



Advancing restrictive deterrence: A qualitative meta-synthesis



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ABSTRACT

Purpose: Restrictive deterrence refers to the strategies offenders use to reduce their risk in response to sanctions. It occurs when offenders reduce the frequency, severity, or duration of their offending, or displace their crimes temporally, spatially, or tactically. We summarize and synthesize qualitative research focused on restrictive deterrence.

Methods: We conduct a qualitative meta-synthesis (QMS) on research on restrictive deterrence with the aims of integrating, comparing, and translating findings across 17 studies. The studies examine restrictive deterrence in drug dealing, prostitution and auto-theft. The method reveals coherent themes and provides interpretations spanning the works to guide further investigation.

Results: Offenders use strategies for avoidance and management of arrest risk and mitigation of punishment in response to sanction threats. Their advance plans and mental preparations structure crime choices. However, both their decisions and their strategies are subject to many influences including variable frictions, restricted options, and bounded rationality.

Conclusions: Reductions in offending from deterrent efforts, including the frequency, duration and severity of crime is crime-contingent and partially offset by offenders becoming more embedded in criminal networks and emboldened as they perceive their adaptations as effective.

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Examining the deterrent effects of sanctions has been a cornerstone of criminological research and theorizing for decades. A large part of deterrence research focuses on the ways that people assess the potential sanctions of their actions before deciding to engage in or abstain from illegal behaviors (Andenaes, 1952). It suggests that *perceptions* of the severity and certainty of consequences of committing crime do have deterrent effects on actors' decisions (Pratt, Cullen, Blevins, Daigle, & Madensen, 2008). The bulk of this research examines whether people are absolutely deterred from committing crime based on direct or vicarious punishments. While punishments may be designed to make people abstain from crime altogether, punishment is more likely to inspire people to reduce the amount of crime they commit rather than to give it up altogether. A reduction in crime based on potential or experienced punishment is referred to as restrictive deterrence (Gibbs, 1975).

Gibbs (1975, p. 33) conceptualized restrictive deterrence as “the curtailment of a certain type of criminal activity by an individual during some period because, in whole or in part, the curtailment is perceived by the individual as reducing the risk that someone will be punished as a response to the activity.” This definition suggests that deterrence can be either complete or partial. That is, deterrence can be found when people desist completely or when they change the frequency, location, or type of crime they commit as a response to sanctions. A narrow definition of restrictive deterrence relates only to formal sanctions but this is not necessary or useful for our purposes. Most of the research includes offenders' concern for informal sanctions (e.g., risks of victimization or family's reaction). In practice these aspects are almost indistinguishable as formal sanction will be followed by informal sanctions, and this expectation affects the evaluation of severity of formal sanctions.

Research generally supports the claim that people are restrictively deterred in response to potential sanctions, although the strength of this finding is influenced by the methodological strategy. Research using qualitative methods largely supports the theory, while quantitative research finds more mixed results (Nguyen, Malm, & Bouchard, 2015). Recognizing the importance of restrictive deterrence makes it possible to place the deterrence doctrine in a broader rational choice framework of social control that captures a greater range of responses to penalty (Paternoster, 1989; Piliavin, Gartner, Thornton, & Matsueda, 1986). More research can potentially provide criminology with a better understanding of how sanction effects influence behavior.

Accordingly, our aim is to integrate and interpret the research on restrictive deterrence using the method of qualitative meta-synthesis (QMS) (Aguirre & Bolton, 2014; Sandelowski & Barroso, 2007). Specifically, we conduct a QMS to synthesize the qualitative literature that addresses restrictive deterrence with the aim to provide a more substantive interpretation of restrictive deterrence than the sum of the individual studies (Fingfeld, 2003; Thorne, Jensen, Kearney, Noblit, & Sandelowski, 2004). We identify important themes across the studies and interpret them at a broader level of abstraction and formality by using concepts borrowed from other social science realms.

1. Restrictive deterrence

Deterrence research posits that the fear of sanctions inhibits individuals' involvement in crime. Since the classic utilitarian understanding of deterrence, writers have developed the theory to include a distinction between general and specific deterrence (Andenaes, 1952), objective assessments versus subjective perception of sanction risk, as well as extralegal and formal costs (Paternoster, 1989, 2010). Restrictive deterrence is more specific and addresses the effects of sanctions on

individuals with prior law breaking experience, because it emphasizes *changes* in criminal behavior rather than absence of it. These effects on behavior imply assessments of the probability of arrest as well as “strategies or tactics employed by individuals to evade detection, identification, or apprehension that have the effect of reducing the frequency of offenses” (Gibbs, 1975, p. 33). These strategies include altering the progression and duration of events (Jacobs & Miller, 1998; Maimon, Alper, Sobesto, & Cukier, 2014), as well as, crime switching, or categorical curtailment of some crimes by selection of offense types perceived as less hazardous.

Interviews with those who engage in crime show that they engage in rational decision-making and form restrictive strategies to avoid apprehension (Jacobs, 1999; Knowles, 1999). Despite this well-known fact, restrictive deterrence received comparably little theoretical attention for over a decade of Gibbs' original writing, and subsequent expositions (Gibbs, 1988). It was not until Jacobs (1993, 1996a, 1996b) revitalization (and advancement) of the theory that qualitative scholars began to consistently incorporate it as a central problem in their work. In advancing the theory, Jacobs (1996a) dichotomizes restrictive deterrence into probabilistic and particularistic. Probabilistic restrictive deterrence occurs when individuals reduce the frequency of their offending based on assessments of the law of averages or the cumulative risk of punishment. Particularistic restrictive deterrence occurs when individuals reduce the frequency of their offending based on tactical and strategic skills that are geared to reduce their chances of detection and apprehension (Jacobs, 1996a). While probabilistic and particularistic restrictive deterrence can operate independently, they can also mutually affect one another. Jacobs (1996b) further elaborated on restrictive deterrence by describing two forms of particularistic restrictive deterrence: (1) anticipatory strategies for preemptively avoiding contact with police and (2) reactive strategies for avoiding arrest when in direct contact with police (see also Cherbonneau & Copes, 2006).

It is generally difficult to measure a deterrent effect because it addresses the omission of an act (Gibbs, 1988; Paternoster, 2010). However, restrictive deterrence makes deterrence visible through the strategies offenders use (Jacobs & Cherbonneau, 2014). We can see restrictive deterrence when people move places to deal drugs in response to police crackdowns and this makes studying it easier, for example. Quantitative research has found restrictive deterrence increases people's survival time between arrests (Dejong, 1997; Gallupe, Bouchard, & Caulkins, 2011; Paternoster, 1989), decreases the duration of criminal events (Maimon et al., 2014), and can alter use of arrest avoidance strategies (Beauregard & Bouchard, 2010; Nguyen et al., 2015). While this quantitative research is promising, a more thorough look at the wider qualitative research on restrictive deterrence can aid understanding of it and can help direct research, both qualitative and quantitative. As such we analyze existing qualitative research on the topic using the techniques of qualitative meta-synthesis.

2. Methods and data

Qualitative meta-synthesis (QMS) is a comprehensive generic term that represents a collection of approaches to reviewing, translating, and synthesizing research. While popular in other disciplines, it is underused within the fields of criminology and criminal justice (for exception see Maher & Hudson, 2007). It can be understood as an evolution of secondary analysis where data are reanalyzed with a new technique or research question. The procedure involves breaking down the findings

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