



Prisons, recidivism and the age–crime profile[☆]



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HIGHLIGHTS

- Historical data set of over 120,000 cases at the Old Bailey in 19th century London.
- U-shape trend in convict age: steep decrease until 1820, then steady increase.
- Use of prisons (instead of death or transportation) led to concept of recidivism.
- Propose that the rise of prisons and recidivism mechanically led to older convicts.
- First historical data on recidivism.

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ABSTRACT

This paper provides a descriptive analysis of the economic and non-economic channels that led to a U-shaped trend in the average age of male convicts in 19th century London using detailed data from the Old Bailey central criminal court. In addition to discussing industrialization and changing attitudes towards juveniles as potential mechanisms underlying the initial decrease and subsequent increase in criminal age, we put forth a new explanation of the latter. Did the abolition of capital punishment and penal transportation, which led to the rise of the modern day prison system and the emergence of recidivism, lead to a mechanical increase in the average age of criminals?

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1. Introduction

One of the most commonly cited stylized facts about the demographics of criminals throughout the world and history is the age–crime profile, which typically increases in the teenage years, peaks around age 19 or 20, and then gradually decreases. Fig. 1 shows the profile for both arrestees in the United States in 1980

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and almost 120,000 convicts at the Old Bailey in London between 1800 and 1900: despite the different continents and more than 100 years in between, the age–crime profiles are remarkably similar.

Though criminologists have extensively studied the age–crime relationship, economists have only recently contributed to the debate. Grogger (1998) asks whether market wages explain the age–crime profile, a natural question in the context of the Becker (1968) model of crime—the opportunity cost of crime increases with labor market experience as individuals age. Lochner (2004) develops a human capital based model of crime, which predicts an age–crime profile that peaks at or before the age of labor market entry. More recently, Landerso et al. (forthcoming) study how school starting age affects the age–crime profile.

While the general shape of the age distribution is constant, its moments (mean and dispersion) can shift over time. One such example is the rightward-shift in the age distribution of convicts

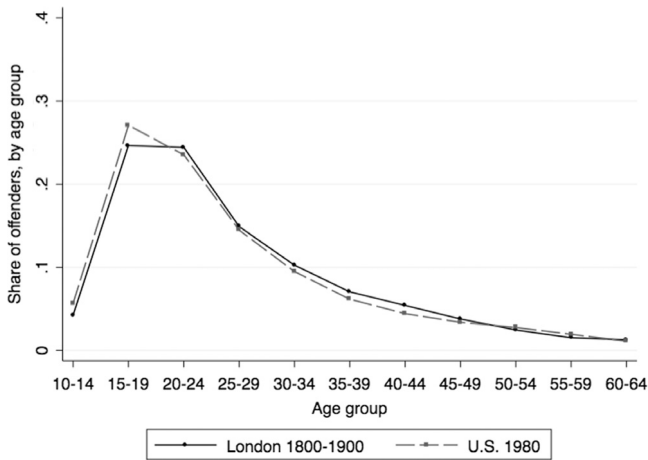


Fig. 1. Offender-age profiles. Note: share of convicts at the Old Bailey (1800–1900) and share of arrests in the US (1980) by 5-year age intervals. Source: Old Bailey Online Proceedings; BJS¹; own calculations.

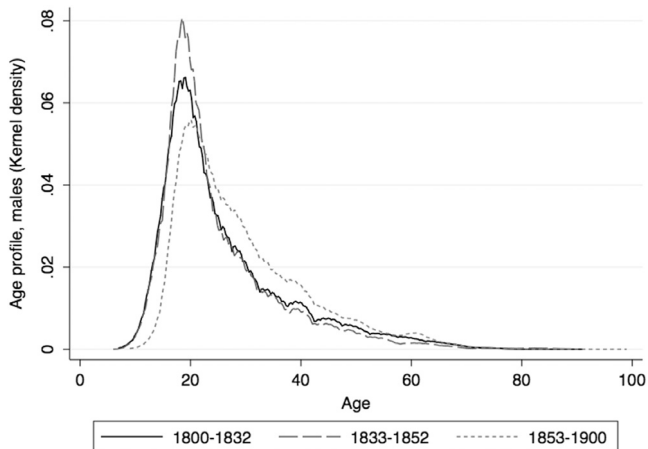


Fig. 2. Convict-age profiles. Note: age distributions of male convicts at the Old Bailey. Source: Old Bailey Online Proceedings; BJS (see footnote 1); own calculations.

at the Old Bailey in the latter half of the 19th century (see Fig. 2). Similar shifts have been studied in US prisons since the 1970s (Porter et al., 2016). This paper focuses on understanding the potential economic and non-economic channels that underlie the shift in the age–crime profile in 19th century London, with an emphasis on the Industrial Revolution, changing attitudes, and the rise of imprisonment as the primary sanction.

2. The age of convicted offenders at the Old Bailey

As the central criminal court for the City of London and surrounding Middlesex, the *Old Bailey* tried the most serious crimes in Victorian times. Detailed information on the defendant, charge, verdict, and sentence of each case were recorded in *The Proceedings of the Old Bailey*. The *Old Bailey Proceedings Online* has digitized this historical data source and provided xml files for each of the 2000 court sessions. See Bindler and Hjalmarsson (2016) for more details on the data and context.

The primary variable of interest is defendant age. One data limitation is that the Proceedings only consistently reported age

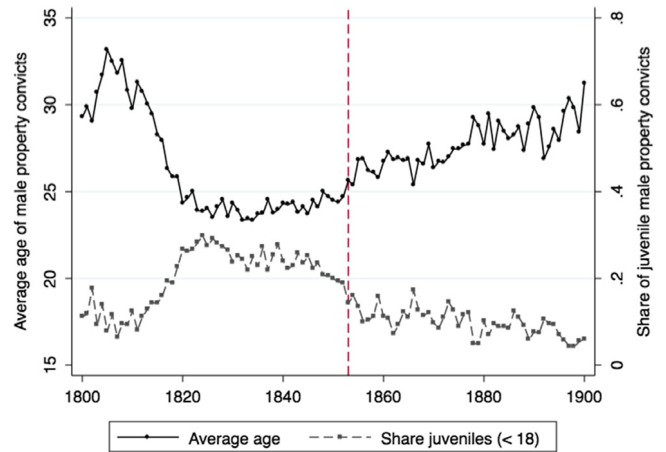


Fig. 3. Average age and share of juvenile convicts. Note: average age and share of juveniles of male convicts at the Old Bailey (property crime). Source: Old Bailey Proceedings Online; own calculations.



Fig. 4. Criminal history and prison sentences. Note: share of male convicts for property crime at the Old Bailey with any criminal history or prison sentences. Source: See Fig. 3.

for those found guilty; we cannot say anything about the age of those acquitted (25% of the sample from 1800 to 1900). Prior to 1789, age is missing for 99% of those convicted (in addition to those acquitted).²

Fig. 3 shows the average age of the 69,537 male offenders convicted of property crime, as well as the share of juvenile (below age 18) convicts.³ We focus on male property offenders (i) because at that time property offenses and male defendants comprise 71% and 83%, respectively, of all convicted cases and (ii) to ease comparison with Vickers and Ziebarth’s (2016) analysis of age at the Old Bailey from 1835 to 1913.⁴ The average age is U-shaped between 1800 and 1900, with a steep (17%) decrease from 29 to 24 years between 1800 and 1820, and a less steep but steady increase thereafter. The share of juvenile offenders mirrors that pattern with an increase from 11% to 27%, respectively, and a steady decrease afterwards. What explains these relatively large and ‘quick’ changes in convict age?

² See: <https://www.oldbaileyonline.org/static/Population-history-of-london.jsp#demography>.

³ Property crimes include animal theft, arson, burglary, housebreaking, larceny, mail, receiving, shoplifting, stealing from master, and theft from place.

⁴ It is our understanding that Vickers and Ziebarth (2016) only had post-1835 data available for their analysis.

¹ Snyder, H. and Mulako-Wangota, J., Arrest Data Analysis Tool (29-Sep-16) at www.bjs.gov. Bureau of Justice Statistics, Washington, D.C.

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