

Perception of Student Offenders on Deterrence Theory

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ABSTRACT

Deterrence theory is known for citing explanations as to the infliction of punishment to an offender. In this study, the researchers focus of interest is directed on the determination as to the perception of student- offenders on the mentioned theory. The researchers found out that most of the student- respondents belong to the age bracket of 17-18 years old. In terms of gender, male outnumbered female as evidenced by the frequency which is 7 or 70%. Grade 12 got the highest number of respondents having a frequency of 7 or 70% followed by Grade 11 garnering a frequency of 3 or 30%. On the other hand, 3 out of 10 respondents or 30% said that they were given immediate punishment after they have committed the violation. Meanwhile, 5 out of 10 respondents said that they were not given immediate punishment.

KEYWORDS: Student- offenders; Deterrence theory; Punishment; Philippines

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1. INTRODUCTION

Deterrence theory is one of the most widely applied theories when it comes to rationalizing punishment for a wrongful action. Based on the rational choice view of human behavior, the theory posits that illicit behavior can be controlled by the threat of sanctions that are certain, severe, and swift (D'Arcy, J., 2011). There is a common consensus in various studies that deterrence is necessary for the maintenance of the legal system and the preservation of society. Its effectiveness depends upon the particular society in question (Ball, 2003).

Thus, since people are rationally self-interested, they will not commit crimes if the costs of committing crimes prevail over the benefits of engaging in undesirable acts. In Beccaria's view, one of the proponents of the theory, swift and certain punishment are the best means of preventing and controlling crimes; punishment for any other reason is capricious, superfluous, and repressive. To have a deterrent value, punishment must be proportionate to the crime committed. Proponents maintained that

pleasure and pain are the motives of rational people and that to prevent crime, the pain of punishment must outweigh the pleasure received from committing crime (Beccaria, 1963).

However, it is alarming for some since recent studies conclude that the three general principles of deterrence theory – certainty, severity, and celerity – fail to drastically reduce crime specially to young adults. (Eassey, J. 2015). Even though it was observed that potential criminals combine these three elements before committing a crime, regardless of being risk-neutral, averse, or acceptant (Mendes 2004).

Due to the aforesaid premises, the researchers felt the great need to conduct a study on identifying the perception of minor offenders on the effects of the components of deterrence theory on punishment which are swiftness, certainty, and severity in preventing future violations of law. Findings of this study will be valuable to both law makers and law

enforcers for them to take glimpse and do reflections on the status quo of the law creation and law enforcement processes. Authorities can also reflect on the findings as further reference in giving information to would- be offenders.

1.1. Statement of the Problem

This study specifically sought to answer the following:

1. What is the profile of the respondents in terms of:
 - A. Age
 - B. Gender
 - C. Year Level
2. What is the perception of the respondents to the following principle of punishment?
 - A. Swift
 - B. Certain
 - C. Severe
3. What is the perception of the respondents to the punishment?
 - A. Deterred
 - B. Continue

1.2. Limitation and Delimitation of the Study

This study was conducted to determine the perception of the respondents on the deterrence theory particularly its components namely swiftness, certainty and severity as well as the effects of the aforesaid components to their behavior whether it was deterred or continued. Done during the school year 2019-2020, at Saint Francis Xavier College, San Francisco, Agusan del Sur. The respondents of this study are 10 (ten) Senior High School Students of Saint Francis Xavier College which were identified through convenience sampling procedure and recommended by the guidance office as school rules offenders and have transgressed 1 (one) school rule throughout their stay at the campus.

The main aim of the study is to identify how the three components of punishment (swiftness, certainty and severity) contribute in decreasing or increasing the likelihood of an offender to commit unlawful or criminal act. This study is only delimited on the perceptions of the 10 respondents taking part on this research.

2. Materials and Methods

The study used the descriptive method of research that is designed to gather information about present existing conditions. Descriptive method involves collection of data in order to answer questions concerning the current status of the subject of the study. This is sought to be the applicable method of this study considering that the participants recent perception as to the issue of this study was taken as the main data comprising this material.

The study was conducted at Saint Francis Xavier College, San Francisco, Agusan del Sur for the school year 2019-2020. The municipality of San Francisco is strategically located at the heart of the province Agusan del Sur. Municipality of San Francisco is characterized with unique physical features and uneven distribution of its lowlands and rolling hills. Saint Francis Xavier College as the respondent school of the study is in the heart of the kilometer from the Municipal Government.

The main subjects of the study were 10 (ten) Senior High School students of Saint Francis Xavier College, San Francisco, Agusan del Sur. Using purposive sampling the researchers chose the respondents who have the qualities and construct under the study. The researchers will ask the list of school rule and laws offender in the Saint Francis College Guidance Office who are Senior High School students.

In gathering the data, a two phased questionnaire was devised by the researchers. The first part dealt on the personal background of the respondents in terms of age, gender and year level.

The second part dealt on the insights of the respondents on the principle of punishment in terms of swift, certain, and severe. The last part deals with the insights of the respondents on the continuity or the deterrence of the behavior.

The following phases was undertaken to carry out the study.

Seeking of Approval

The researchers asked permission from the school administrator of Saint Francis Xavier College through a transmittal letter before gathering the necessary data. The letters were addressed to the administrator, the guidance office and registrar's office which are deemed significant in gathering the data.

Selection of Respondents

After seeking of approval from the school administrator the researchers selected the number of samples of the study. Researchers used purposive sampling and only choose 10 (ten) respondents. The ten respondents were recommended by the Guidance Office who have been school rule and laws offender during their stay in the institution. The names of the respondents will be double checked and validated by the guidance counselor and guidance office personnel. The names and important details of the respondents were valued with utmost confidentiality.

Interview of the Respondents

After the determination of the research participants, interview with the respondents was then conducted. Researchers first explained to the respondents the

very nature of the study and their important role leading to the completion of the study. Ethical issues such as identity confidentiality was assured to them and participants voluntarily submit themselves to cooperate by providing the necessary data based from their experiences.

3. Results and Discussion

Deterrence theory's central hypotheses are that crime can be prevented when punishment is certain, severe, and quick. Whether explicitly or implicitly, deterrence-centric philosophy serves as the foundation for many criminal justice systems. Drawing on the question of whether deterrence is an effective method of crime control, this entry reviews the history behind deterrence theory and early and contemporary research on the theory and offers important questions that policymakers, practitioners, and researchers must ask as deterrence research progresses into the future (Eassey, J. 2015).

As a human activity, crime comes with its own stock of benefits and costs. As suggested above, the decision to commit crime is no different than the decision to go to college or to get married—it is made by reasonable, rational agents who are self-interested and select behaviors that provide more rewards than costs. This means that crime does not have to be explained by any extraordinary motivation—or any motivation at all—Most of the time, people are not compelled to commit criminal acts but do so when the expected benefits outweigh the expected gains (Wright, 2010)

In terms of gender as the profile of the respondents, it could be observed in the table that many respondents were male as evidenced by the frequency which is 7 or 70%. It is followed by female which is 3 or 30%. This data suggests that most violators were male.

Lastly, it could be gleaned in the table that in terms of year level Grade 12 got the highest number of respondents which got a frequency of 7 or 70% followed by Grade 11 garnering frequency 3 or 30%.

Table 2 Perception on the Component of Deterrence Theory as to the Swiftness of Punishment

Component of deterrence theory	Frequency		Percentage	
	Agree	Disagree	Agree	Disagree
Experienced Violating the Rules	8	2	80%	20%
Given Immediate Punishment	3	5	30%	50%
Swiftness of the Punishment Deter violation of law	9	1	90%	10%

Table 2 above shows the perception of the respondents on the component of Deterrence Theory as to the swiftness of punishment.

It could be noted in the table that 8 out of 10 respondents have experienced violating the school rules and regulation. However, it could be also observed that 2 or 20% of the total respondents didn't experienced violating school rules and regulations.

On the other hand, 3 out 10 respondents or 30% said that they were given immediate punishment after they have committed the violation. Meanwhile it could be also noticed that 5 out of 10 respondents said that they were not given immediate punishment.

Table 1 Profile of the Respondents

Profile	Frequency	Percentage
Age		
21-Above		
19-20	2	20%
17-18	7	70%
15-16	1	1%
Total	10	100%
Gender		
Male	7	70%
Female	3	30%
Total	10	100%
Year Level		
11	3	30%
12	7	70%
Total	10	

Table 1 above shows the profile of the respondents in terms of age, gender and year level. In terms of age it could be gleaned from the table that the age bracket 17-18 years old got the highest frequency which is 7 with the percentage of 70% or 7 out of 10 respondents belong to age group 17-18. However, it was also noted that age bracket 15-16 years old got the lowest frequency which is 1 or 1%.

This clearly means that age bracket 17-18 got the most number of violators who had experienced violating school rules in the research locale which is Saint Francis Xavier College of San Francisco.

Respondent 1 shared as to the swiftness of the punishment given “*Pagkahimonakosasalagipatawagdayon ko anangtungora, gipatawagakoginikanan ug gi suspended dayon ko*”.– Right after I committed the violation, my attention was could and my parents were also called and then I was suspended.

Respondent 2 also said “*Gipatawag ko dayonsa guidance office pagka human nakonahimo ang salangapagpasakitsaakong classmate, dayongihatagan ko ug tukmangapahimangno*” – I was asked to report at the Guidance Office after I hurt my classmate and then I was given punishment.

Respondent 3 reiterated “*Sa akoawala nag langan ang school gipatawag ko, ang na involve nga teacher ako classmate dayongihatagan mi tukmangasilot*. – In my part, there is an immediate action done by the Guidance Officer. I, my classmate and the teacher involved was asked to report to her office and I was given my corresponding sanction.

This clearly shows how swift the punishments are as experienced by the respondents after they have violated the law.

Consequently, it could be gleaned in the table that 9 out of 10 respondents said that the swiftness of punishment as deter an individual to commit a violation.

Respondent 8 shared “*Mahadlokna ka mohimo ug kalapasan kay lagihatagan man dayon ka ug punishment*” - I am already afraid of committing violation because right after you will be given punishment.

Respondents 9 also shared “*Tungodsa ka paspassapag pa hamtangasilot, aka tawonmahadloknagyudmohimo ug sala*” - Because of the immediate giving of punishment, I am already afraid of committing violation.

Furthermore, the respondents have their varying reactions on the speed of the punishment. Most of them shared common feeling of fear and shock after they have committed their violations.

Respondent 5 said “*Na shock kayo ko ug nahadlok kay kaingonnakodilidayonipatawagakoginikanan, mahataganpako ug chance ngaakonanganag mag sumbongsaakongginikanan. Nakulbaan ko kayo*”.– I was shocked and afraid because I did not expect that my parents will be asked to report to the guidance Office immediately. I thought that I can still settle it with myself and I will be the one to tell my parents about it. I was really afraid on it.

Respondent 3 recalled “*Wala ko nag expect di nakomatuohannagrabe ka paspas ang pang hitabo. Gi pa tawag ko ug gihatagan ko ug punishment which is pagsususpend. Grabenakokahadlok*.-I did not expect and could not believe that it happened so fast. I was given a suspension as my punishment. I felt so afraid.

Table 3 Perception on the Component of Deterrence Theory as to Certainty of Punishment

Component of Deterrence Theory	Frequency		Percentage	
	Agree	Disagree	Agree	Disagree
Received the punishment	7	3	70%	30%
Expecting the punishment	8	2	80%	20%
Certainty deter individual in committing violation	8	2	80%	20%

Table 3 above shows the Perception on the Component of Deterrence Theory as to the Certainty of Punishment. It could be observed in the table that 7 respondents received punishment while 3 respondents said they haven’t received punishment or 70% of the total respondents received punishment while 30% reported no punishment at all.

While it could be gleaned in the table that 8 of the respondents agreed that they expected to receive the punishment after violating the law. However, 2 of the respondents or 20% did not expect to receive the punishment after violating the law.

Lastly, it could be observed in the table in the Component of Deterrence Theory which is certainty 8 out 2 respondents agreed that the certainty of receiving the punishment can deter an individual in committing violation.

Respondent 9 shared “*Mahadlokna ko mohimo ug sala kay kaingonnakodili ko mahatagan ug silotperonakadawatgyud ko. Naa man gudubannagadilisiguromasakpan o mahangyo ra*”.-I am already afraid of committing violation because before I thought that I will not be given punishment but I was given instead. Since there are also few that are not being caught or will just be given a pardon.

Respondent 7 also shared that “*Maka pa hunongsa isa ka estudyante and pagbuhatsasala kung siyamakadawatsasilot*”.-A student will stop committing violation if he/she will be given punishment.

Table 4 Perception on the Component of Deterrence Theory as to Severity of the Punishment

Component of Deterrence Theory	Frequency		Percentage	
	Agree	Disagree	Agree	Disagree
Punishment just right	8	2	80%	20%
Was the Punishment Harsh	3	7	30%	70%
Was the Punishment Light	7	3	70%	30%
Punishment Counter Balance	8	2	80%	20%

Table 4 above shows the component of deterrence theory which is severity of the punishment. It could be observed in the table that 8 out of 10 respondents or 80% agreed that the punishment they received are just right for the violation they have committed while 20% of the total punishment said the punishment they received is not right.

Also, it could be gleaned in the table that 7 out of 10 respondents or 70% disagreed that the punishment they received was harsh which directly mean that the punishment they received were light. Likewise, it is observed that 7 out of 10 respondents agreed that the punishments they received are light.

Furthermore, it could be gleaned in the table that 8 out of 10 respondents agreed that the punishment they received counterbalance the violation they have committed.

Respondent 4 shared “*Sakto ra man pud ang gihatagnasilotsaakongnabuhatngasalaigo ra man ko nag cutting classes kaisagibadlong ra ko*”.-The punishment that I received just suited on my violation. I was engaged in cutting classes and I was being reprimanded.

Respondent 6 also shared “*Ang pag suspend saako ug pagpatawagsaakongginikanan ok ra pudsakogibuhatngasala. Para pudsiguromaka realize ko ngamali ang akonggibuhat*”- Calling the attention of my parents and suspending me is just alright for me because I committed a violation. I guess it is intended to make me realize that what I did is incorrect.

Table 5 Perception on the Punishment

Perception on punishment	Frequency		Percentage	
	Agree	Disagree	Agree	Disagree
Deterred	8	2	80%	20%
Continued	2	8	20%	80%

Table 5 shows the perception of respondents on the punishment given after the commitment of the violation. It could be observed in the table that 8 out of 10 respondents or 80% agreed that the punishment given to them deterred their behavior in further committing violation of laws. However, it could be gleaned in the table above that there were 2 out of 10 respondents who disagreed that punishment can stop them in committing further violation.

Respondent 9 said “*Dili na. Lesson learned nato para nakongapag nay salanaagyudsilot. Dili nakomoutro*”- Not anymore. I learned my lesson that if you will be engaged in violation, you will be punished. I will not do it again.

Respondent 6 also shared “*Gawasngaulaw lain kayo ug mahatagan ka ug silotmaongadilina komoutromakatagam*. – Aside from the shame it gives me, it is very awkward if you will be given punishment so I will not do it again. I learned my lesson.

The data means that punishment is effective in deterring individuals to commit violation of laws.

It could be also noted in the table that 8 out of 10 respondents or 80% agreed that they will no longer continue committing any violation of law because of the punishment. This clearly shows that punishment is indeed effective in halting individuals in continuing doing unlawful acts.

Respondent 7 also shared “*Dili nako mag padayon ug buhat kay mahadlokna ko basin unsanapudihatagsaakoanga punishment*”- I will not continue doing it because I am already afraid as to what will be the next punishment that will be given to me.

4. Conclusion

Findings of the study revealed that respondents have varying perception as to the components of deterrence theory on punishment which are swift, certainty and severity. Data gathered also showed that respondents received swift punishment which stopped them from further committing other violations. Furthermore, they perceived that when the punishment is given immediately a violator may not do further transgression of the law. Also, as to the certainty 80% of the respondents reported that they received punishment after they have committed violation. The respondents perceived that the certainty of the punishment to be given to a violator successfully deter an individual to do further violation. Likewise, the same findings were revealed on the severity of punishment as component of deterrence theory it was found out that respondents perceived the harshness of the given punishment halts an individual to do violation of law.

Lastly, respondents perceived that punishment deters a person to commit violations.

Therefore, the researchers conclude that schools, institutions, government offices, lawmaking body and law enforcement agencies must give punishment judiciously following the components of deterrence theory as swift, severe and certain.

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