

their behavior. Some communities have placed age restrictions on the purchase of spray paint and paint markers. Other communities have policies in place to fine individuals who abandon vehicles or do not insure abandoned property. These policies are an attempt to decrease the availability of targets for vandalism by holding their owners accountable.

Vandalism is a crime under-reported to law enforcement, though it is one of the most recognizable crimes. It is also one of the more prevalent crimes. The clean-up and repair of vandalism can constitute a serious expense for individuals, when private property is targeted, as well as communities, when the target is public. The prevalence of vandalism in a community can alter resident's perceptions of their security and the prevalence of crime. The more vandalism a community experiences, the more that community is likely to perceive that it has problems with more serious crimes, such as illegal drug markets. This perception can also increase fear of crime or decrease a community's faith in the legitimacy of law enforcement.

Though the punishments vary by location, most vandals are sentenced to community service and ordered to pay restitution to the owner of the damaged property or the city. In some jurisdictions, when the vandals are juveniles, additional fines may be levied against the parents of the juveniles. This often depends on the extent of the vandalism or its location, such as a school. Sentence enhancements can be applied, in some jurisdictions, for repeat offenders or because of the nature of the vandalism, such as vandalism that is identified as a hate crime.

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See Also: Arson; Broken Windows Theory; Graffiti; Hate Crime; Juvenile Offending.

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Victims, Immigrant

Historically, scholars have paid relatively little attention to the criminal victimization of immigrants. Immigration scholars have focused on assimilation, or immigrant incorporation into society in ways that mostly ignored crime; criminology emphasizes immigrants as perpetrators through theories of how subcultures and cultural conflict lead to street crime. But immigration involves factors like race, citizenship, immigration status, fluency in English, religion, and income that can all relate to victimization. Such factors also relate to perceptions of, and actual experiences with, the criminal justice system as a source of support or revictimization. Immigrants can be the targets for hate crimes and are susceptible to victimization based on their generally vulnerable status as non-native born citizens. The latter includes predatory victimization at the hands of individuals, groups, or businesses seeking to exploit or oppress individuals, and due process victimization by the criminal justice system through profiling and detention.

Data on immigrant victimization is scarce. The Bureau of Justice Statistics Web site has no data on immigrants as victims. The National Crime Victimization Survey and the Federal Bureau of Investigation's Uniform Crime Reports (UCR) contain data on race and ethnicity, which includes multigeneration citizens as well as new arrivals. Both sources generally exclude undocumented immigrants, who are at the highest risk for victimization. There are some surveys from specific cities that assess victimization of immigrants but researchers cannot generalize these findings back to larger populations.

Immigrants and Criminology

Early work on crime and genetics was done by whites whose research typically supported a form of white supremacy and thus concluded that non-whites, including many immigrants, were inferior

racism that needed to be excluded or subject to greater social control. Other research claimed that immigrant groups had "cultural predispositions" to crime. Drawing on research findings that community disorganization, poverty, and a high concentration of young males are related to higher crime rates, some criminologists hypothesized that immigrant communities would have higher crime rates because these factors were prevalent.

However, numerous studies have shown that immigrants have a similar or lower crime rate than native-born Americans. The 1931 *Report on Crime and the Foreign Born* (Wickersham Report) found that proportionally, immigrants commit fewer crimes than native-born Americans. Criminologists Clifford Shaw and Henry McKay came to a similar conclusion, noting that criminality correlated with social disorganization in certain areas of the city—not race, nationality, or how long people had been in the United States. Modern scholarship finds that immigrant arrests tend to be for immigration offenses, not for property or violent offenses. Further, the time during the 1990s when America experienced its strongest growth in both the Hispanic and undocumented immigrant populations was when crime rates fell significantly.

More critical scholarship adds that the first immigrants were European settlers who victimized Native Americans and took their land during colonization. Subsequently, Africans experienced forced immigration and the victimization of American slavery, which allowed for the assault, rape and murder of blacks with little or no legal consequence. Groups like the Chinese and Irish were welcomed when the United States sought cheap labor to complete the transcontinental railroad—but were then the subject of criminal laws—especially drug laws—to control them when the project was done. Organized crime (the Mafia) and street crime gangs formed partly in response to blocked opportunities for legitimate economic advancement. Finally, immigrant patterns of arrest reflect not just the prevalence of crime but heightened police scrutiny and less likelihood of informal sanctions in particular neighborhoods.

Immigrants and Victimization

Immigration laws influence victimization by altering the routine activities of immigrants as well as reducing the likelihood that the police will be involved. Furthermore, both actual and perceived

immigration status shape interactions by creating an unequal power dynamic between immigrants and native-born, as well as among immigrants with different immigration statuses.

Nonimmigrants are generally less susceptible to status-based victimization—victimization that is linked to one's official immigrant or citizenship status—than are immigrants, with naturalized immigrants (citizens) the least vulnerable and undocumented immigrants the most. This dynamic is distinct from hate crimes, which are based on an ideology of white supremacy, which frequently seeks to make the United States a homeland for whites. Status-based victimizations are not based on bias, but a perpetrator's assumption that the prospective victim will not call the police and/or that the police will investigate the victims' immigration status rather than the crime. For example, perpetrators may target immigrants (especially undocumented ones) for theft because they will not report the loss to police and carry attractive amounts of cash if they do not have bank accounts. Some rapists target immigrant women because they believe they are more likely to get away with it. A batterer may tell a woman he is abusing that she will be deported if she seeks help for domestic violence.

While all immigration policies are by nature restrictive, they vary greatly in the degree to which immigrants can enter a country and participate in society. Countries that are restrictive will have a larger number of status-based offenses than those with more open policies. Recent U.S. immigration policy has generally been restrictive; enforcement draws increasingly upon a criminal justice model. Together, policy and enforcement facilitate the generalized "othering" and "criminalization" of immigrants, which leads to increased status-driven victimization. Immigrants are vulnerable because restrictive laws and practices deny them equal protection.

With undocumented immigrants, power differentials between them and those with legal status are at a maximum. Undocumented immigrants live in constant fear of arrest, detention, and deportation, making them more vulnerable to predatory offenses. Immigration raids are common, local police often work with immigration and border patrol agents, and documented cases of police interrogation and arrest of immigrant victims who have called for assistance all bolster immigrant fears. Thus,

undocumented immigrants are unlikely to report victimization to the police, leaving them without protection and vulnerable to criminal harm.

Predatory Victimization

Assaults on immigrants and threats of violence against them frequently result from immigrants protesting predatory victimization. This is done by individuals, groups, and businesses who purposefully exploit an immigrant because that immigrant will not report them for fear of immigration status consequences, lack of communication skills, or lack of knowledge about their rights. Such victimization includes common discrimination or differential treatment; harassment; interpersonal crimes like blackmail and extortion. Employment abuse includes some of the above plus violations of labor law (lack of benefits or breaks), wage theft (sublegal wages, nonpayment of overtime, or nonpayment), unsafe working conditions, and even slavery. Perpetrators are likely to be somewhat close to victims, and may be romantic partners, family members, bosses, coworkers, business associates, neighbors, friends, or even lawyers. Because immigrants generally have fewer employment opportunities, employment-related victimization is likely the most widespread form of victimization experienced by immigrants, especially those who lack legal permission to work. Even those working legally may be unfamiliar with U.S. labor laws and how to pursue grievances. Labor-law enforcement has also been a low priority in recent federal administrations, so employment of immigrants is rife with illegal and unsavory activities, with many serious abuses, for example, in agriculture and the meatpacking industries.

Due Process Victimization

Due process victimization refers to offenses committed by criminal justice actors—such as police and agents of immigration agencies—who violate the rights of immigrants. This encompasses racial profiling; verbal harassment; excessive use of force; abuse (physical, psychological, or sexual); unreasonable searches, seizures, and arrests; failure to uphold basic civil rights as outlined by the Constitution; and not maintaining appropriate standards of confinement for immigration detention. The major difference distinguishing due process offenses from predatory offenses—other than the perpetrator's identity as a criminal justice employee—is that due process

perpetrators are not acting for personal gain and may indeed be following institutional procedures, objectives, and occupational norms.

While these issues occur in other contexts in the criminal justice system, they are more prevalent in immigration enforcement. Specifically, the adoption of a criminal justice model within immigration policy since the early 1990s has eroded due process protections and made it more difficult to challenge improper treatment against immigrants and refugees. Studies show that not only are deportees subject to verbal harassment, procedural failings, and excessive use of force, but also that force is more commonly used against deportees than citizens. Even the federal government has acknowledged several instances of detainee mistreatment and neglect—including inadequate health care, environmental health and safety concerns, and non-compliance with detention confinement guidelines.

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See Also: Blackmail; Courts; Hate Crime; Jails; Police Brutality/Excessive Force; Racial Profiling.

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Victims, Senior

While the elderly are certainly thought to be more frequent victims of street crime than other age groups, that is not necessarily the case. Except

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