three years nor more than ten years, a fine not less than \$5,000.00 nor more than \$50,000.00, and, if applicable, the revocation of the defendant's commercial driver's license in accordance with Code Section 40-5-151, or any combination of such penalties. For purposes of this paragraph, the term "vehicle" includes without limitation any railcar; or

(9) Notwithstanding the provisions of paragraph (1) of this subsection, if the property of the theft was ferrous metals or regulated metal property, as such terms are defined in Code Section 10-1-350, and the sum of the aggregate amount of such property, in its original and undamaged condition, plus any reasonable costs which are or would be incurred in the repair or the attempt to recover any property damaged in the theft or removal of such regulated metal property, exceeds \$500.00, by imprisonment for not less than one nor more than five years, a fine of not more than \$5,000.00, or both.

(b) Except as otherwise provided in paragraph (5) of subsection (a) of this Code section, any person who commits the offense of theft by deception when the property which was the subject of the theft exceeded \$500.00 in value and the offense was committed against a person who is 65 years of age or older shall, upon conviction thereof, be punished by imprisonment for not less than five nor more than ten years.

(c) Where a violation of Code Sections 16-8-2 through 16-8-9 involves the theft of a growing or otherwise unharvested commercial agricultural product which is being grown or produced as a crop, such offense shall be punished by a fine of not less than \$500.00 and not more than the maximum fine otherwise authorized by law. This minimum fine shall not in any such case be subject to suspension, stay, or probation. This minimum fine shall not be required in any case in which a sentence of confinement is imposed and such sentence of confinement is not suspended, stayed, or probated; but this subsection shall not prohibit imposition of any otherwise authorized fine in such a case.



**§ 16-8-14 - Theft by shoplifting**

O.C.G.A. 16-8-14 (2010)

16-8-14. Theft by shoplifting

(a) A person commits the offense of theft by shoplifting when he alone or in concert with another person, with the intent of appropriating merchandise to his own use without paying for the same or to deprive the owner of possession thereof or of the value thereof, in whole or in part, does any of the following:

(1) Conceals or takes possession of the goods or merchandise of any store or retail establishment;

(2) Alters the price tag or other price marking on goods or merchandise of any store or retail establishment;

(3) Transfers the goods or merchandise of any store or retail establishment from one container to another;

(4) Interchanges the label or price tag from one item of merchandise with a label or price tag for another item of merchandise; or

(5) Wrongfully causes the amount paid to be less than the merchant's stated price for the merchandise.

(b)(1) A person convicted of the offense of theft by shoplifting, as provided in subsection (a) of this Code section, when the property which was the subject of the theft is \$300.00 or less in value shall be punished as for a misdemeanor; provided, however, that:

(A) Upon conviction of a second offense for shoplifting, where the first offense is either a felony or a misdemeanor, as defined by this Code section, in addition to or in lieu of any imprisonment which might be imposed, the defendant shall be fined not less than \$250.00 and the fine shall not be suspended or probated;

(B) Upon conviction of a third offense for shoplifting, where the first two offenses are either felonies or misdemeanors, or a combination of a felony and a misdemeanor, as defined by this Code section, in addition to or in lieu of any fine which might be imposed, the defendant shall be punished by imprisonment for not less than 30 days or confinement in a "special alternative incarceration-probation boot camp," probation detention center, diversion center, or other community correctional facility of the Department of Corrections for a period of 120 days or shall be sentenced to monitored house arrest for a period of 120 days and, in addition to either such types of confinement, may be required to undergo psychological evaluation and treatment to be paid for by the defendant; and such sentence of imprisonment or confinement shall not be suspended, probated, deferred, or withheld; and

(C) Upon conviction of a fourth or subsequent offense for shoplifting, where the prior convictions are either felonies or misdemeanors, or any combination of felonies and misdemeanors, as defined by this Code section, the defendant commits a felony and shall be punished by imprisonment for not less than one nor more than ten years; and the first year of such sentence shall not be suspended, probated, deferred, or withheld.

(2) A person convicted of the offense of theft by shoplifting, as provided in subsection (a) of this Code section, when the property which was the subject of the theft exceeds \$300.00 in value commits a felony and shall be punished by imprisonment for not less than one nor more than ten years.

(3) A person convicted of the offense of theft by shoplifting, as provided in subsection (a) of this Code section, when the property which was the subject of the theft is taken from three separate stores or retail establishments within one county during a period of seven days or less and when the property which was the subject of each theft exceeds \$100.00 in value, commits a felony and shall be punished by imprisonment for not less than one nor more than ten years.

(c) In all cases involving theft by shoplifting, the term "value" means the actual retail price of the property at the time and place of the offense. The unaltered price tag or other marking on property, or duly identified photographs thereof, shall be prima-facie evidence of value and ownership of the property.

(d) Subsection (b) of this Code section shall in no way affect the authority of a sentencing judge to provide for a sentence to be served on weekends or during the nonworking hours of the defendant as provided in Code Section 17-10-3, relative to punishment for misdemeanors.

**§ 16-8-16 - Theft by extortion**

O.C.G.A. 16-8-16 (2010)

16-8-16. Theft by extortion

(a) A person commits the offense of theft by extortion when he unlawfully obtains property of or from another person by threatening to:

- (1) Inflict bodily injury on anyone or commit any other criminal offense;
- (2) Accuse anyone of a criminal offense;
- (3) Disseminate any information tending to subject any person to hatred, contempt, or ridicule or to impair his credit or business repute;
- (4) Take or withhold action as a public official or cause an official to take or withhold action;
- (5) Bring about or continue a strike, boycott, or other collective unofficial action if the property is not demanded or received for the benefit of the group in whose interest the actor purports to act; or
- (6) Testify or provide information or withhold testimony or information with respect to another's legal claim or defense.

(b) In a prosecution under this Code section, the crime shall be considered as having been committed in the county in which the threat was made or received or in the county in which the property was unlawfully obtained.

(c) It is an affirmative defense to prosecution based on paragraph (2), (3), (4), or (6) of subsection (a) of this Code section that the property obtained by threat of accusation, exposure, legal action, or other invocation of official action was honestly claimed as restitution or indemnification for harm done in the circumstance to which such accusation, exposure, legal action, or other official action relates or as compensation for property or lawful services.

(d) A person convicted of the offense of theft by extortion shall be punished by imprisonment for not less than one nor more than ten years.

**§ 16-8-17 - Intent to cheat or defraud a retailer**

O.C.G.A. 16-8-17 (2010)

16-8-17. Intent to cheat or defraud a retailer

(a)(1) Except as provided in paragraph (2) of this subsection, a person who, with intent to cheat or defraud a retailer, possesses, uses, utters, transfers, makes, alters, counterfeits, or reproduces a retail sales receipt or a Universal Product Code label which results in a theft of property which exceeds \$300.00 in value commits a felony and shall be punished by imprisonment for not less than one nor more than three years or by a fine or both.

(2) A person convicted of a violation of paragraph (1) of this subsection, when the property which was the subject of the theft resulting from the unlawful use of retail sales receipts or Universal Product Code labels is taken from three separate stores or retail establishments within one county during a period of seven days or less and when the property which was the subject of each theft exceeds \$100.00 in value, commits a felony and shall be punished by imprisonment for not less than one nor more than ten years.

(b) A person who, with intent to cheat or defraud a retailer, possesses 15 or more fraudulent retail sales receipts or Universal Product Code labels or possesses a device the purpose of which is to manufacture fraudulent retail sales receipts or Universal Product Code labels will be guilty of a felony and punished by imprisonment for not less than one nor more than ten years.



**§ 16-8-18 - Entering automobile or other motor vehicle with intent to commit theft or felony**

O.C.G.A. 16-8-18 (2010)

16-8-18. Entering automobile or other motor vehicle with intent to commit theft or felony

If any person shall enter any automobile or other motor vehicle with the intent to commit a theft or a felony, he shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years, or, in the discretion of the trial judge, as for a misdemeanor.

**§ 16-8-21 - Removal or abandonment of shopping carts; posting of Code section in stores and markets**

O.C.G.A. 16-8-21 (2010)

16-8-21. Removal or abandonment of shopping carts; posting of Code section in stores and markets

(a) As used in this Code section, "shopping cart" means those pushcarts of the type which are commonly provided by grocery stores, drugstores, or other merchant stores or markets for the use of the public in transporting commodities in stores and markets and incidentally from the store to a place outside the store.

(b) It shall be unlawful for any person to remove a shopping cart from the premises, posted as provided in subsection (d) of this Code section, of the owner of such shopping cart without the consent, given at the time of such removal, of the owner or of his agent, servant, or employee. For the purpose of this Code section, the premises shall include all the parking area set aside by the owner or on behalf of the owner for the parking of cars for the convenience of the patrons of the owner.

(c) It shall be unlawful for any person to abandon a shopping cart upon any public street, sidewalk, way, or parking lot other than a parking lot on the premises of the owner.

(d) The owner of the store in which the shopping cart is used shall post in at least three prominent places in his store and at each exit therefrom a printed copy of this Code section, which copy shall be printed in type no smaller than 12 points.

(e) Any person who violates subsection (b) or (c) of this Code section shall be guilty of a misdemeanor.

**ARTICLE 2 - ROBBERY****§ 16-8-40 - Robbery**

O.C.G.A. 16-8-40 (2010)

16-8-40. Robbery

(a) A person commits the offense of robbery when, with intent to commit theft, he takes property of another from the person or the immediate presence of another:

(1) By use of force;

(2) By intimidation, by the use of threat or coercion, or by placing such person in fear of immediate serious bodily injury to himself or to another; or

(3) By sudden snatching.

(b) A person convicted of the offense of robbery shall be punished by imprisonment for not less than one nor more than 20 years.

(c) Notwithstanding any other provision of this Code section, any person who commits the offense of robbery against a person who is 65 years of age or older shall, upon conviction thereof, be punished

<http://policy.mofcom.gov.cn/GlobalLaw/english/flaw!fetch.action?id=61cc65cc-9403-4d8a-bdab-4513b24c8861&pager.pageNo=1#georgia-title-16-chapter-8-article-2>

**What are the Different Types of Georgia Theft?**

- Theft by taking: This means that a person unlawfully took possession of any item or piece of property that belongs to another. It does not matter how the item was taken. This is the simplest form of Georgia theft, and if you have another person's property and deprive them of it you can be charged and found guilty of theft by taking.
- Theft by deception: This means that you were able to get something from another by deceitful means. This includes billing someone for a service that was not done, accepting payment for something you know will not be done, or selling property or an item without disclosing that there is a lien or loan still on it. Georgia theft by deception is more complex due to the intention of theft involved to deceive another out of their property or money which may involve confirming another's wrong assumption about a fact or event when you know it is wrong.
- Theft by conversion: Georgia theft by conversion means that you took someone's money to apply it in some manner for them, such as a deposit or payment, and instead you used it for your own purposes. For example, an officer or an employee of a government or financial institution does not apply your payment to the intended account, but rather, pockets the money for their own use. In addition, Georgia theft by conversion also applies to rental property that you are using; if you do not return such property when the owner demands it back then you have committed theft by conversion.
- Theft of services: In Georgia theft of services involves receiving a service, entertainment or an accommodation with no intention of paying for it. This includes not paying for maid service, not paying for a hotel room or meal, or item that requires payment of some sort. Georgia theft law ensures that service providers are able to collect the fee they are due by making the theft of services a crime.
- Theft by receiving stolen property: This type of theft is a crime which involves receiving stolen goods whether or not you are aware that they are stolen. You have committed a Georgia theft crime if you receive, get rid of, or keep property that you know or should know is stolen.
- Theft of lost or mislaid property: Many people may not realize that this is a crime under Georgia theft law. If, for example, you find a lost wallet and make no effort to return it to its rightful owner, then you have now committed theft of lost or mislaid property. Effort needs to be made to return the property under the law.
- Shoplifting: Shoplifting has its own specific punishments under Georgia theft law. Shoplifting includes any attempt to conceal an item, change the listed price, or failing to pay in full for an item removed from a store. Unlike the other Georgia theft crimes, a misdemeanor conviction involves stealing an item under \$300; a felony shoplifting conviction involves stealing items that are worth more than \$300.

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## CRIMINAL TYPOLOGIES

### **Occasional Property Crimes**

Most occasional property criminals lack a past official history of criminality. They exhibit little progressive knowledge of criminal techniques or of crime in general. In contrast to career criminals or even conventional criminals, crime is not their sole or major means of livelihood, and they do not view themselves as criminal. Not identifying with criminal behavior, they have little of the vocabulary or “street sense” of the conventional criminal.

Under the category of occasional property offenses, discussion will center on shoplifting, vandalism, motor vehicle theft, and check forgery. (Professional crimes of these types will be discussed later.) Surprisingly, there have not been many studies that focus on occasional and ordinary property offenders (Hepburn, 1984; Shover, 1983).

### **Shoplifting**

The polite term for shoplifting used by the retail trade industry is “inventory shrinkage”—quite literally, goods have disappeared or shrunk from the total of accountable inventory. The slang term “five-finger discount” is a less polite term for this same process. While shoplifting is perhaps as ancient as trade or bartering, the post-World War II emergence of a consumer society and of large retail chains has created both a greater desire and a greater opportunity for retail theft. Inventory shortage costs in the United States account for about 2 percent of retail sales; the actual proportion may be considerably higher, depending on location, product, and clientele. Hollinger and Davis (2002) estimate the average retail firm loses 1.7 percent of gross revenues to “inventory shrinkage.” Shrinkage refers to the losses that are due to shoplifting, employee theft, vendor fraud, and administrative error. About one third of these losses are due to shoplifting. The average shoplifter is caught with \$200 worth of merchandise, and the U.S. retail industry loses an estimated \$10 billion per year to shoplifting. Many shoplifters are not motivated by need, as illustrated in the case of actress Winona Ryder, shown in Photo 10.1.

The classic study on shoplifting is Mary Owen Cameron's *The Booster and the Snitch: Department Store Shoplifting* (1964), which was based on store records and arrest data in the late 1940s; later research by L. E. Cohen and Stark (1974) supports her findings (see also Klemke, 1992). Cameron distinguishes between “boosters” (or “heels”)—professional shoplifters—and “snitches,” amateur shoplifters.

Boosters (to be discussed later in this chapter) are like other professional criminals in carefully planning and skillfully executing their thefts and in concentrating on expensive items that can be quickly converted to cash by prearrangement with a “fence” (dealer in stolen goods). On a continuum of shoplifters, between the booster and the snitch are “shadow” professionals (Hellman, 1970; Stirling, 1974, p. 120), individuals who in an avocational manner supplement their legitimate incomes by stealing. The majority of shoplifters are snitches, amateurs or individuals who do not view themselves as criminals. According to Cameron (1964), most are females and the vast majority have no official history of previous recorded criminal involvement. One example is the highly publicized case of Oscar nominee Winona Ryder, who was arrested at Saks Fifth Avenue in Beverly Hills for shoplifting. She stole \$5,560.40 worth of designer merchandise. Acquitted of burglary, she

was convicted of grand theft and vandalism. Authorities believe that most shoplifters have the money to pay for their stolen items. One illustration of that is the case of Claude Allen. Convicted in 2006, Allen was at the time an assistant to George W. Bush on domestic policy. He perpetrated a fraudulent return scheme at Washington, D.C.–area stores. Taking purchased merchandise to his car, he would return to the store later with his receipt and select duplicate items of what he had just bought and request a refund for them. His take in 2005 was estimated at \$5,000. His salary that year at the White House was \$161,000 (Rohrlick, 2007).

The most likely to be shoplifted in the United Kingdom in 2011 were choice cuts of meat, expensive bottles of alcohol, and hi-tech items such as electric toothbrushes and smart phones (G. Smith, 2011). Similar, small and expensive items are the most coveted in the United States. The rate of male shoplifters was only slightly higher than the female rate. While there were more adult shoplifters than juveniles, the latter were more frequently caught. Shoplifting increases during the Christmas shopping season, while shoplifting arrest rates increase in March (Spring Break). An annual survey conducted by Richard Hollinger of the University of Florida on behalf of ADT Security Services estimated the losses for inventory shrinkage in 2006 to be \$40.5 billion and that 47 percent of this (\$19 billion) was due to shoplifting (“Shoplifting Costs U.S. Retailers,” 2007).

Most snitches steal small, inexpensive items for their own personal use. In most instances, they have on their person sufficient funds to cover the stolen items. Such snitches come from all walks of life. Nettler (1982, Vol. 3) indicates, for instance, that “theories of poverty and low education and shoplifting would surprise store owners in university towns who experience three times the amount of theft as stores in other neighborhoods” (p. 106). Most snitches simply do not anticipate being caught. In the past when snitches were apprehended, most stores avoided lawsuits or possible adverse publicity by releasing the offenders after brief admonishment. When apprehended, snitches usually attempt to rationalize or excuse their behavior. For the middle-class offender with a psychology bent, “kleptomania”—a compulsion to steal—becomes a handy rationalization.

Adventure, excitement, need, greed, or simply available opportunity or inadequate security may prove to be more likely reasons. Cameron (1964) claims that most snitches, when caught and faced with an unacceptable criminal self-image, cease shoplifting.

Sensormatic Electronics assumes that shoplifting tends to increase during recessions—“when the going gets tough, some of the tough go shoplifting” (A. Newman, 1990). Sensormatic produces a variety of equipment, including security tags attached to articles that will set off alarms if the article is taken from the store without the tag having been removed by a salesperson. Dabney, Hollinger, and Dugan, in “Who Actually Steals? A Study of Covertly Observed Shoplifters” (2004), used closed-circuit television to observe shoppers and recorded their demographic and behavioral characteristics. A significant number (8.5 percent) were determined to be shoplifters. They found that juveniles and young adults were not more likely to shoplift. Middle-aged shoppers (35–54) were the most common shoplifters. More research is needed in order to confirm this finding. A number of states have passed antishoplifting statutes that enable retailers to stick shoplifters with some of the cost of security. “Civil demand” letters are sent to the accused shoplifters or their parents asking for payment of a \$100 to \$200 penalty in addition to the returned merchandise in exchange for the retailer not suing for civil damages (Schellhardt, 1990).

Offenses against property, among the earliest to be punished under formal legal systems, include a wide variety of violations usually labeled larceny (theft). These offenses can be committed by a

variety of criminal types, two of which are discussed and contrasted in this chapter: occasional property criminals and conventional property criminals. Career criminality is characterized by identification with crime, criminal self-concept, group support, association with other criminals, progression in criminality, and crime as a sole means of livelihood. While occasional property offenders are the antithesis of career criminals, conventional property violators are on the bottom rung of the ladder of career criminality. Occasional property offenders commit their crimes relatively infrequently, irregularly, crudely, and without identifying themselves as criminals. Conventional criminals commit their offenses more regularly and tend to aspire to career criminality. Occasional property criminal behavior includes most, but not all shoplifting, vandalism, motor vehicle theft, and check forgery. Cameron distinguishes between two types of shoplifters: boosters (professionals) and snitches (amateurs). The majority of snitches have no previous criminal history, do not identify with criminality, and are deterred from future activity when threatened with formal legal processing. Vandalism, the willful destruction of the property of others, has been identified by Andrew Wade as consisting of three types: wanton (senseless), predatory (criminal), and vindictive (hateful). Wanton vandalism by juveniles is the most common type and usually represents an extension of play activity. Motor vehicle theft also consists of a variety of types: joyriding, short-term transportation, long-term transportation, and profit. Joyriders, who borrow a car for temporary adventure, illustrate well the occasional property criminal. Check forgers have been distinguished by Lemert as consisting of two types: naive check forgers and systematic check forgers. The former, who are occasional property criminals, write bad checks as a means of resolving a temporary crisis. The bad check writing is a result of closure, or limited possibilities for solving this problem. Conventional property criminals are those who commit larceny-theft and burglary on a fairly persistent basis, constituting a rudimentary form of career criminality. Such offenders are less skilled and organized than their professional counterparts and represent about half of the prison inmates in the United States. Most will eventually reduce or cease their “careers” by their mid-twenties. Burglary involves the unlawful entry of a structure in order to commit a felony or theft. This may include actual forcible entry, unlawful entry without force, or attempted entry. As a rule, burglars attempt to avoid violence. Marilyn Walsh identifies types of burglars. These include professionals, known burglars, young burglars, juvenile burglars, and junkies, in decreasing order of sophistication and organization. Other characteristics of burglars and burglary were described separately by Scarr, Repetto, and Pope. Indispensable to property criminals and particularly burglars is the fence, a dealer in stolen property. Successful police “stings,” or anti-fencing operations, were described. Most conventional offenders are nonspecialists; they “hustle,” or take advantage of various criminal opportunities. Larceny-theft, which includes a broad category of property crimes, makes up over half of the index offense total and as a category constitutes a “wastebasket concept,” a catch-all. Property offenses are more characteristic of youthful offenders, who tend to commit crimes in groups. Arson, which has since 1979 been included as a UCR index offense, involves any willful or attempted malicious burning of another's property. Arson is described as a special-category property offense because of the variety of motivations involved, including (according to McCaghy's typology) profit, revenge, vandalism, crime concealment, sabotage, and excitement. Comparisons of criminal careers of occasional versus conventional property criminals demonstrate that only the latter exhibit any level of commitment to criminality, and even they are often youthful offenders whose property criminality peaks at age 16, halves by age 20, and continues to decline thereafter. Societal reaction to occasional offenders is relatively mild, but it is relatively strong against conventional property offenders. Anthropological field research, such as that by Shover, suggests that programs aimed at identifying and getting tough with “career criminals” must be careful to examine the interplay among employment, threatened incarceration, and aging of offenders lest they get tough at the very time that most will mature out of crime. In sociology, professionals are those in occupations who possess useful knowledge and claim a service orientation for which they are granted autonomy. In this light, the term may be an inappropriate tag with which to designate skilled, able grifters or intensive career criminals. It is so widely used in the literature, however, that not to use the concept would be more confusing than to employ it. Sutherland's classic 1937 work on the subject, *The Professional Thief*, describes some characteristics of professional criminals as including crime as sole livelihood,

planning, technical skills, codes of behavior, high status, and an ability to avoid detection. Professional crime is a sociological rather than a legal entity. The argot (specialized jargon) of the professional criminal world uses Depression-era U.S. terms. Some examples include cannons (pickpockets), heels (sneak thieves), boosters (shoplifters), and the con (confidence games). A continuum model of professional crime presents crime as professional to the degree that it possesses the following characteristics: sole livelihood, extensive career, skill, high status, avoidance of detection, criminal subculture, planning, and “the fix.” The fix refers to the ability to avoid prosecution by compromising the criminal justice process. The term scam refers to various criminal techniques or hustles. Professional crime differs from occupational/corporate crime in that, in the former, crime is the sole purpose of a business. Some examples of professional crime from Edelhertz's typology were presented, most of which are examples of fraud. Some professional crime might be described as semiprofessional in that it involves less skill and planning. Sometimes called bunko or flim flam or short con operations, these scams include the pigeon drop, the badger scam, the bank examiner's scam, postal frauds, circus grifting, boojo (a gypsy con game), and various home-improvement frauds. The big con involves far more skill, more elaborate planning, higher-status victims, and much larger rewards for the criminal. Ponzi schemes are frauds in which early investors in a nonexistent product are paid high dividends on the basis of money obtained from later investors. Pyramid schemes require investors to seek a chain of other investors in order to reap a promised high return. Examples of big con operations also included religious cons. Various professional criminal trades were discussed in the chapter. These included boosters, cannons, professional burglars, box men, fences, paper hangers, robbers, arsonists, and auto thieves. Descriptions of careers of professional criminals are methodologically limited by the need to rely on case studies and popular sources for many accounts. Most professional criminals seek anonymity, know the police and members of organized crime, are very deliberate in plying their trade, and avoid conspicuous consumption. They avoid rough stuff and “heat” and attempt to minimize risks. Requiring skill and contact with others, most seek subcultural support as suggested in Sutherland's “differential association” theory. The professionalization of criminal justice has appeared to reduce many of the previous opportunities available in professional crime. The President's Commission on Law Enforcement and the Administration of Justice pointed to the importance of two essential elements that explain the success of professional crime: “the fence” and “the fix.” The high cost of legal defense also may be responsible for a portion of the decline of such crime.

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