

Guru Ghasidas Vishwavidyalaya

Department of Forensic Science

Model answers AS-3005

B.Sc. Forensic Science Semester I

Paper-II (Criminology and Police Science)

Section A

- i. (a) Kidnapping
- ii. (d) Lombroso
- iii. (c) Monetary
- iv. (d) State->Zone ->Range ->District
- v. (a) Alsations
- vi. (a) Conservative criminology
- vii. (c) Incest
- viii. (b) Jails
- ix. (d) Prime Minister
- x. (a) Electroencephalogram

Section B

2. CONCEPTS TO DEFINE CRIME

Crime can be defined by the following 4 concepts:

- i. Legalistic- Any act that is against the law is called crime. It is punishable and known to all.
- ii. Socialistic- Any act that is against the social etiquettes of the society. These may/ may not be punishable. For example, polluting the environment.
- iii. Moralistic- Any act that is against the moral values of the society. For example, advertising for alcohol.

- iv. Functionalistic- Any act that disrupts the smooth functioning of the society. For example, damaging public property.

CHARACTERISTICS OF CRIME

- i. External consequences- It is harmful to society: social, personal, emotional or mental impact.
- ii. *Actus Reus*- Some action should have been committed or omitted.
- iii. *Mens rea*- There must be an intention and guilty mind, along with the act.
- iv. Prohibited act- The act should be forbidden under existing law.
- v. Punishment- The act should not only be prohibited, but also punishable.

3. WHITE COLLAR CRIMES

The term was first used by Sutherland. These crimes are committed by the people who belong to high class society and are respectable, influential, rich and powerful. White collar crimes do not involve poverty, family circumstances and mental disorders. The crimes committed by the underprivileged and poor people are called blue collar crimes.

White collar crimes are committed for greed not for need. Examples include:

1. Hoarding and black-marketing

Holding/hiding of commodities from the market is called hoarding. Once the demand of the product increases, it is released at high prices for the consumers. This is called black-marketing. This is harmful to the economy but is still done by unscrupulous traders for profit making.

2. Adulteration

Mixing of foodstuffs, edibles and drugs with harmful components is called adulteration. This is dangerous to public health but is still done for personal gains.

3. Tax evasion

The actual tax paid by most people is only a fraction of their income and the rest of the money gets into circulation as black money. People try to hide their real income and pay less tax. This is bad for government economy.

4. Medical profession

Even our noble doctors are involved in such crimes. They issue false medical certificates, help illegal abortions, sell sample drugs or medicines, give misleading and false advertisements, remove kidneys without patients knowledge, resort to private practices and neglect patients in government hospitals etc.

5. Engineering

Engineers deal with contractors and suppliers to pass sub-standard works and materials. Construction of buildings, roads, dams and bridges with poor quality material endangers public safety and wastes government funds.

6. Legal profession

Lawyers use unethical means to get clients. They create false evidences and witnesses, arrange for bails of known criminals, support lies and hide truth in Court.

7. Educational institutions

Fake admissions, mark sheets, certificates and degrees are being issued by institutes in return for money. Some institutions ask for high donations for admission of needy students.

8. Business deals

Businessmen bribe officers for getting their work done. They use labor unfairly i.e. pay less for more work. Wrong pricing of products and adulteration are commonly carried out by traders. Insurance business involves malpractices too.

9. Fake employment rackets

Many fake agencies and consultancy firms fool people by making false promises of providing jobs on payment of huge fees or some registration fees.

4. ECONOMIC CRIMES

Crimes are mostly committed because of the acquisitive tendency of man and his greed for acquiring surplus wealth. It is not necessarily poverty, but materialistic tendency of man that generates criminality.

- Direct relation

Some believe that crime rate shows an increase in periods of prosperity and decreases during periods of economic depression. For example, as food prices rise up, crime rate records a corresponding increase.

- Indirect relation

Some believe that when economic conditions are favorable, incidence of crime is comparatively low but in times of economic depression, criminality records an upward trend.

1. Marxist theory

According to this, crimes emerge only because of capitalist domination of society. Under such society, the upper class can exploit the weak. The rich oppresses the poor and forces the latter to commit crimes. The poor keeps getting poorer while the rich keeps getting richer. Such economic difference in the society leads to a rise in criminal activities.

2. Bonger's theory

He explained the relation of crime and economic conditions as:

- He prepared a statistical data and demonstrated that almost 79% of criminals belong to poor class.
- He concluded that crimes such as theft, robbery, dacoity etc. increase during the periods of depression i.e. when the prices are high.
- Capitalist create unemployment (by hoarding and black-marketing) which ultimately leads to crime.

- Employment of children as labor is a potential cause of crimes because a child who earns his wages does not know how to spend it usefully. So he might indulge in criminal activities.

3. Charles Goring

He studied almost 3000 criminals and found that there is no correlation between occupation and frequency of committing crime. Persons living in extreme poverty might exhibit honesty while the wealthiest of men might indulge in criminal activities to gain more money.

Thus, it is not poverty alone that generates crime, but it is the tendency of man to gain more and more wealth that makes man a criminal. Crimes can be committed by both poor and rich people.

5. JUVENILE DELINQUENCY

Delinquency is any act or behavior that is not normal and is harmful to the society. It is a form of misbehavior or deviation from the generally accepted norms of conduct in the society.

Juvenile delinquency refers to the criminal acts done by a child or juvenile. The term has a very extensive meaning and includes rebellious and hostile behavior of children and their attitude of indifference towards society. Therefore, a juvenile is an adolescent person, between childhood and manhood/womanhood, who indulges in some kind of anti-social behavior, which if not checked may turn him into a potential offender.

Causes Of Juvenile Delinquency

1. Instability

Because of physical maturity or puberty stage, the children tend to be rebellious. Due to biological, sociological and psychological factors, the behavior of juveniles is unstable. There is intolerance against restrictions. The child in this age wants to maintain his own identity.

2. Home environment

The behavior of parents with each other and with the child is important. The families where the parents indulge in undesirable activities have undesirable and corrupting impact on the immature

mind. Such parents fail to check their children. Stepmothers may mistreat the children spoil their childhood.

3. Associational impact

When the child starts to move outside his family, he comes in contact with various classes of persons of all ages and genders. He develops a circle of association outside the home. He adapts to the culture of the group to which he is associated. If he falls in bad company, he starts to behave accordingly.

4. Sex indulgence

Some children might be exposed to sexual activities in their surroundings. It is not healthy for them to indulge in such acts at such a young age. This might lead to delinquent behavior.

5. Movie influence

These days the movies and TV serials are dominated by the themes of sex and violence. The lifestyle of the villain may give the impression to the youngsters that by adopting shortcut methods, the richness and influence may come in their lives and the actual consequences of misdeeds may fail to influence the tender mind. Therefore, children become delinquents.

6. School life

Failure in exams may mentally disturb the children and they may feel ashamed and fall prey to vicious habits. Some children do not like to go to school and may leave the classes. They may skip school and pass time in other activities.

7. Poverty

When poor children see others enjoying life with comforts and better living standards, they tend to attain that. They desire to have these things by hook or by crook, giving birth to delinquency.

8. Irresistible impulse

Children do not have any self control and they are impulsive in nature.

9. Illiteracy

Children, who do not get education, indulge in criminal activities. They put their intelligence and energy to misuse.

10. Child labor

Children, who earn their living by working, do not know the proper ways of spending it. They use the money for gambling, drugs, alcohol etc.

6. (a) STATE ARMED FORCES

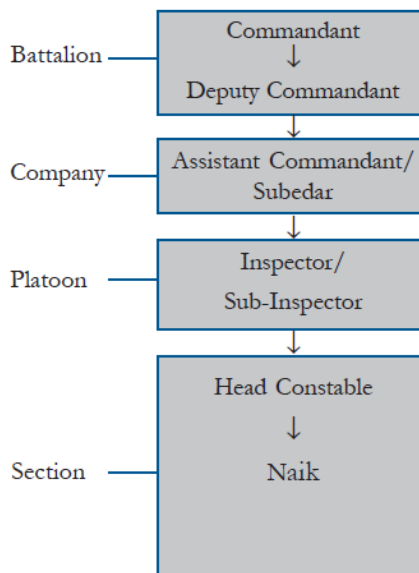
The State Police force has two components:

1. Civil Police which controls crime.
2. Armed Forces which deal with law and order situations.

The State Armed Police Forces of India are the police units for dealing with serious law and order situations requiring a higher level of armed expertise than normal.

Armed police is in the form of battalions, which are striking reserves to deal with emergency situations. A Battalion is made of 6 companies, a company is made of 3 platoons and a platoon may be made of 3 sections.

Rank structure of Armed Police:



6. (b) HOME GUARDS

This is an auxiliary police establishment which helps the regular police in times of need. It assists the police in times of flood, famines or other calamities. Services of home guards are utilized in times of emergency for helping the police to restore law and order. Both men and women between age group 16-40 years can be recruited as home guards. They are imparted basic training in:

- physical exercises, drill
- gun firing
- civil defense
- first aid
- fire-fighting
- map reading
- field craft

Separate training programs for Home Guards of rural and urban areas at district level are arranged. After completion of their training, the Home Guard recruits are supposed to live in groups in specially arranged camps, where they take practical training in different jobs. They have prescribed uniforms and badges. It is a voluntary service.

The entire organization is divided into:

Divisions

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Companies

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Platoons

There is a Chief Commandant General of Home Guards in each State.

7. POLYGRAPH (LIE-DETECTOR)

It is an instrumental detection of deception based on scientific principles. Polygraph is a scientific determination of deception or truthfulness, based on recordings of non-observable physiological phenomena.

Instrument

A polygraph continuously records changes in blood pressure, pulse, respiration and GSR (Galvanic Skin Response). Polygraph is attached in the following manner to the person being tested:

1. Pneumograph tubes (a device for recording velocity and force of chest movements during respiration) are fastened around the subject's chest and abdomen.
2. Blood pressure cuff is fastened around the subject's right arm in such a way as to ensure the rubber portion of the cuff is placed over the brachial artery for a satisfactory recording.
3. Electrodes are attached to the index finger and ring finger of the left hand for recording of the GSR.

The BP, pulse, respiration and GSR are recorded simultaneously and continuously on the surface of moving graph paper.

Principle

The psychological and behavioral interactions of the body are measured. The phenomenon of defense mechanism is most active under severe emotional state of mind reflecting fear. This fear of detection produces measurable physiological response.

Procedure

Following methods of asking questions can be used:

1. Relevant-irrelevant questions technique

It contains some questions pertaining to the issue under investigation (relevant questions) and other questions are irrelevant. The answers to these irrelevant questions are known such as subject's name, age, residence etc. The subject must answer either in Yes or No.

2. Control question technique

Control question is a question about an act of wrong-doing of some general nature as the main incident under investigation. The control questions are followed by relevant questions.

3. Peak of tension technique

Questions are asked regarding important details of the incident or occurrence that could not have been known by an innocent person. When it is mentioned, a peak of tension appears in guilty subject's polygraph tracings.

4. Guilt complex test

This consists of certain questions about a fictitious incidence of a similar nature. The subject is questioned about this incident only and no questions are asked about the matter under investigation.

8. POLICE

Police as a functionary of the criminal justice system has to play a crucial role in maintenance of peace and enforcement of law and order within its territorial jurisdiction. Its primary duty is to safeguard the lives and property of the people and protect them against violence, intimidation, oppression and disorder. They investigate crimes and apprehend criminals for prosecution in the Court of Law. The police has to play a dominant role in administration of criminal justice. Prevention of juvenile delinquency, atrocities against women, children and weaker sections of society is also the duty of the police.

Functions Of Police

1. Patrolling and surveillance

Patrolling is for the purpose of general watch. A group of personnel is assigned to monitor a specific geographical area that is, to move through their areas at regular intervals looking out for any signs of problems of any kind. Patrol patterns are different in urban and rural areas. Surveillance is based on anti-crime work. Each police station has a list of criminals and anti-social elements which require special watch. Information about these criminals must be kept in boxes or fed into computers for centralized surveillance.

2. Preventive functions

The police can arrest law-breakers and suspected criminals and take them into custody in order to prevent crimes. The legal limits of arrest and detention of suspects are clearly defined in CrPC.

3. Conditional release

The police has the power to release an accused on a bond with or without securities in case where there is no sufficient evidence or reasonable ground of suspicion to justify forwarding of the accused to a Magistrate. The arrested person can apply for bail even in non-bailable offences. The officer incharge of a police station and Magistrate have power to grant bail in all such cases except those punishable with death or imprisonment for life.

4. Investigation

The police is responsible for collecting evidence and apprehending the culprit. They can question any person supposed to be acquainted with the facts and circumstances of the case.

5. Interrogation

Police interrogates the criminals and suspects. Frisking implies searching the pockets and clothing of the suspect as a measure of safety and security while enforcing law against him. It differs from search, which is a legal process meant for collecting evidence against the offender. The police can interrogate and question the person suspected of having committed a non-cognizable offence.

6. Search and seizure

Search and seizure of evidences can be conducted by the police with a warrant issued by a Magistrate or without a warrant in some cases.

7. Maintain inquest register

The police is to record information in the inquest register in case a person dies under unnatural or suspicious circumstances. Inquest investigation is a preliminary enquiry by a police officer into cases of unnatural or suspicious death with a view to recording a finding as to the apparent cause of death.

8. Assist prosecutor

They assist prosecutor to conduct prosecution of cases in law courts. The success in prosecution largely depends on the promptness and ability with which the investigation is conducted by the police. The prosecution must come forward with all material evidence complete in all respects to prove the charge against the accused.

9. Identification

Identification and laboratory technical research may also be conducted by the police. There are special divisions of police for fingerprinting, photography and otherwise identifying criminals and for filing records.

10. Control of juvenile delinquency

Police is involved with administration of child-delinquency in all three stages: preventive stage, trial stage and rehabilitation stage.

11. General welfare functions

The police is usually involved in welfare functions, such as, helping the public in tracing out the missing persons.

