

# Research Department Report 57

## Research Concerning Theft Offenders

### Outline

This report reveals the theft trends and the situations concerning treatments for theft offenders based on the official statistics (Chapter 1), analyzes the actual situations of and reoffending by theft offenders based on special investigations conducted by the Research and Training Institute of the Ministry of Justice (Chapter 2), and based on the results, discusses the situation behind increases and decreases in the number of theft cases and issues that need to be worked on to prevent re-offending for theft offenders.

#### Chapter 1 Theft trends and treatments for theft offenders

##### (1) Theft trends

The number of reported thefts accounts for over 70% of the total number of reported cases of non-traffic Penal Code offenses every year, but it has been decreasing after having reached the peak in 2002 (approximately 2.38 million reported thefts which is the largest in the postwar period) and it has been breaking the record low numbers in the postwar period since 2014. When looking at the numbers of reported thefts for each method, the numbers have been significantly decreasing for most methods such as burglaries, while the number of reported shopliftings remained almost the same after 2004 and decreased every year after 2010, but it was approximately 1.8 times higher than that of 1992 in 2015.

The number of persons cleared for theft has been showing a downward trend since 2005 and the group has been aging fast too. The majority was juveniles up to 1999, but the percentage of juveniles among cleared theft offenders dramatically declined while that of the elderly increased, and the largest proportion has been the elderly since 2013. In particular, this aging trend has been apparent in the cleared shoplifters.

In addition, approximately 30% of cleared theft offenders are unemployed excluding pensioners and the percentages of the unemployed are higher in burglaries, car thefts, thefts from cars, purse snatching and pickpocketing than other methods. On the other hand, the percentage of pensioners among cleared shoplifters has increased as the number of cleared elderly shoplifters increases.

## (2) Treatments for theft offenders

Shoplifting has the highest rate of being disposed as a trivial offense by judicial police officers without referring to public prosecutors among all the methods and it has remained more than 40% since 1999.

As for the percentage of theft offenders who received suspension of prosecution, it significantly declined among women after the imposition of fines for theft offense had been introduced, while a major change cannot be seen among men. In addition, the number of prosecuted elderly theft offenders significantly increased and this trend is apparent in female elderly theft offenders.

The majority of offenders imprisoned for theft are unemployed and the percentages of the unemployed and people with no fixed address become higher as the number of times they are imprisoned rises. The percentage of re-imprisonment for theft offenders within 2 years after release has been gradually declining, however it is still higher than any other crime, and the re-imprisonment rate within 5 years after release has remained at the second highest level after that of offenders for violation of the Stimulants Control Act. In addition, the percentage of re-imprisonment for theft offenders becomes higher as the number of times they are imprisoned rises.

As for theft offenders under probation, youths (29 years old or younger) had significantly higher rates of revocation of probation and redispotion among the unemployed compared to other age groups and older groups had smaller differences between those employed and unemployed.

## Chapter 2 Actual situations of and reoffending by theft offenders (special investigations)

### (1) Investigation overview

An investigation was conducted for 2,421 offenders found guilty of theft (including those notified of summary order) at the courts nationwide in June 2011, to find about their attributes and the details of the cases, etc. based on information such as the written judgement, and another investigation was conducted for theft offenders on whom fines were imposed, burglars and car-related theft offenders (limited to those whose main crime involved car theft or theft from cars) as well as shoplifters based on the finalized criminal case records, etc. to reveal more detailed actual situations, and to analyze the re-offending situation within about 2 years after release.

(2) Overview of the investigation subjects

Among the investigation subjects, 1,930 were male (79.7%) and 491 were female (20.3%).

As for the age distribution at the time of the crime, the group of those between 50 and 64 years old was the largest among both men and women, but the groups of youths and those in their 30s were the second and third largest among men, while among women, the percentage of the elderly was high and those aged 50 or older were the majority.

As for the distribution of methods, shoplifting had the highest percentage among both men and women. Among men, shoplifting was the highest (almost 50%) and burglaries, thefts from cars and car thefts were also high (in descending order of the percentage), which accounted for approximately 70%, while among women, almost 90% was shoplifting.

(3) Theft offenders on whom fines were imposed

The total number of the theft offenders on whom fines were imposed was 766, among which 485 were male (63.3%) and 281 were female (36.7%). As for the age distribution at the time of the crime, the group of those between 50 and 64 years old was the largest among both men and women, but men had a higher percentage of the youth than women while women had a higher percentage of the elderly than men and almost 60% were 50 years old or older.

As for the method distribution, shoplifting accounted for over 80% and it was the largest among both men and women, while the methods other than shoplifting accounted for 20% among men.

Approximately 60% of those on whom fines were imposed did not have a criminal record with penal sanction, but approximately 80% had a previous record for theft and over 60% had a previous record for theft that was disposed as a trivial offense without referring to public prosecutors.

(4) Burglars

The number of the burglars was 302, among which 294 were male (97.4%) and 8 were female (2.6%). As for the age distribution at the time of the crime, the group of the youth was the largest, and the group of those in their 30s was the second largest. Approximately 60% were younger than 40 years old.

Approximately 60% of the burglars did not have a marital history, and the majority had

housing while over 20% had no fixed address. In addition, over 60% were unemployed, among which approximately 60% did not have the will to work.

As for the re-offending rates within about 2 years after release, among the burglars with a suspended execution of sentence, 22% re-committed an offense and 19.7% re-committed theft, and those with a previous conviction had higher rates of offense and theft recommitment.

#### (5) Car-related theft offenders

The number of car-related theft offenders was 163, among which 158 were male (96.9%) and 5 were female (3.1%). As for the age distribution at the time of the crime, the group of those in their 30s was the largest and the groups of those between 50 and 64 years old and of the youth were the second and third largest.

Almost 50% of the car-related theft offenders did not have a marital history, and over 30% had no fixed address. In addition, approximately 60% were unemployed, among which the majority did not have the will to work.

As for the re-offending rates within about 2 years after release, among the car-related theft offenders with a suspended execution of sentence, 23.1% re-committed an offense and 18.5% re-committed theft. Those who fell in the category of 'idling one's time away/being lazy' as a factor behind these crimes had a high re-offending rate for theft.

#### (6) Shoplifters

The number of shoplifters was 1,385, among which 944 were male (68.2%) and 441 were female (31.8%). As for the age distribution at the time of the crime, the groups of those between 50 and 64 years old were the largest among both men and women, but men had a higher percentage of the youth than women while women had a higher percentage of the elderly than men and almost 60% were 50 years old or older.

The male shoplifters had a high percentage of those who did not have a marital history, while the female shoplifters had a high percentage of those married but the older they became, the higher the percentage became for those whose husband passed away. In addition, shoplifters had higher unemployment rates than any other methods among both men and women while over 30% of the female shoplifters aged 30 years old or older were 'housewives/household workers.' As for the reasons for unemployment, 'difficulty in finding a job' and 'no will to work' showed high percentages among men while 'no need to

work because of receiving pension, etc.' and 'due to mental illness' showed high percentages among women.

As for the re-offending rates within about two years after release, among the shoplifters on whom fines were imposed, those who fell in the category of 'being destitute' had a high re-offending rate for theft as well as those who fell in the categories of 'estranged from family/no family to depend on' and 'with no fixed address.' In addition, among the male shoplifters on whom fines were imposed, those who fell in the category of 'having a drinking habit/alcoholic' had a high re-offending rate for theft. On the other hand, among the female shoplifters on whom fines were imposed, the elderly who fell in the category of 'having a near relative who is ill or dead' had an extremely high re-offending rate for theft, and among those aged 39 years old or younger, factors such as 'wanting to de-stress' and 'having an eating disorder' and among those middle aged and elderly, factors such as 'going to return to a house in which she lives with her family, etc. after release' showed influence on the re-offense of theft, respectively. These findings suggested that the female shoplifters had more problems with relationships with their families and other people.

### Chapter 3 Summary

#### (1) Situation behind the increases and decreases in the number of theft offenders

When the crime situation improves or deteriorates, there are a variety of factors that play a role. Therefore, it is difficult to single out the reasons for increases or decreases in the number of thefts, but it seems that the aging society with the declining birthrate and the changes in the employment situation in Japan are influencing these increases or decreases. Considering, among other facts, that the number of reported thefts continued to decrease, even in the global financial crisis triggered by the collapse of Lehman Brothers during which the unemployment rate temporarily rose, it can be said that the promotion of measures and initiatives to deter crime including theft is one of the factors playing a role in decreasing the number of thefts.

#### (2) Issues that need to be worked on to prevent re-offending for theft offenders

In order to prevent re-offending for theft offenders, it is important to provide treatments at an early stage of criminal dispositions. In particular, many shoplifters imprisoned, even those imprisoned for the first time, already repeated thefts and previously received multiple criminal dispositions and they have an advanced criminal

tendency. Therefore, it is necessary to provide more appropriate guidance and assistance at an early stage where such a tendency is still lower. In addition, theft offenders have various backgrounds such as 'being destitute due to the bad economic situation,' 'being socially isolated,' 'having a mental or physical problem,' 'young,' 'elderly' and 'female,' and their problems vary. Therefore, guidance and assistance must be provided depending on the characteristics of each offender. It is desirable to examine closely the contents of guidance provided to theft offenders at correctional and other institutions in order to prevent re-offending and to develop methods for providing treatments such as more precise and effective programs. Furthermore, in order to provide assistance and implement measures finely tuned for various types of theft offenders, it will be necessary for relevant organizations to work in further strengthened cooperation.

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