Write an essay addressing the topics below. Your essay should be 500 to 750 words, 2 to 3 pages (not including cover page and reference page), double-spaced, with a font size of 10 to 12 pt. Your paper should comply with APA. Refer to the Grading Rubric PDF(opens in a new tab) for essay grading standards. Submit your essay to your instructor. Part 1:Compare and contrast the crimes of theft and shoplifting. Explain their respective elements, and include the classification of each crime. Provide examples highlighting a theft situation and a shoplifting scenario. Research your city or town's crime map statistics. Provide statistics on the number of thefts in the area for the past three months. Part 2:Explain and provide examples of the crime of burglary. Include its elements and classification. Provide examples of a burglary. Research your city or town's crime map statistics. Provide statistics on the number of thefts in the area for the past three months. https://www.law.cornell.edu/uscode/text/18/part-I/chapter-31 https://definitions.uslegal.com/b/burglary-and-criminal-trespass/ https://www.justia.com/criminal/docs/uniform-crime-reporting-handbook/burglary/ https://www.law.cornell.edu/wex/arson https://www.findlaw.com/criminal/criminal-charges/arson.html Classifications of Property Offenses In many cases, the law is very specific. One key task an officer must complete when investigating, making an arrest, and writing subsequent reports is to ensure that he/she has accurately documented the elements of the crime. The statute spells out those elements. Consider the crime of robbery. A house cannot be robbed, although the term is frequently used on television and in everyday conversation. The elements of a robbery, as you will study in the next lesson, include 1) the taking of property 2) from a person 3) through the use of force or fear (usually the threat of force against that person or another person (e.g., "You give me the money or I'll punch you!"). If a person went into a bank with a gun and no one was there when the money was stolen, the actual crime would be (typically) armed burglary. The following definitions derive mostly from the Arizona Revised Statutes(opens in a new tab), but they are typical of what you will find in most states. Criminal Trespass Trespassing is a crime with simple elements: the act of having entered and/or remained unlawfully. The entry and remaining must be unreasonable. For example, the owner/proprietor (or person having lawful control of the property) or a member of law enforcement must have requested or ordered the suspect to leave. Posted "No Trespassing" signs suffice as a lawful and reasonable request to either leave or refrain from entering a designated property. To enter or remain unlawfully after a reasonable request to leave either by law enforcement, the owner/proprietor, or person having lawful control over the property. Entry is defined as an intrusion of any part of the offender's body or any objects he/she controls, such as a home or car. Structures include nonresidential structures, residential structures, movable/immovable, and permanent/temporary structures (e.g., campers, trailers, tents [adapted for both residence/lodging, whether occupied or not]). A structure is described as a place with sides and a floor, and is separately securable. Even if the entire building would not qualify, parts of it would if they were separately securable. The top does not have to be covered. A fenced commercial property can be defined by the presence of fences, driveways, gates, etc., including fenced grazing land. A property that has been criminally trespassed must be completely surrounded by barriers, such as fenced residential yard. A property that has been criminally trespassed can be an area adjacent or surrounding a residential structure. A property that has been criminally trespassed does not have to be completely surrounded but must be capable of such. "In the course of committing" includes the time from the moment of entry to, and including, the flight from the scene. Possession of Burglary Tools Possession of listed tools is defined by the subject intending to use or permit their use to commit burglary. Intent is crucial. An act will infer intent; prior will require statement, confession, etc. Most common burglary tools include screwdrivers, channel locks, and pipe wrenches. The justification is primarily to allow police to interfere at a burglary's earliest stage. Burglary Entering a residential home without permission and taking an item without permission constitutes a burglary. The value of the items is irrelevant, as the crime is a burglary because of the residential element. Furthermore, all burglaries are considered felonies. Burglary includes entering/remaining unlawfully in a nonresidential structure or fenced commercial yard or fenced residential yard with intent to commit theft or any felony. A burglary also includes the act of remaining unlawfully after entering with permission. The time frame for a burglary begins at the point of entry and continues to, and includes, the escape. Any time weapons are stolen in a burglary, it is charged as a higher level or first-degree burglary. Theft A common example of theft is a bicycle in a bike rack at a public place, such as a library or place of business. The suspect removes the bicycle without force toward a person. Because the parking lot is not fenced, nor is it related to a residence, taking the bike would be a theft. In some states, crimes of theft are classified as misdemeanor or felony based on the item's value. Theft occurs when a person without authority, knowingly: controls or exercises control over someone's property, or deprives or withholds the property interest of another. An act constitutes a theft if the object taken is permanently removed or for so long a time period that a substantial portion of its economic value or usefulness is lost. An act constitutes a theft if the suspect controls, loses, or misplaces property that belongs to another without making a reasonable effort to notify the true owner. An act constitutes a theft if the suspect obtains services available only for compensation without paying such compensation. An act constitutes a theft only if the suspect is instrumental in causing the wrongful control of property. Theft by Extortion An act constitutes a theft by extortion if the suspect knowingly obtains or seeks to obtain, by means of threat, to commit an act in the future. For example, an individual commits theft by extortion if he/she says, "If you don't give me money today, your business will burn down." Shoplifting Shoplifting includes taking items past the point of sale with the intent to deprive the shop of payment. Simply walking past the register with an item that was forgotten on the bottom rack of a cart would not constitute shoplifting because the element of intent to deprive would not be present. This is why the police must investigate fully to determine that all elements of the crime are present to be able to arrest and charge for a particular crime. If the officer could demonstrate via investigative practices that the intent to deprive was present for the item on the bottom of the cart, then the crime of shoplifting could most likely be charged. As with thefts, for shoplifting, the degree of crime classification depends on the value of the items involved. While in an establishment in which merchandise is displayed for sale, a suspect knowingly obtains such merchandise with the intent to deprive by: Removing merchandise from immediate display or from any other place within the establishment without paying the purchase price. Charging the purchase price to a fictitious person or any other person without his/her authority. Paying less than the purchase price by altering, removing, substituting, or disfiguring the price tag. Transferring the merchandise from one container to another. Concealing upon him/herself or another person, unpurchased merchandise. A merchant may detain a person suspected of shoplifting on their premises. Fraud The crime or act of fraud includes: Proof of possession of recently stole property, unless satisfactorily explained, gives rise to an inference that the person in possession of the property was aware of the risk that it had been stolen or in some way participated in its theft. Proof of purchase or sale of stolen property at the price substantially below its fair market value, unless satisfactorily explained, gives rise to an inference that the person buying or selling the property was aware of the risk that it had been stolen. An example would be individuals selling brand new 25-in. color TVs for $25 on a street corner. Proof of purchase, or sale of stolen property by a dealer in property, out of the regular course of business, or without the usual indication of ownership other than mere possession, unless satisfactorily explained, infers that the person buying or selling the property was aware of the risk that it had been stolen, specifically refers to dealers in property, such as pawn shops, junkyards, etc. The reckless possession of property, the identifying features of which have been altered. Arson of a Structure or Property A person commits arson of a structure or property by knowingly and unlawfully damaging a structure or property by knowingly causing a fire or explosion. The classification for arson is determined by the value of the property. Arson of a structure is a Class 4 felony. Arson of property is a Class 4 felony if the property had a value of more than $1,000. Arson of property is a Class 5 felony if the property had a value of more than $100 but not more than $1,000. Arson of property is a Class 1 misdemeanor if the property had a value of $100 or less. Arson of an Occupied Structure A person commits arson of an occupied structure by knowingly and unlawfully damaging an occupied structure by knowingly causing a fire or explosion. Arson of an occupied structure is a Class 2 felony. The critical elements of the crime of arson include the purpose of the structure (for example, whether the structure is residential or not, occupied or not, or likely to be occupied or not) and the value of the property. Also, the culpable mental state of knowingly is important. If a person went outside and purposely burned some weeds on their own property line but did not know that some sparks had singed their neighbor's adjacent shed, the act would most likely not meet all the elements of an arson. Again, detailed investigating is imperative to determine the suspect's intentions.