

# Recidivism – Is there any Genetic Basis?

*"We used to think that our fate was in the stars. Now we know, in large measure, our fate is in our genes."<sup>1</sup>*

The 2012 Delhi gang rape case that occurred on 16<sup>th</sup> December at South Delhi, India, when a 23-year-old female medical intern was gang raped in a private vehicle. The whole of the country protested against it. The matter was taken by fast track court, to give a sense of relief to aggrieved family. But what happened?



Now we daily come across the news that one or the other female (child or adult) is being gang raped. The question arises what actually is the mentality of the accused, are they mentally sick. What is the impetus that stimulates them to do such a heinous crime?

Recidivism is the act of re-engaging in criminal offending despite having been punished. Recidivism among sex offenders is perceived as a critical issue because of the possible consequences to the general public. On an average, the sex offense recidivism is 18.9% for rapists, 12.7% for child molesters and for nonsexual violence it is 12.2%.

Is there a genetic basis of committing such crime again and again? Genetic information in the courtroom plays, and should play an important role in the criminal justice system. Today genetic research has reached to that point that anti-social behavior can be predicted with some degree of accuracy. Genetics seems to decide human behavior, but it has got little role in controlling it. Other factors like serotonin deficit, drugs effect, socio-economic status can be used in deciding the probability of anti-social behavior. There are genes which predispose people to an increased frequency of impulsive-compulsive behaviors and that put them at greater risk of being involved in criminal behavior. A functional polymorphism in the gene encoding the neurotransmitter-metabolizing enzyme monoamine oxidase- A (MAOA) has been found and individuals having low levels of the MAOA enzyme, are found to be more anti-social.

While there are stages during the criminal process where it would be inappropriate to rely on genetic information, as a predictor of future violence, an understanding of the underlying social and biological mechanisms involved in criminality will ultimately help to develop humane policies with a better preventative effect. It is for these reasons that policy makers need to begin taking affirmative steps toward incorporating some of this knowledge of genetics into the justice system.

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## REFERENCES

1. Dan W. Brock & Allen E. Buchanan, The Genetics of Behavior and Concepts of Free Will and Determinism, in genetics and criminality (Jeffrey R. Botkin et al. eds., 1999) (quoting James Watson, Nobel Prize Winner, developer of the Human Genome Project and co-discoverer of the double helix structure of DNA).

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