

# An Evaluation of Rational Choice Theory in the Criminal Justice System

Jabari Lewis

Faculty Sponsor: Troy Terry



FORT HAYS STATE  
UNIVERSITY

## Abstract

According to the Rational Choice Theory, people commit crimes after carefully considering the advantages and disadvantages of their choices. The Rational Choice Theory's basic principles include an evaluation of potential benefits and consequences, the consideration of alternative options, and the assumption of self-interest. This poster will provide a brief background of the theory, basic assumptions, shortcomings of this theory, and existing and suggested policy implications in the criminal justice system.

## Existing and Suggested Policies

- Our criminal justice system utilizes punishment by sentencing individuals found guilty of breaking laws to incarceration or other supervision, giving fines, or even sentencing to death.
- Law enforcement increases the certainty of being caught by using patrols and surveillance (Siegel, 2019).
- Target hardening – or making it more difficult to commit a crime successfully – is used to convince would-be offenders that it is too difficult to achieve the reward offered by the crime.
- Anonymous tip lines might be used to make witnesses more likely to report crimes, thus increasing the certainty of being caught when committing a crime.
- Courts could increase the amount of staff to speed up the court process and ensure swiftness of punishment.
- Because some crimes may not truly be the result of a rational decision, specialty courts – like drug courts – focus on the reason for decision making rather than only on the crime committed (Siegel, 2019).

## Background and Basics

- The roots of rational choice theory can be found in the theories of classical criminology, specifically in the works of Jeremy Bentham and Cesare Beccaria (Beccaria, 1764).
- Rational choice theory bases a key principle on the idea that people are rational actors who carefully consider the advantages and disadvantages of their options before making decisions. This includes decisions about criminal activity, when people balance the benefits of committing a crime against the possibility of getting caught and punished. (Cornish & Clarke, 1986).
- Classical Criminology focused on punishing behavior which violated rules and laws under the assumptions of this theory. Corporal punishment – often severe by modern standards – was the standard for early US history (Siegel, 2019).
- For punishment to be an effective deterrent, it should be certain, swift, and appropriately severe (Siegel, 2019).



## Are Our Decisions Truly Rational?

- Individuals who are under the influence of a substance are less likely to make decisions in the same way as when they are not intoxicated.
- Group dynamics, social pressure, and conformity can all lead people to commit crimes they might have not have normally considered.
- There is no standard perception of punishment. Circumstances people are experiencing will impact how severe they view the potential punishment to be.
- People experiencing mental health problems may not view the possible reward or punishment in an expected manner.
- Some people may not know the potential legal consequences of their actions.
- According to this theory the punishment should be certain, swift and severe. However, much crime goes unreported or unsolved and the court process can be quite long, so the severity of the punishment may not be effective on its own.

(Siegel, 2019)

## References

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