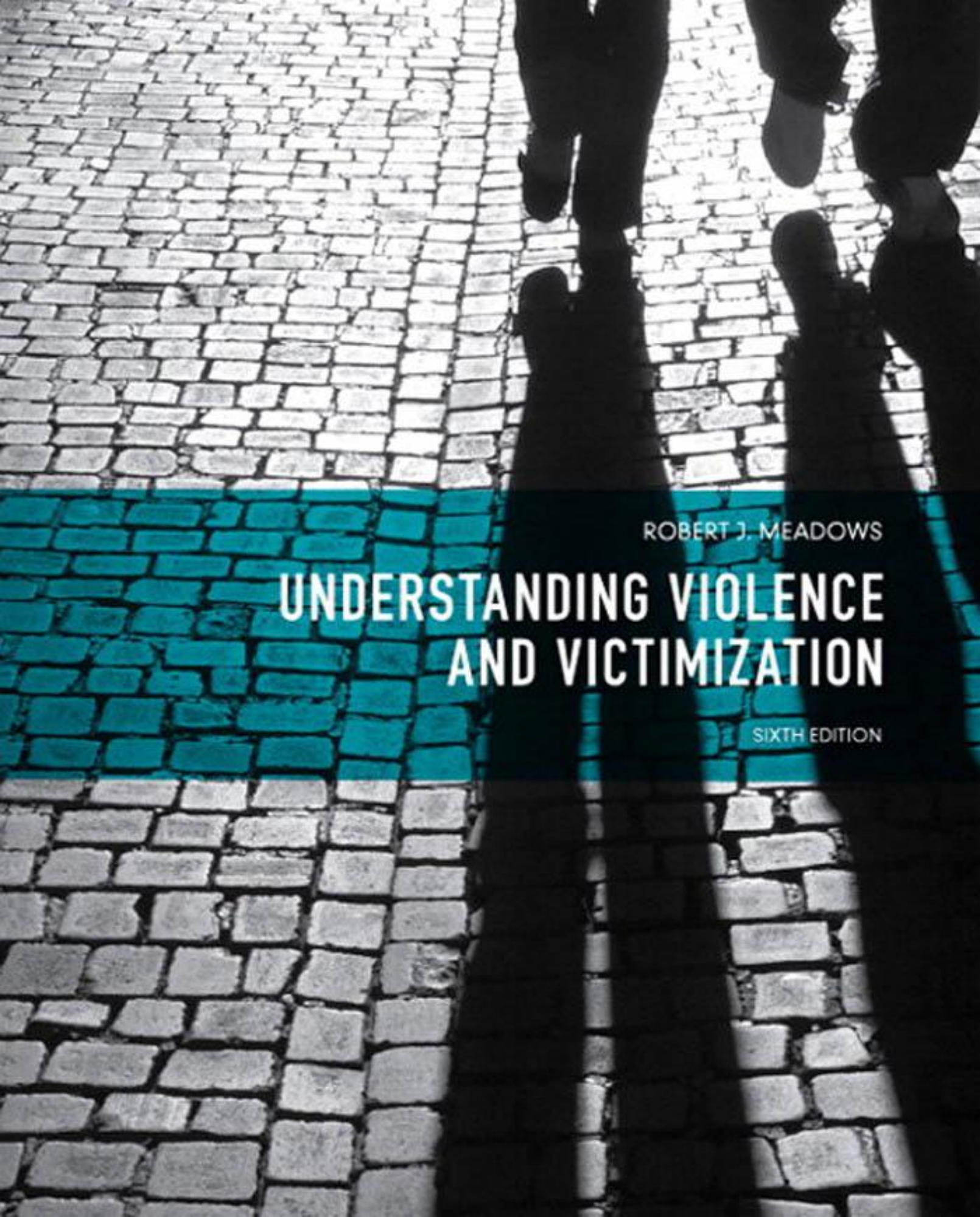

ROBERT J. MEADOWS

UNDERSTANDING VIOLENCE AND VICTIMIZATION

SIXTH EDITION

Sixth Edition

Understanding Violence and Victimization

Robert J. Meadows
California Lutheran University

PEARSON

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PREFACE

NEW TO THIS EDITION

- New! Chapter 8, "Human Trafficking and Victimization," covers child prostitution and human smuggling for labor purposes. This new chapter incorporates case studies, statistics, and legal and social responses to human trafficking and smuggling.
- Chapter 3 is now titled "Victims of Familiar Violence" and has been revised to include updated information on stalking and interpersonal violence.
- Chapter 4 is now titled "Nonfamilial Violence and Victimization." The chapter has been revised to incorporate stranger violence, terrorism, hate crimes, and other forms of nonfamiliar violence.
- In Chapter 9, a table is presented listing key federal victims' rights legislation from 1974 to 2010.
- All chapters include updated statistics and web sources.
- The art program has been streamlined, with outdated content deleted.
- The text design has been refreshed to make the text more reader-friendly.

Violence and the resulting victimization have a serious impact on individuals and society. It is difficult to predict when or where they will occur. In writing this book, I have been interested in exploring selected types of violence, particularly the types that capture media and public attention because of their seriousness, callousness, and, in some cases, randomness. Therefore, I choose not to write about nonviolent victimization, such as property crimes and frauds. It is not my intention to downplay the importance of these crimes, but to focus more on the crimes of violence that we fear most.

This book combines theories on violence and victimization with applied responses to victimization. It is written for the person studying victimization and violence, as well as for those employed in crime prevention and victim service programs. My purpose is to discuss offender–victim relationships, provide data, and explore situational factors and responses to victims. Also discussed are some precursors of violence such as stalking and harassment. Throughout the book are case studies called *Focuses* that enhance points and can be used to generate discussion. A constant theme in this book is that the experience of violence, whether at home, in the community, or as the result of personal assault or abuse, has a devastating effect. Many criminals who commit violence on others have mental disease or abusive or dysfunctional backgrounds, leading to targeting others for personal gain, thrill, recognition, or hate. Sometimes violence perpetrated by these predators is planned, committed in the course of completing other crimes, or simply a random act. Other forms of violence such as terrorism are the result of political or religious convictions.

New to this edition is a chapter on human trafficking and victimization (Chapter 8). In the first chapter some causes of violence as well as data on violent crime measures and the impact that fear of violence has on others are presented. Chapter 2 addresses theories of victimization. It introduces criminal victimization, discussing how and why some people are victimized. Chapter 3 covers intimate victimizations, such as domestic violence, child abuse, elder abuse, rape, dating violence, and stalking. My intent in this chapter is to address legal and social

issues of intimate violence as well as preventive measures. Chapter 4 addresses nonfamilial violence and victimization. Two of the most prevalent types of this violence are murder and robbery. The chapter focuses on the situations in which people become victims of violence by strangers, including terrorists, and what can be done to prevent these occurrences. There is also a discussion of serial killers, their motives, and their victims. Chapter 5 focuses on workplace violence and victimization, including the problem of harassment. These are important topics because of the stresses of the work environment and attacks on coworkers by disgruntled employees or by third parties. Research conducted on the sources of and responses to workplace violence is covered. The purpose is to offer suggestions on what can be done to reduce the potential for violence.

Chapter 6 addresses school violence and victimization. Because of recent acts of violence on our nation's campuses, I felt compelled to discuss some possible explanations and responses. After all, schools are microcosms of society, as are some workplaces and communities. Chapter 7 discusses how the criminal justice system, through its decision-making capacities, causes victimization, either intentionally or inadvertently. Why is it that the police overstep their authority, or why are some persons convicted of crimes they never committed? Are laws designed to address violent crime being applied fairly? Chapter 8 is the new chapter on human trafficking and victimization. In this chapter the differences between sex trafficking and labor trafficking are discussed. Various laws and responses on trafficking are also addressed. In Chapter 9 addresses the selective proactive and reactive crime response measures are addressed. The chapter concludes with a presentation of measures to aid victims through victim compensation programs and laws. In some instances, victims seek relief from the courts in the form of personal damages from property owners. Victims criminally assaulted at work or on private property, for instance, may have a civil case against a property owner or manager. Thus litigation has an impact on organizational business policy and operations.

I would like to offer a disclaimer. Throughout the book, I refer to a number of legal cases and crime response procedures. They are offered as a general guide. I recognize that laws, statistics, and procedures may change or may not apply in some situations. By the time this edition is published, new laws or amendments to existing ones may be instituted. To address this problem, I have included an appendix (Appendix A) with information on retrieving current information relative to victimization. The reader is also advised to consult with local law enforcement or other authorities for information on changes or new programs relevant to victimology.

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Robert J. Meadows is Professor and Chair of Criminal Justice and Legal Studies at California Lutheran University. Dr. Meadows' research and teaching interests include legal issues in the criminal justice system, and violence and victimization. He authored a book on Saudi Arabian justice and a parent's guide for coping with difficult teenagers. He is also a co author of *Evil Minds: Understanding and Responding to Violent Predators*. Dr. Meadows is a member of the Academy of Criminal Justice Sciences. Dr. Meadows is currently conducting research on offender reentry programs.

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1

Measuring and Understanding Violence

LEARNING OBJECTIVES

After studying this chapter, you will:

- Be able to explain the meaning of violent crime
- Learn about reported and unreported crime
- Understand the impact of violent crime
- Learn about the fear of crime
- Become familiar with some general reasons for violent behavior
- Understand the dynamics of violence

INTRODUCTION

Interpersonal violence is committed every day in our homes, schools, businesses, and on the streets. These nonsanctioned acts such as murder, assault, and robbery are committed for profit, revenge, jealousy, political or religious motives (terrorists), or simply for pleasure. There is no shortage of motives in explaining violence, and there certainly is an ample supply of candidates seeking to impose violence on others for whatever reason. A number of factors, such as dysfunctional families and communities, drug addiction, mental illness, learning disabilities, or other conditions, cause violent crime.

On the other hand, violent offenders are not always disenfranchised street criminals or predatory gang members. Numerous examples exist of violent criminals reared in so-called stable middle-class families, with no criminal history, and who have achieved high social status. Education and social status are no barriers to violence.

Consider the physician who kills his ex-wife to avoid expensive alimony payments, the stockbroker who kills his entire family and himself to save them embarrassment from poor investments, or the wealthy, privileged high school students who kill a

classmate just to experience the thrill of killing. This chapter begins with a discussion on the fear of crime, followed by an overview of crime data, and concludes with some general explanations of criminal violence in American society.

THE FEAR OF VIOLENT CRIME

> *We look forward to a world founded upon four essential freedoms. First is the freedom of speech and expression. The second is freedom of every person to worship God in his own way. The third is freedom from want. . . . The fourth is freedom from fear.*
>
> —Franklin D. Roosevelt, speech to Congress, January 6, 1941

During the early morning hours of April 16, 2007, a disgruntled mentally distraught Virginia Tech student entered a dormitory and classroom and killed 32 fellow students, faculty, and staff and left about 30 others injured in the deadliest shooting rampage in the nation's history. The shooter carried a 9 mm semiautomatic and a .22-caliber handgun. He later committed suicide. In 2010, in broad daylight in Tucson, Arizona, a crazed gunman, Jerald Lee Loughner, killed 6 and wounded 12 others when he opened fire in a mall parking lot. U.S. Rep. Gabrielle Giffords was left in critical condition, and the dead included a federal judge and a nine-year-old girl. And in 2012 during the screening of *The Dark Night Rises* at a theater in Aurora, Colorado, a gunman James Holmes killed 12 people and injured 58 others. Why? Was it retaliation for some perceived victimization harm? Thrill? Mental illness?

The murdered victims in each of the preceding situations had no warning and in some cases did not know the killers. Who would expect this type of violence in a parking lot or on a college campus? We constantly read about gang and youth violence, racial and hate crimes, terrorism, and domestic violence, including child and elder abuse. As a nation, we rank first of all developed nations in the world in the number of homicides. The recent surge of school shootings, although rare, is not restricted to crime-ridden schools but also occurs in middle-class communities. And, we will never forget the sniper shootings in the Washington, D.C., area and the calculated attacks of September 11, 2001, when Islamic extremists killed thousands of innocent people. In addressing violent criminal acts, we need to understand the definition of violent crime. Violent crime, for the purposes of this book, is defined as those acts committed against another in violation of a prescribed law. Examples of these offenses are murder, sexual assault, robbery, weapons crimes, or crimes involving bodily harm.

Fear and Effect of Violent Crime

In many communities, the right to be free from fear has been replaced by the knowledge that most of us will be victims of violence at some time in our lives, or at least direct witnesses. The fear of violence results from past victimizations, media accounts of violent crime, and interactions with people who are knowledgeable about or have witnessed crime.

Of 119 black Atlantic City residents aged 65 years and over, 76% considered their neighborhoods to be "bad," and only 24% felt that their neighborhoods were safe. Fifty-one percent knew someone who had been victimized during the last year, and 27% had been victims of crime during that period (Joseph, 1997).

In 2006, 60% of Gallup Poll respondents reported that they believed there was more crime than a year ago (Bureau of Justice Statistics, 2006). In the poll, 54% of blacks and 47% of whites worried frequently or occasionally about their home being burglarized when they are not there. In addition, 43% of male respondents and 55% of female respondents avoided going to certain

places or neighborhoods they might otherwise want to go because of their fear of crime (Bureau of Justice Statistics, 2006).

According to polls, Americans' fear of crime victimization relates strongly to two distinct factors: household income and sex. Adults living in low-income households are roughly twice as likely as those living in high-income households to be afraid, 48% versus 23%. Women are more than twice as likely as men to say they are afraid to walk alone at night near their home, 50% versus 22%. Additionally, women are more fearful than men at every income level. This confirms that the higher fear among women is not solely a function of their somewhat lower socioeconomic status compared with that of men (Saad, 2010).

It is common to find acts of violence, such as gang attacks and robberies, reported in the news. These reports fuel the notion that crime is pervasive and thus ignite fears in the public. Part of the reason for increased fear is the expansion of the middle-aged population. As a group, they are more likely to own a gun, install burglar alarms or special locks, and practice security procedures. Thus older citizens are concerned about their families' safety, a concern that is driven by media reports of violent crime. Those who are more fearful tend to be more likely to carry self-protection devices or participate in self-defense classes. However, many people who are fearful of violent crime really have no reason to be. Yet perceptions are powerful indicators of behavior. Studies have concluded that residents who witnessed what they thought were drug and gang behaviors were more likely to believe that all types of criminal and disorderly activity were present. In other words, residents who saw such activity believed crime, as well as moral decay, was higher in their community. These perceptions also affected their feelings of personal safety (Crank, Giacomazzi, and Heck, 2003).

Although studies have found that women and the elderly report higher levels of fear of crime than do men and younger people, these two groups are much less likely to be victimized by crime. Those who are most fearful actually report the fewest victimizations. The concept of who is fearful and who should be fearful of victimization is referred to as the **fear–victimization paradox**.

The effects of crime have had consequences on mental health and sociability, such as depression and anxiety resulting from living in a high crime area. According to an English study by Stafford, Chandola, and Marmot (2007), longitudinal data from 2002 to 2004 of more than 10,000 London civil servants aged 35–55 years revealed the negative effects of crime. The study found that the fear of crime was associated with "poorer mental health, reduced physical functioning and lower quality of life." Participants reporting greater fear were more likely to suffer from depression than those reporting lower fear of crime. Those fearful exercised less and participated in fewer social activities. The study concluded that fear of crime may be a "barrier to participation in health-promoting physical and social activities" (Strafford, Chandola, and Marmot). But what are the reasons for violence and how does one become violent? We examine here some reasons for violence.

CRIME DATA

Sources of Data on Victimization

Information on violent and nonviolent crime is available from two major sources: the Federal Bureau of Investigation's *Uniform Crime Reports (UCR)* and the Bureau of Justice Statistics' *National Crime Victimization Survey (NCVS)*, both published by the Department of Justice.

The focus of this discussion is on the *UCR* and *NCVS*. Additional sources are listed in Appendix A.

THE UNIFORM CRIME REPORTS (UCR). Begun in 1930 and published annually, the ***Uniform Crime Reports (UCR)*** includes offenses reported to law enforcement agencies at the city, county, and state levels. State universities and colleges are required to report in the *UCR* offenses

committed on their campuses. The purpose of the *UCR* is to enable law enforcement agencies to exchange information about reported crime and to assist in future crime planning and control.

The *UCR* is a nationwide reporting program, a cooperative effort of more than 16,000 city, county, and state law enforcement agencies voluntarily reporting data on crime and arrests. Indexed crimes are categorized as property and personal offenses and include murder, forcible rape, arson, burglary, robbery, larceny-theft, motor vehicle theft, and aggravated assault.

The *UCR* is valuable to law enforcement, but it has some limitations. First, it details only reported crime. Thus the so-called **dark figure of crime**, or unreported crime, is not included. Second, the *UCR* primarily concerns arrests and offender demographics; it does not include information on victims. It is also subject to manipulation of information, or false reporting, by an agency. That is, some law enforcement agencies alter reports to reduce the negative image that may accompany high crime activity in their communities (McCleary, Nienstedt, and Erven, 1982).

There has been some sharp criticism in recent years of the *UCR* reporting process. Criminal justice experts warn that crime statistics are unreliable (Sherman, 1998). For example, the FBI dropped Philadelphia from its national crime-reporting program because of egregious errors in crime reporting. The city had to draw its crime figures from the *UCR* system for 1996, 1997, and at least the first half of 1998 because of underreporting and general sloppiness. The problems resulted when the police failed to take written reports of all crimes, downgraded reports to less serious offenses, or failed to take these reports very seriously (Butterfield, 1998). These errors in one city raise questions regarding the validity of the decrease in violent crime rates reported in other jurisdictions in recent years.

As mentioned, dark figure of crime exists because some people are reluctant to report crimes of violence to authorities because they fear retaliation or embarrassment or view the offenses as a private matter. According to the Bureau of Justice Statistics reported in 2008, of the nearly 3 million personal crimes unreported, the most common reason given for not reporting was it was a private or personal matter (19%). Also, a number of victims may be crime participants who will not report their victimization for fear of arrest. Encounters with prostitutes or drug dealers may result in victimization of the client (robbery, assault, etc.), making it less likely that that person will file an official report. In addition, co-conspirators, such as drug dealers, robbers, and other criminal types, who disagree over the division of their illegal profits may victimize one another.

The decision to report a crime is a calculated one, often based on the seriousness of the offense, the probability of financial redress, the perception that the criminal justice system will take action to aid the victim, the degree of the victim's participation in the crime, the degree to which the victim is embarrassed by the crime, and the fear of personal harm if the crime is reported. The *UCR* does provide data on the nature and extent of reported crime rates in a given community. Without these reports, police are at a disadvantage in their efforts to control crime.

Crime rates relate the incidence of crime to the population. The **determination of crime rates** uses the following formula:

$$\text{Crime rate} = \left(\frac{\text{Number of reported crimes}}{\text{Population of a city}}\right) \times \text{Rate}$$

To determine the rate of robbery in a city with a population of less than 100,000, for example, the total number of reported robberies for a given year is divided by the population of the city or jurisdiction, which is then multiplied by 10,000. If the city's population is more than 100,000, multiply by 100,000. To compare the crime rate of two cities, one with a population of

more than 100,000 and the other less than 100,000 (e.g., 50,000), 10,000 is used. Likewise, when comparing two cities with populations of, for example, 25,000 and 6,000, multiply by 1,000.

The crime rate within a city can be determined using the same formula. Many cities are divided into geographical reporting districts or areas, and the police record reported crime in each district or area. A researcher can determine the crime rate of a specific area of a city versus another by using population and crime data. The type of crime and the crime rate of each district or area vary by such factors as population density and socioeconomic status.

The *UCR* publishes crime rates according to region, month, race, sex, and other variables. For example, the *UCR* provides data on murder and nonnegligent manslaughter, which it defines as the willful killing of one human being by another. Clearance rates—the number of crimes the police clear by arrest—are also reported. Clearance rates are higher for personal crimes (e.g., murder) than they are for property crimes (e.g., burglary). Obviously, clearance rates are driven by the chance of detection, crime scene evidence, witness and victim information, and so forth.

THE NATIONAL CRIME VICTIMIZATION SURVEY (NCVS). The ***National Crime Victimization Survey (NCVS)*** is another source of victimization data. The *NCVS,* begun in 1972 to complement the *UCR,* recognizes incidents not reported to the police and includes a detailed report of crime incidents, victims involved, and trends affecting victims. Unlike the *UCR,* which collects data on the crime, the *NCVS* seeks detailed information on the victim. It tracks the crimes of rape, robbery, assault, burglary, personal and household larceny, and motor vehicle theft; it does not track murder, kidnapping, so-called victimless crimes, or commercial robbery and burglary.

Perhaps the most important contribution of the *NCVS* is its data about the dark figure of crime, those crimes not reported to the police. Data published by the *NCVS* are gathered from household surveys conducted by trained U.S. Census Bureau interviewers. The *NCVS* reports the following information:

- Crime records
- Profiles of crime victims
- Methods that victims of violent crime use to protect themselves
- The relationship of the victim to the offender
- The amount of crime that occurs in schools
- The extent to which weapons are involved in crimes
- Data concerning whether crimes are reported to the police

Not all crimes are reported. The data for rape as reported by the *UCR* and the *NCVS* are quite different, suggesting that for various reasons, many rapes are not reported. The most common reason given by victims of violent crime (including rape) for not reporting a crime was that it was a private or personal matter. Nonreporting is also attributed to fear of reprisal, embarrassment, or the belief that the victim may not be believed.

Statistics on Violent Crime

Most murders were intraracial. From 1980 through 2008, 84% of white homicide victims were murdered by whites and 93% of black victims were murdered by blacks. During this same period, blacks were disproportionately represented among homicide victims and offenders. Blacks were six times more likely than whites to be homicide victims and seven times more likely than whites to commit homicide.

Source: Bureau of Justice Statistics, 2011

The above figure is frightening and raises the question of why this is occurring. Some possible explanations are discussed later, but suffice to say there are a number of reasons in explaining violence, as well as those who commit violence. Violent crime is more likely to occur in lower socioeconomic environments such as inner cities. In these communities, unemployed youth or street gangs are more likely to exist, and there is less social and familiar cohesion. There is also a competition for space and jobs as new ethnic groups immigrate into these communities. Violence can be directed toward an individual or group or take place between groups competing for community resources.

In addition to tracking and compiling violent crime statistics, the FBI assists local agencies in apprehending violent offenders by operating the Violent Criminal Apprehension Program (VICAP). **VICAP** is a nationwide data center designed to collect, collate, and analyze information about crimes of violence—specifically murder. It examines the following types of cases:

- Solved or unsolved homicides or attempted homicides, especially those that involve an abduction; that are apparently random, motiveless, or sexually oriented; or that are known or suspected to be part of a series
- Missing persons, especially when the circumstances indicate a strong possibility of foul play and the victim is still missing
- Unidentified dead bodies when the manner of death is known or suspected to be homicide

VICAP assists law enforcement agencies by coordinating a multiagency investigative force. Multiagency cooperation becomes especially important when the suspect or suspects have traveled between states and across jurisdictions. Especially valuable is the coordination of activities, such as obtaining search warrants, interviewing, and testing.

In most violent crimes, murder rates differ based on victim characteristics, but the relationship between victim characteristics and incidence of homicide tends to remain the same as in past years. Some demographic characteristics of homicide are presented here (Bureau of Justice Statistics, 2011):

- From 1980 to 2008, nearly a quarter of the victims (24%) of gang-related homicides were juveniles (under age 18). Juveniles were also a fifth (19%) of persons killed by family members and a fifth (18%) of persons killed during the commission of a sex-related crime.
- In 2008, two of every five female murder victims were killed by an intimate. Among female murder victims for whom the victim/offender relationships were known, 45.3% were killed by an intimate, whereas only 4.9% of male homicide victims were killed by an intimate.
- Overall, more than two-thirds of victims murdered by a spouse or ex-spouse were killed by a gun. Boyfriends were more likely than any other group of intimates (50%) to be killed by a knife, and girlfriends were more likely than any other group of intimates (15%) to be killed by force involving hands, fists, or feet.
- Most homicide victims under age five were killed by a parent. In 2008, 59% of young child homicide victims were killed by a parent, 10% were killed by some other family member, and 30% were murdered by a friend or acquaintance.

Understanding Violence

Crime statistics provide us with demographic factors associated with violence, but the underlying reasons are not included. There is no shortage of theories explaining the causes of human violence. However, it is not the intention of this book to critically examine all theories of violence, nor to advance any one theory or cause over another. Suffice to say, violence is often situational and difficult to predict or plan against it. Most theories addressing violence are grouped into trait

theories: biological, psychological, sociological, economic, and so forth (see generally: Ferrell, 2004; Ferri, 2003; Robbins, Monahan, and Silver, 2003; Williams, 2004; Wilson, 1985). In general, unsanctioned violence is the result of a number of personal and social factors, including mental illness, childhood abuse and neglect, brain injuries, retaliation (e.g., street gang warfare), drug use, jealousy, twisted political or religious beliefs, and so forth. Others take the approach that antisocial behavior results from a series of evolutionary stages. In other words, people become violent through a process called *violentization*, which involves four stages: brutalization and subjugation, belligerency, violent coaching, and criminal activity (virulency). First, this person is a victim of violence and feels powerless to avoid it. Then the victim is taught how and when to become violent and to profit from it. Then he acts on that. If a person from a violent environment does not become violent, it is because some part of the process is missing (Athens, 1992).

Violent acts may be reactionary or planned or committed in the furtherance of other crimes such as robbery, or they may be committed to advance a particular cause (**terrorism**) or to conceal the commission of other crimes. Some turn to violence because of sudden changes in lifestyle (e.g., divorce, sudden loss of employment), thrill, or the need for instant gratification. And, we cannot ignore the fact that the infliction of violence in some cases is a matter of rational choice (Earls and Reiss, 1994). Despite the seductions or other influences of crime, crime is rewarding, and if the probability of getting away with crime outweighs the chances of apprehension, then crime may be the choice.

INFLUENCES OF VIOLENCE

For the purposes of this discussion, the study of violence encompasses a three-level social-ecological model. This model (Figure 1–1) considers the interplay between **individual**, **familial**, and **community influences** experienced by a person. In addressing the sources of violence, we can look to these three influences, although the individual and familial influences are viewed as the most prominent contributors. According to the office of Juvenile Justice Programs (Loeber, 2003), the most important risk factors for delinquency and violence stem from individual and family influences, which include genetics and the child's environment. This is not to dismiss community influences; however, having quality individual characteristics and positive familial relationships will compensate for harmful community influences. This chapter focuses on individual

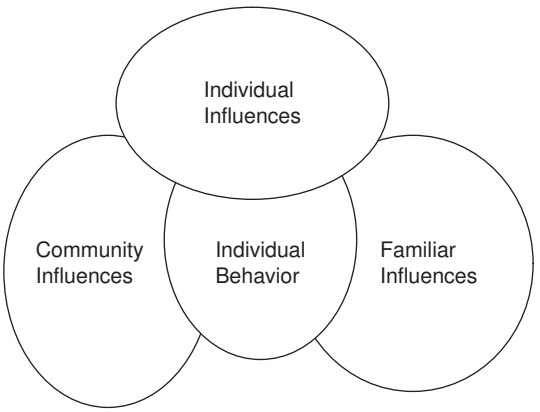

FIGURE 1–1 Influences of Violence

FOCUS 1–1
Explaining Violence: Aileen Wuornos

Aileen Wuornos was born in 1959. Her mother married her father when she was 15. Wuornos's parents divorced within 2 years of the troubled marriage, before Aileen was born. Her biological father was a convicted child molester and sociopath who was strangled in prison. Her mother was unwilling to care for her children, resulting in Aileen and her brother being adopted by their maternal grandparents. Her grandmother drank heavily and was strict with the children; her grandfather physically and sexually abused Aileen as a child. Reportedly, she was often whipped with a belt by her grandfather. Her grandparents raised her and her brother with their own children. They did not reveal that they were, in fact, the children's grandparents. At the age of 12, Aileen and her brother discovered that their grandparents were not their biological parents. When they discovered their true parentage, they became more incorrigible. Aileen claimed to have had sex with multiple partners, including her own brother, at a young age. Aileen became pregnant at the age of 14. The father was unknown. Upon giving birth, the baby was put up for adoption; she was banished from her grandparents' home and disowned by the small community in which she lived. Aileen subsequently dropped out of school, left the area, and took up hitchhiking and prostitution. In 1974, she was jailed for drunk driving and firing a pistol from a moving vehicle. In 1976, Wuornos hitchhiked to Florida, where she met a 76-year-old yacht club president. They married that same year. However, Wuornos continually involved herself in confrontations at their local bar and was eventually sent to jail for assault. She also hit her elderly husband with his own cane, leading him to get a restraining order against her. She returned to prostitution and eventually murdered seven men she met while hitchhiking and soliciting truck drivers at truck stops. In 1992, Aileen was executed for the murders in Florida.

violence as opposed to political or religious violence (terrorism), which is addressed in Chapter 8. A case study of a violent person is addressed in Focus 1–1.

The Individual Influences

> *Literally speaking, bad brains lead to bad behavior. . . .One of the reasons why we have repeatedly failed to stop crime is because we have systematically ignored the biological and genetic contributions to crime causation.*
>
> —Adrain Raine, from "Unlocking Crime: The Biological Key," *BBC News*, December 2004

After watching the 2008 New York Giants super bowl victory over the New England Patriots, I began thinking about the athletic accomplishments of quarterback Eli Manning and his brother Payton Manning of the Indianapolis Colts. Their father, Archie Manning, was an NFL quarterback for the New Orleans Saints for many years. Is the success of the Manning brothers a matter of luck, environment, or genes? Maybe a little of each, but their success in football could not have happened if they were 5'7" and unable to throw a football more than 20 yards and lacked the ability to remember and successfully execute dozens of plays. What we inherit has an effect on who we are or what we become. As for violent behavior, are such persons the product of their biological makeup as well? We cannot discount the argument that biology or genetics plays a role in behavior, including violent behavior.

The individual influence identifies biological and personal traits that increase the likelihood of becoming a perpetrator of violence. Behavioral genetic research has shown that genes influence individual differences in a wide range of human behaviors—cognition, academic

achievement, personality and temperament (including such traits as aggression and hostility), psychopathology, and even vocational interests and social attitudes (Plomin, DeFries, and McClearn, 1989). More specifically, violent behavior and heritable factors have been implicated in the research (Moffitt, 2005). In other words, the way we behave may be related to the way we are wired. This is not to say that some are born violent and doomed to become sociopathic murderers, but there may be a tendency for some to be more aggressive and thus less likely to control emotions absent some type of positive interventions.

By analogy, medical studies have indicated that certain diseases such as cystic fibrosis, sickle cell anemia, and diabetes have genetic links. Generally, if a parent has the condition, it is possible that an offspring may develop the disease later in life. As for mental illnesses, there is evidence that certain mental conditions such as chronic depression and so-called bipolar disorders are present in families and may be transmitted especially if both parents have the same illness (Zandi, 2002). A history of antisocial personality disorder in a parent is the strongest predictor of persistence of conduct disorder from childhood into adolescence, and researchers have recognized that genetic factors contribute to conduct problems in children. In support of this position, studies have indicated that conduct disorder is significantly heritable, with estimates ranging from 27% to 78% (Scourfield, 2004).

Other conditions such as attention deficit/hyperactivity disorder (**ADHD**) have heritable links, with experts suggesting that ADHD has a strong genetic basis and is more common among people who have a close relative with the disorder. Current research is focusing on investigating genes and the brain chemical dopamine. In other words, people with ADHD seem to have lower levels of dopamine in the brain, which influences risk-taking behavior, leading to unacceptable social behavior and crime (Martin, 2007).

Untreated children with ADHD, and other related mental disorders, are likely to experience problems at school and difficulties getting along with parents and teachers, resulting in low self-esteem and rejection. As these children become adults, they may experience low employment, poor academic achievement, high rates of automobile accidents, family difficulties, antisocial behavior, and mood problems (Waschbusch et al., 2002). It is not surprising that ADHD is remarkably high among prison inmates. A study of 82 male prisoners convicted of murder, sexual offenses, and other violent acts also found a high prevalence of reading disability and personality disorders among prisoners associated with ADHD. Eighty-six percent of the prisoners qualified for a diagnosis of personality disorder, with a significant relationship seen between ADHD and personality disorders (Rasmussen, Almvik, and Levander, 2001).

Studies on twins and adopted children raised apart from the biological parents lend credence to the argument that individual differences in violent/antisocial behavior are heritable (Rhee and Waldman, 2002). The twin studies have been utilized to investigate the heritability of certain disorders such as oppositional defiant disorder. Several twin studies have found significant genetic influences in oppositional defiant disorder symptoms, with heritability estimates ranging from 14% to 65% (Coolidge, 2000).

As for adoptees, research has looked at the rate of criminal behavior in young adoptees whose birth mother was a criminal. Studies found that almost 50% of the adoptees whose mother had a criminal record had a record of criminal behavior themselves by age 18. In the control group, only 5% of adoptees had criminal records by age 18 if their birth mother was not a criminal (DiLalla, 1991). In another study of 199 male adoptees, it was discovered that 85.7% of males with a criminal or minor offenses record had a birth father with a criminal record. They further noted that young male adoptees without a criminal record had a criminal father 31.1% of the time (Burke, 2001). Although other factors may account for their crimes, there may be some biological connections.

Further research on parental influences comes from studies on parents' alcoholism and its effects on their children. It is well recognized that alcohol abuse is often present in violent criminal behavior, posing the argument that there is an indirect connection between biological factors and later criminal behavior. The risk for developing alcoholism is familial, with males having the greatest risk if one of the parents has an alcohol abuse problem (Crabbe, 2002). Accordingly, individuals whose mothers drink three or more glasses of alcohol at any one occasion in early pregnancy have an increased risk of developing drinking disorders by 21 years of age (JAMA and Archives Journals, 2006). Children of alcoholics are approximately four times as likely to become alcoholics as are children of nonalcoholics, even when the children of alcoholics are separated from their biological parents at birth and raised by nonalcoholic parents. Interestingly, children of nonalcoholic parents have a low rate of alcoholism, even when adopted by alcoholic parents. And, there is a 25–50% lifetime risk of alcoholism among sons and brothers of severely alcoholic men (Lappalainen et al., 1998).

As with alcohol, cigarette smoking during pregnancy has its risks. Studies have consistently reported that mothers who smoked more than half a pack of cigarettes daily during pregnancy were significantly more likely to have a child with conduct disorder than mothers who did not smoke during pregnancy.

It is reported that the association was statistically significant when controlling for socioeconomic status, maternal age, parental antisocial personality, substance abuse during pregnancy, and maladaptive parenting (Wakschlag et al., 1997). Thus cigarette smoking during pregnancy appears to be a robust independent risk factor for conduct disorder in male offspring.

One particular gene receiving attention is the monoamine oxidase A (MAOA) gene. Some research suggests that this gene has been linked to violent behavior. The **MAOA gene** breaks down key neurotransmitters, or message-carrying chemicals, linked with mood, aggression, and pleasure. In one study, all men belonging to a family in the Netherlands harboring this mutation were arsonists and rapists. And, in animal studies, mice without the MAOA gene have been found to be more aggressive than those with the gene. In other words, low expression of the MAOA gene is linked to violent tendencies. Research on the gene has been reported in the literature. Using magnetic resonance imaging (MRI) and DNA analysis, 142 healthy men and women, who had no history of violence, were shown pictures of angry and fearful faces.

Researchers (Lei, 2006) found the following:

- Those with low expression of MAOA were more impulsive.
- People with low expression of MAOA had different brain size and activity.
- Activities of those parts of the brain in males with low expression of MAOA differed more greatly than their female counterparts.

The research on the MAOA gene suggests that people who are genetically predisposed to violence have a different brain structure than others, but this is not to suggest they are born to commit violence, because aggressive behavior and violence can also be the product of early childhood abuse. This is also not to say that genes predict specific behavior or violence, but certain genetic variations may be responsible for individual differences in neurocognitive functioning, which, if untreated, may predispose a person to violent behavior. In other words, abuse along with the low expression of the MAOA gene may lead to violent behavior.

Other biological factors attributed to violence are exposure to toxins such as lead poisoning, prescription drugs, and brain injuries due to birth traumas and other injuries, and even low cholesterol. Some argue that exposure to lead may be one of the most significant causes of violent crime in young people. According to one study, between 18% and 38% of all delinquency in a Pennsylvania youth facility could be due to lead poisoning. Recent studies have shown a strong relationship between sales of leaded gasoline and rates of violent crime. According to

the U.S. Environmental Protection Agency, lead is found in deteriorating paint and dust and in contaminated air, drinking water, food, and soil. Today, much of that lead is found in the drinking water of many American cities (Needleman, 2005).

Research is focusing on the influences of prescription drugs, along with other drugs, illegal or otherwise, as a cause of violence. The reason for prescribing such drugs is a mental condition such as manic depression or bipolar disorder. Many senseless acts of violence in which prescription drugs were allegedly involved include the Columbine school shootings in 1999, where it was revealed that one of the shooters, Eric Harris, was taking Luvox. Another school shooter, Kip Kinkel, in 1998 was prescribed Prozac.

The U.S. Food and Drug Administration warns that antidepressants can cause suicidal ideation, mania, and psychosis. Also, the manufacturers of one antidepressant, Effexor, now warn that the drug can cause violent acts. Another study revealed the antidepressant Paxil raises the risk of violence. Other antidepressant drugs such as Prozac, Celexa, and Zoloft most likely pose the same risk of violence (Healy, Herxheimer, Menkes, 2006). These drugs may not necessarily be a direct cause, but may be a contributor as a result of incorrect dosages and combinations.

Accordingly, those who fail to take properly prescribed medications may be at risk for later violence. In the wake of the 2008 shooting and suicide on the campus of Northern Illinois University in which five students were killed, the shooter, a graduate student named Steven Kazmierczak, reportedly had obsessive-compulsive tendencies and had stopped taking Prozac 3 weeks before the shooting. Experts warn that taking certain medications or the wrong type, as well as stopping a medication, may be linked to violence (Tanner, 2008).

According to the National Institute on Drug Abuse (NIDA), high doses of anabolic steroids may increase irritability and aggression. Some steroid abusers report that they have committed aggressive acts, such as physical fighting or armed robbery, theft, vandalism, or burglary. Abusers who have committed aggressive acts or property crimes generally report that they engage in these behaviors more often when they take steroids than when they are drug free (NIDA, 2006). Although there is some evidence that medications are a factor in violence, more research is needed to confirm this hypothesis. However, the effects of medications on individual behavior cannot be ignored, especially with individuals who may harbor other risk factors.

Considering brain injuries, aggression following head trauma is often attributed to a loss of behavioral self-control. Injury to the brain, specifically the prefrontal cortex region, harms the ability to plan and reason. Thus many individuals who exhibit aggression after brain injury are assumed to lack regulatory control over their behavior (Wood, Liossi, and Wood, 2005). Brain injuries can be caused by such factors as childhood physical abuse, sports injuries, accidents, infections, or birth injuries. One study found that brain injury led to increased acts of domestic violence and other violent crimes (Wood, Liossi, and Wood). The risk of violence is accentuated by a low IQ, lower socioeconomic status, being male, or being a prior victim of abuse. In other words, these predisposing factors contribute to the negative effects of brain injury. Those with lower intellectual functioning resulting from an injury are more prone to develop aggressive behavior because of difficulty in learning pro-social interpersonal skills, which are often required in gaining meaningful employment, education, or maintaining healthy social relationships.

One of the most prolific researchers on the topic of brain injury and violence is Adrian Raine (Raine, 1997). Raine argues that violent behavior is often related to brain trauma and maternal rejection. In a study of murderers, he used positron emission tomography (PET) to scan the brains of 41 murderers who had pleaded not guilty by reason of insanity. He found significant metabolic abnormalities in as many as six areas of the brain, several of which suffered damage during gestation or birth. Raine provides evidence that damage to the six brain regions

resulted from such traumas as vigorous baby shaking, fetal alcohol syndrome, and eclampsia (an advanced stage of toxemia in pregnancy).

When these injuries are combined with maternal rejection, the chances of later violence were greatly increased. In a study of murderers, neuropsychological testing revealed abnormalities in all subjects. It was reported that there was a confirmed history of profound and enduring physical abuse in 26 of these 31 cases. The authors concluded that prolonged and severe physical abuse likely interacts with neurological brain dysfunction and contributes to violent behavior (Blake, Pincus, and Buckner, 1995). Having a brain injury, along with being unwanted by a parent, particularly the mother, is a recipe for raising an angry and violent child. This is not to say that all persons experiencing these conditions grow into killers, but without positive socialization or treatment, the chances of such behavior increase.

According to some research, low cholesterol is a risk factor for violent death and violent behavior in both animals and human studies. In reviewing data from 32 different studies, it was concluded that low or lowered cholesterol levels were associated with violence (Golomb, 1998). These observational studies "consistently showed increased violent death and violent behaviors in persons with low cholesterol levels." In one meta-analysis study, it was revealed that there were 50% more violent deaths in men with cholesterol levels less than 160 mg/dl than in men with higher cholesterol levels. In addition, some randomized experiments showed an excess of violent deaths in healthy men randomly assigned to receive cholesterol-lowering therapies (Golomb). Caution must be taken regarding these findings because other variables may be operating to cause violent behavior, yet there is some suggestion that high cholesterol may be good.

The Familial Influences

> *The professional literature of criminology is surprisingly consistent on the real root causes of violent crime: the breakdown of the family. The sequence has its deepest roots in the absence of stable marriage.*
>
> — Patrick F. Fagan, from: "The Real Root Causes of Violent Crime: The Breakdown of Marriage, Family, and Community," 1995, The Heritage Foundation

The familial level includes factors that increase violent behavior because of risks associated with dysfunctional relationships among family members, including fatherless homes, abuse, and so forth. Positive familial relationships, particularly at young age, are crucial in developing prosocial values and act as a shield against violent behavior. As discussed, some offenders have inherent biological risks that the family (or lack thereof) is unable or unwilling to address.

Escapes from these plights are often accomplished through gang violence, substance abuse, transient lifestyles, or other antisocial activities. In short, how one is raised and the type of early socialization and community influences experienced have something to do with future behavior. To better explain this level of violence, a discussion on the role of the family is presented. This is an important area to address because many violent offenders were once angry young men, spawned in dysfunctional homes without positive role models.

Consider the following facts:

- The rise in violent crime parallels the rise in families abandoned by fathers.
- High-crime neighborhoods are characterized by high concentrations of families abandoned by fathers.
- State-by-state analysis by Heritage scholars indicates that a 10% increase in the percentage of children living in single-parent homes leads typically to a 17% increase in juvenile crime.

- The rate of violent teenage crime corresponds with the number of families abandoned by fathers.
- The type of aggression and hostility demonstrated by a future criminal often is foreshadowed in unusual aggressiveness as early as age five or six.
- The future criminal tends to be an individual rejected by other children as early as the first grade, who goes on to form his own group of friends, often the future delinquent gang. (Fagan, 1995)

Figures released by the Department of Justice of inmates incarcerated in our nation's prisons indicate that 31% of jail inmates had grown up with a parent or guardian who abused alcohol or drugs. About 12% had lived in a foster home or institution, and 46% had a family member who had been incarcerated. More than 50% of the women in jail said they had been physically or sexually abused in the past, compared with more than 10% of the men. These data suggest that unstable homes, especially during the formative years, have an effect on one's self-worth and values. Accordingly, children who grow up in violent homes have much higher risks of becoming drug or alcohol abusers or being involved in abusive relationships, as a batterer or a victim. Men and women who were physically punished as youth are more likely to abuse their partners or spouses (Straus, 1991). In addition, the highest predictors of involvement in crime and delinquency are being hit once or more per week at 11 years of age and having a mother, at that age, with strong beliefs in, and a commitment to, corporal punishment (Newson and Newson, 1990).

To add more evidence to the problem of experiencing family violence at an early age, research suggests that exposure to serious interpersonal violence (IPV) as a child is also associated with offending as an adult. For example, one study found that, among a sample of IPV offenders, those who had as a child seen a parent use a weapon were more likely to commit an offense involving a weapon as an adult (Murrell et al., 2005). Clearly, the effects of child abuse and neglect may create an angry person who may target others, including family members, for violence.

Many youth are involved in violent crimes such as gang violence, with a large portion of these offenses committed by unemployed minority youth who are arrested and sentenced to prison. Is this the result of failed social programs, racism, or other injustices? Although social inequalities exist, the lack of family structure is often cited as the key variable.

A 1988 study of 11,000 individuals found that "the percentage of single-parent households with children between the ages of 12 and 20 is significantly associated with rates of violent crime and burglary." The same study makes it clear that the popular assumption that there is an association between race and crime is false. In other words, illegitimacy, not race or other social injustices, is the major factor for violence in some communities. The absence of marriage and the failure to form and maintain intact families explain the incidence of crime among whites as well as blacks (Fagan, 1996).

Included in this level is social learning theory (Sutherland, 1924; Tarde, 1912), which has been around for many years. In other words, learning pro-social or antisocial behaviors is a function of imitation. Imitation includes modeling behavior expressed by significant others and learning values and actions from others. If a child witnesses violence in the home on a regular basis (domestic abuse, etc.), he or she may feel that violence is an acceptable way to gain compliance from others because it achieves results. In other words, pro-social behavior, as well as antisocial behavior, is a learned process. In addition, the more constant or intense the learning experiences, the more they will translate into a pattern of behavior.

Divorced and single-parent homes are inevitable in today's society. Separation occurs in nearly half of all American marriages, currently separating 45 million fathers from their children and depriving these children of the safety and security of a two-parent family. Certainty not all

family breakups cause children to become violent or turn to deviance. A number of other variables can overcome these changes, such as income level of the parents, extended-family support, and so forth. However, for many the effects can be disastrous. This well-documented social trend is evidenced in the following statistics (Young, 2005):

- Nearly 70% of black youths don't live with their father.
- Forty percent of those same black youths have not seen their father in at least a year, and 50% have never visited their father's home.
- Children not in contact with their father are five times more likely to live in poverty and twice as likely to commit crime, drop out of school, and abuse drugs and alcohol.
- Girls who grew up without a father are more likely to become pregnant during their teenage years.
- The majority of violent criminals were raised without their fathers, according to numerous studies.

Data suggest that some children turn to violence, substance abuse, or other antisocial behaviors to compensate for their broken or poor family environments and upbringing. Also, those reared without fathers are especially prone to criminal behavior if other undesirable conditions exist. In these settings without fathers, there is more likely to be poverty and problems with supervision.

This is not to suggest that all so-called stable families with fathers are a shield against criminal behavior; however, a quality attentive family or stable two-parent home can insulate a person from negative community influences and help shield against poverty and violence.

The Community Influences

Community violence is a complex term encompassing riots, gang wars, and so forth. In explaining violence from this perspective, we know that most street criminals are disproportionately poor, unemployed, or at the poverty level. In addition, violence results from overcrowded and deplorable living conditions, because many view such conditions as traps (Siegel, 2006). For offenders, violence is a way to lash out at society or privileged others who are perceived as the cause of their troubles. To truly understand the influence of environment, consider the violence occurring in the underdeveloped poverty-stricken nations in Africa, Central America, and the Middle East, where violence is often an expression of hopelessness and inequality. Social deterioration and lack of opportunity may create a sense of despair, causing reactionary violence against anyone, especially those who are living better.

At this level, we find decaying communities frequented by street criminals and gangs and with an abundance of liquor establishments and other unruly places. A community wrought with high crime, street drug dealing, prostitution, and gang activity sends a message that disorder and violence are tolerated and in fact may be encouraged. The community chaos and violent crime occurring in Iraq and other Third World nations undergoing change are examples. Until social order is firmly established, violent acts and senseless bombings are likely to continue.

The community influences on crime, violence, and victimization have strong research support (Sampson, 1993, 2004). Consider a youth with poor family support who may also have a biological risk for aggressive behavior growing up in a disorderly community. In other words, joining a gang or participating in a criminal enterprise is a way to satisfy family needs (belonging and recognition) and to cope with a community in disarray.

In studying the causes of inner-city race riots, for example, it has been found that urban unrest is rooted in a multitude of political, economic, and social factors, including lack of affordable housing, urban renewal projects, economic inequality, and rapid demographic change

(Herman, 1999). Simply stated, close-knit communities are more likely to identify strangers, report deviants to their parents, and pass warnings along, but high rates of residential mobility and high-rise housing disrupt the ability to establish and maintain social ties. Unstable communities often lack the organization and political connections to obtain resources for fighting crime and offering young people an alternative to deviant behavior.

One study found that exposure to community violence was a strong indicator of future violence (Wake Forest University Baptist Medical Center, 2000). In another study, prior community violence exposure had a significant effect in increasing aggression, and beliefs about aggression in elementary and middle school children. These findings suggest that witnessing community violence has an effect on children's behavior through both imitation of violence and the development of associated cognitions as children get older (Guerra, et al. 2003).

According to a University of Washington study on domestic violence, a number of personal factors, including disorganized neighborhoods where attitudes toward drug sales and violence were favorable, increased a person's likelihood of committing domestic violence. Individuals who have a history of antisocial behavior may be more likely to find a partner in these lower socioeconomic neighborhoods, where having a partner who used or sold drugs, had a history of violence toward others, had an arrest record, or was unemployed was prevalent (University of Washington, 2007).

A disorderly community promotes violence because there are many opportunities for criminal behavior. These communities are also the gathering place for many who lead dysfunctional or violent lives. In some cases, the police are less likely to patrol these areas aggressively or respond to complaints as quickly as in the higher socioeconomic bedroom communities. Furthermore, community violence gives rise to subsets of associated violence that impact schools and other institutions. Youth who live in fear of violence, witness violent acts, or actually become victims of violence suffer an array of consequences ranging from personal injury and debilitating anxiety that interrupt the learning process to a pattern of absence and truancy that can lead to dropping out of school and delinquency. Such disassociation restricts individual options and limits the development of academic and life skills. Constant exposure to violence also creates a type of desensitization that can lead one to believe that violence is a normal part of life. People who are surrounded by violence may reach a point where they no longer notice violent events and may even embrace violence.

Summary

There are multiple reasons in explaining interpersonal violence. In examining violent people, it is important to examine their personal characteristics, family backgrounds, and socioeconomic status. How a child is raised and where he or she is raised are factors to consider in explaining violent behavior. We cannot ignore the role of biology in violence. Violent people may have a predisposition toward violence due to their genetic makeup. In other words, genetic and structural brain variations increase the risk of violent behavior. However, a combination of other risk factors, such as deficiencies in the early mother–child relationship, abuse in childhood, parental neglect and inconsistent parenting, a breakup or loss in the family, parental criminality, poverty, and long-term unemployment, increase the risk of violence. It is often argued that the violence depicted in media, availability of guns, and other cultural deviances are the real causes of violence. These influences are minimal, as they act as facilitators rather than causes. We need to examine the person and his or her environment to assess the root causes of individual violence. To ban guns or to censure the media is as counterproductive as outlawing alcohol and automobiles since both are often associated with or are contributors to violence.

Key Terms and Concepts

ADHD
Aileen Wuornos
Community influences
Dark figure of crime
Determination of crime rates
Familial influences
Fear–victimization paradox
Individual influences
MAOA gene
National Crime Victimization Survey (NCVS)
Terrorism
Uniform Crime Reports (UCR)
VICAP (Violent Criminal Apprehension Program)

Discussion Questions and Learning Activities

1. Explain why only some violent crimes are reported to police. What factors determine whether a crime is reported? Are reporting rates different for personal and property crimes? If so, why?
2. Why are some people more fearful of crime than others? Do you believe that the media promotes fear? Explain.
3. Develop an argument that genetics is a powerful factor in predicting behavior.
4. Discuss why some individuals raised in violent dysfunctional families or communities do not become violent.
5. Research a case study of a violent offender and determine the effect of individual, familial, and community levels in his or her violent behavior.
6. Is there a relationship between the media and violence?
7. Are certain mental conditions attributed to violence more prevalent in men or women?

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2

Victimization Theory

LEARNING OBJECTIVES

After studying this chapter, you will:

- Understand the difference between criminology and victimology
- Become familiar with the early theorists on victimology
- Understand recent theories on victimization
- Understand why some crimes are not officially reported

INTRODUCTION

One of the most neglected subjects in the study of crime is its victims.

—The President's Commission on Law Enforcement and the Administration of Justice, 1967

The terrorist attacks on September 11, 2001, and the deadly sniper attacks in the Washington, D.C., area in 2002 awakened Americans to our vulnerability to violent crime. At any given time, dedicated criminals may victimize anyone, without warning or without clear motive. **Victimology** is the study of crime victims and their relationship to offenders and the criminal justice system. It is unlike criminology, which focuses on the dynamics of victimization; criminology concerns the etiology of crime and criminal behavior. Victimology attempts to address questions of how crime victims have been exploited, abused, neglected, harmed, and oppressed in public and private (workplace) settings.

Victimology is equally interested in how victims can be assisted, served, and educated about crime and violence. Victimologists are concerned with the demographics of victimization, particularly age, race, sex, location, and other situational factors. Researchers have always been interested in why some people are victimized more than others or why some are more fearful than others.

The problems associated with being a crime victim are not restricted to physical injury resulting from violent acts perpetrated by strangers or intimates. Victims of crime experience economic losses, such as medical expenses and lost wages. The average cost of crime for a rape victim, for example, may exceed $50,000 when medical and other costs are included. Victims may also believe that they are responsible for their victimization; thus there is a degree of stress, anxiety, and blame associated with victimization, which is referred to as post-traumatic stress disorder. This chapter reviews the impact of victimization and theories and explanations on victimization.

IMPACT OF VICTIMIZATION

In a 2008 report (as of this writing, the most recent year these data were collected), for crimes both reported and not reported to the police, the total economic loss to victims was $1.19 billion for violent crime and $16.21 billion for property crime. In 2010, an estimated $456 million in losses were attributed to robberies reported to the police. The average dollar value of property stolen per robbery offense was $1,239 (Federal Bureau of Investigation, 2011). The impact of criminal victimization imposes economic and emotional costs on the victim and society. The costs are both tangible and intangible. Individuals victimized lose time from work or may require extensive medical treatment or therapy. Victim compensation programs distributed $499.9 million in 2010 to cover for direct intangible costs to crime victims such as medical expenses, lost earnings, and public program costs related to victim assistance (National Association of Crime Victim Compensation Boards, 2011).

The major impact on victims of violence is emotional or *intangible losses*. Such losses include long-term problems, such as pain and suffering and reduced quality of life. It is difficult to measure the amount of pain and anguish a victim experiences. In some cases, his or her life may never be the same. Although these losses are more difficult to quantify, economists use various measures, such as educational level, income, family size, and so forth, to place monetary value on one's life.

The direct tangible costs to crime victims are estimated to be $105 billion annually in medical expenses, lost earnings, and public program costs related to victim assistance. Pain, suffering, and reduced quality of life increase the cost to $450 billion annually (National Institute of Justice, 1996).

The highest losses are for crimes of violence (rape and sexual assault, etc.). In other words, the cost of victimization includes the extent of injury, type of crime, and the psychological reactions that victims often experience after a violent crime. These psychological aspects are discussed in the next section.

Who is responsible for paying for the cost of crime? Most costs of victimization are covered by insurance carriers. The government pays millions annually to emergency services for victims (victim compensation programs). In 2010, close to $500 million annually was paid to and on behalf of more than 200,000 people suffering criminal injury, including victims of spousal and child abuse, rape, assault, and drunk driving, as well as families of murder victims. Since 1997, payments from state compensation programs increased 82.5% (National Association of Crime Victim Compensation Boards, 2011). In short, taxpayers and insurance companies cover the tangible costs for some crimes; in some cases, however, victims of violent crimes occurring on private property attempt to recover losses through lawsuits.

Emotional reactions of victimization vary depending on the age, life experiences, and emotional strength of the victim. But in many cases the reaction to the violence is **post-traumatic stress disorder (PTSD)**. According to the PTSD Alliance (2004), the estimated risks

of developing PTSD after the following traumatic events are as follows: rape, 49%; severe beating or physical assault, 31%; other sexual assault, 23.7%; shooting or stabbing, 15.4%; sudden unexpected death of a family member or loved one, 14.3%; and witness to a murder or assault, 7.3%.

This disorder affects hundreds of thousands of people who have been exposed to violent events, such as rape, domestic violence, and child abuse. The mental health costs, which include disorders resulting from violence, are costly. In the United States, tangible costs associated with the trauma from intimate partner violence were approximately $4.1 billion (Centers for Disease Control and Prevention, 2003).

The *Diagnostic and Statistical Manual of Mental Disorders* (American Psychological Association, 1994) states that PTSD occurs when a person has been exposed to an extreme traumatic stressor in which both of the following are present:

1. The person directly experienced an event or events that involved actual or threatened death or serious injury, or other threat to one's physical integrity; or the person witnessed an event or events that involved death, injury, or a threat to the physical integrity of another person; or the person learned about unexpected or violent death, serious harm, or threat of death or injury experienced by a family member or other close associate.
2. The person's response to the event or events involves intense fear, helplessness, or horror.

The symptoms of PTSD may initially appear to be part of a normal response to a traumatic experience. Sometimes the disorder does not surface until months or even years later. PTSD was once thought to be a disorder restricted to war veterans involved in heavy combat, but researchers now know that it can result from many types of trauma, particularly those that include a threat to life. A study about lifetime criminal victimization experience, crime reporting, and the psychological effect of crime victimization found that 28% of all crime victims subsequently developed crime-related PTSD, and 7.5% of all crime victims still suffered from PTSD at the time of the assessment (Kilpatrick et al., 1987). Findings from a South Carolina study (Kilpatrick, Tidwell, and Saunders, 1988) indicate that PTSD rates for victims and families who had high exposure to the criminal justice system were even greater, with 51% of these crime victims having developed crime-related PTSD, and 24% still suffering from PTSD at the time of assessment. Results of this study also indicate that of all the victims surveyed, direct victims of sexual assault and aggravated assault and family members of homicide victims, were the most likely groups to develop crime-related PTSD. In some cases, the symptoms of PTSD disappear with time, but in others they persist for many years.

Not all people who experience trauma require treatment; some recover with the help of family or friends. Many need professional help, however, to recover successfully from the psychological damage that can result from experiencing, witnessing, or being involved in an overwhelmingly traumatic event. Thus people, especially children, who witness a violent act can suffer PTSD.

Many witnesses near the explosion of the federal building in Oklahoma City in 1995 suffered from illnesses and PTSD. In a study of survivors, it was reported that many suffered from illnesses such as chronic depression and drug and alcohol abuse. However, most survivors suffered from PTSD that included flashbacks, nightmares, sleep disorders, and angry outbursts (*Los Angeles Times*, 1999). The horror of the September 11th terrorist attacks will undoubtedly scar many lives for years to come. Traumatic occurrences, such as sexual or physical abuse or loss of a parent, have a profound impact on the lives of children. They may develop learning disabilities and problems with attention and memory in addition to PTSD symptoms. They may become anxious or clingy and may abuse themselves or others as a result. Children of abuse may become tomorrow's abusers.

Psychologists recognize three categories of PTSD symptoms: intrusive, avoidance, and hyperarousal. People suffering from PTSD often have an episode in which the traumatic event "intrudes" into their current life. This can happen in sudden, vivid memories that are accompanied by painful emotions. Sometimes the trauma is reexperienced, at times in nightmares.

In young children, distressing dreams of the traumatic event may evolve into generalized nightmares of monsters, of rescuing others, or of threats to themselves or others. At times, the reexperience comes as a sudden, painful onslaught of emotions—grief that brings tears, fear, or anger—that seem to have no cause. Individuals say these emotional experiences occur repeatedly, much like memories or dreams about the traumatic event.

Another category of symptoms involve what are called *avoidance phenomena.* People experiencing these symptoms often avoid close emotional ties with family, colleagues, and friends, thus affecting their relationships. These people feel numb, have diminished emotions, and can complete only routine, mechanical activities. When reexperiencing symptoms occur, people seem to spend their energies suppressing the flood of associated emotions. They are often incapable of mustering the necessary energy to respond appropriately to their environment; people who suffer from PTSD frequently say they cannot feel emotions, especially toward those with whom they are closest. As the avoidance continues, sufferers seem to be bored, cold, or preoccupied. Family members often feel rebuffed by them because they show no affection and act mechanically. In other words, emotional numbness and diminished interest in significant activities occur. This avoidance is especially apparent in children. People with PTSD also avoid situations that remind them of the traumatic event because their symptoms may worsen. For example, people who survived a beating from a youth gang might experience symptoms of PTSD when they see groups of young people. Over time, persons with PTSD can become so fearful of particular situations that their daily lives are ruled by their attempts to avoid these situations; these people can become prisoners in their own homes.

Those who suffer with hyperarousal symptoms of PTSD act as if they are continually threatened by the trauma that caused their illness. They may become irritable, have trouble concentrating or remembering current information, and develop insomnia. Because of their chronic hyperarousal, many people with PTSD have poor work records and poor relationships with their family and friends.

Other types of trauma can be experienced by crime victims. Women who have been battered over the years suffer from what has been identified as **battered women's syndrome**. This syndrome is being used frequently as a legal defense for committing a crime. In the California case of *People* v. *Humphrey* (Supreme Court of California Ct. App, 5 F020267, 1996), the court ruled that evidence of spousal battering may be entered as a defense. In that case, the court stated:

> *Battered Women's Syndrome seeks to describe and explain common reactions of women to that experience. Thus, you may consider the evidence concerning the syndrome and its effects only for the limited purpose of showing, if it does show, that the defendant's reactions, as demonstrated by the evidence, are not inconsistent with her having been physically abused or the beliefs, perceptions, or behavior of victims of domestic violence.*

A related condition confronted by rape victims is known as **rape trauma syndrome**. The syndrome has two phases: acute and reorganization. During the acute phase, the survivor experiences a complete disruption of her life, resulting from the violence she experienced. The victim may display a number of emotional responses, including crying, shouting, swearing, or laughing

inappropriately. In general, the survivor responds initially to the assault with shock and disbelief. After the acute stage is the reorganization stage. During this stage, survivors reorganize themselves and their life. Basically, with the help of family and friends, they learn to cope again.

The effects of violence on one's physical health can be disastrous. For instance, researchers at the Harvard School of Public Health (HSPH) found a strong association between domestic violence and asthma. The study raises questions about the role of stress in the development of this common respiratory condition. The study examined a nationally representative database of 92,000 households in India, where domestic violence is highly prevalent. Women who had experienced domestic violence in the past year had a 37% increased risk of asthma. For women who had not experienced domestic violence themselves, but lived in a household where a woman had been beaten in the past year, there was a 21% increased risk of asthma than for women who did not live in such households. In addition, living in a household where a woman experienced domestic violence also increased the risk of reported asthma in children and adult men. The possible link between domestic violence and asthma may be explained by the fact that exposure to violence may affect the immune system and inflammation, which have a role in asthma development (Harvard School of Public Health, 2007).

Victimization impacts victims' families, social relations, and employers in many ways. In other words, victimization not only primarily or directly affects the victim, but also secondarily affects the family and affects the community or society at large in a tertiary manner. However, are some claims of victimization real or simply a way to blame others?

Culture of Victimization

There is no question that much of violent victimization is real, with many victims suffering lifelong consequences. However, are some capitalizing on victimization, or are some persons truly victims? Consider the following case: In Pennsylvania, a robber named Dickson had just finished robbing a house he had entered by way of the garage. He was not able to get the garage door to go up because the automatic door opener was malfunctioning. He couldn't reenter the house because the door connecting the house and garage locked when he pulled it shut. The family was on vacation, and Mr. Dickson found himself locked in the garage for 8 days. He subsisted on a case of Pepsi he found, and a large bag of dry dog food. He sued the homeowner's insurance, claiming the situation caused him undue mental anguish. The jury agreed, awarding a verdict of $500,000. The decision no doubt accounted for pain and suffering, including PTSD.

Sykes (1992) argued that we have become a nation of victims, where everyone is competing for the status of a victim. The constant cry for empathy and justice by the victim industry reduces our capacity to deal with genuine victims, such as children who are molested, women who are raped, and immigrants who are assaulted. Add to the mix that there is evidence of false accusations of victimization. Associated with this is so-called **self-victimization**, or the act of "playing the victim." In this situation, one may cast oneself as a victim to control others by soliciting a sympathetic response from them or diverting their attention away from their abusive behavior. A common example of this act is the violent offender who blames his behavior on parental abuse or neglect. Although it is accurate to state that early abuse and violence may contribute to later criminal behavior, it can still be argued that these offenders have free will and know right from wrong. If they did not, then why do so may attempt to escape or avoid detection?

False allegations are also a problem. In a study of a small metropolitan community, 45 consecutive, disposed, false rape allegations covering a 9-year period were studied. These false rape allegations constitute 41% of the total forcible rape cases (n = 109) reported during this period.

These false allegations appear to serve three major functions for the complainants: providing an alibi, seeking revenge, and obtaining sympathy and attention (Kanin, 1994). These complaints often reflect impulsive and desperate efforts to cope with personal and social stress situations, as in the case of the Duke University Lacrosse team and the false accusations of rape against several team members.

Some argue that we are creating a victim culture, in which criminal behavior or bad choices are passed on to others. And in the process, certain professionals such as lawyers and psychotherapists are profiting (Zur, 1994). The victim culture interferes with helping those who truly need and deserve assistance. Anxiety disorder, borderline personality disorder, and PTSD are becoming popular (Zur). Many ask why so many patients within a few years have been labeled as traumatized. And, one must wonder why, in an age in which technology, medicine, environmental concerns, and diet have reached new peaks, Americans feel a heightened sense of vulnerability and are buying into the new psychiatric diagnosis (Zur). Increasingly, Americans are told that they are traumatized, victimized, and are in need of a psychotherapist or personal injury attorney. Those who do not feel victimized may be labeled as being in denial. (In other words, if you do not feel you're a victim, we'll convince you that you are.)

In a book by Dineen (1996), the author writes about how the victim industry has been fueled by psychotherapists and outlines the direct economic and professional benefits that psychotherapists derive from perpetuating the idea of victimology. She discusses how therapists need patients, so they create disorders such as PTSD and other behavioral conditions with which to label prospective customers. Many lawyers also pursue questionable personal injury cases, knowing that a certain percentage may settle out of court. It is not this writer's position to demean psychology or the legal profession, but questions need to be raised about the real meaning of a victim. In the following discussions on victimization theory, some enlightenment on the causes of victimization is provided.

Review of Early Victimization Theory

Early scholarly work on victimization dates back to the 1940s. However, because of its lack of theoretical grounding, the study of victimization has not become a recognized academic discipline. One of the first researchers to address victimization was Hans von Hentig. His early work examined the relationship between offenders and their victims. Hentig hypothesized that the victim shapes the criminal and the crime. (See the section titled Hentig's Victim Classification that follows for more information.) In other words, he searched for and found a reciprocity that exists between the criminal and the victim, or "the killer and the killed" (Hentig, 1948).

In addition to Hentig's early work, Mendelsohn (1963), who claims to have originated the study of victimology, studied rape victims and their relationships with their offenders. According to Mendelsohn's theory, some victims may unintentionally invite their own victimization, depending on the degree of relationship with the offender. Mendelsohn developed a number of typologies describing the degree of culpability between victims and offenders.

Hentig's Victim Classification

Hentig's classification of victims is more comprehensive than Mendelsohn's typology. Mendelsohn explains victimization through **situational victimization factors**; Hentig uses **personal factors associated with victimization**, such as social, psychological, or biological characteristics, to explain victimization. His victim typology, which laid the foundation for further work on the subject, incorporates the following 12 categories of victims (Hentig, 1948: 404–438).

The first category includes the *young*, who are prone to victimization because of their immaturity and vulnerability. Hentig believed that children are usually victims of violent crimes and sexual offenses rather than of property offenses (although adults use children in the commission of crimes against property).

The second category includes *females*. Hentig argued that younger women are vulnerable to murder and sexual assault, and older women are prone to property crimes (e.g., fraud). Because a woman has less physical strength than a man and because men commit most violent crimes, women are more likely to suffer at the hands of a male aggressor. The aggressor is usually known to the victim (a former spouse or an acquaintance).

The *elderly* are the third category. They are likely to be victims of property crimes. They are less likely to fend off attackers because of their weaker physical state and possible decreased mental alertness, making them prime targets for scam artists and predatory offenders.

The fourth category includes victims who are *mentally defective*. Clearly, those in this category are susceptible to victimization. This is one of the largest groups because it includes alcoholics, drug addicts, and those who suffer from various mental handicaps. Hentig found that alcohol plays a role in victimization, especially when both victims and offenders are intoxicated.

The fifth category includes *immigrants*, who are vulnerable because of their lack of familiarity with their new culture, rejection by the dominant population, and deprived economic status. Many immigrants are marginally employed or otherwise near poverty, forcing them to reside in communities where crime is prevalent or to become involved in crime. A recent extension of this theory is the enslavement of illegal aliens for the purpose of working in sweatshops. A study of the garment industry in California revealed that most of the 69 manufacturers studied were breaking labor laws. They employed children as young as 13 years of age, many of whom worked up to 16 hours a day. Fire exit doors were locked, and workers were forced to live on the premises (Silverstein, 1994). A blatant example of immigrant victims occurred in El Monte, California. On August 2, 1995, state and federal agents raided a garment manufacturer suspected of worker abuse. What they found was worse than what they expected. The workers, illegal Thai immigrants, were forced to live in the factory and were not allowed to leave the premises. Thai guards kept the workers from escaping, and barbed wire was strung around the compound. Food and other necessities were brought to the workers, the cost of which was deducted from their wages. Workers were paid less than $2 an hour and were required to repay the costs of their travel from Thailand, which amounted to $5,000. They were afraid to escape because of their immigrant status, but one worker who did leave prompted the investigation (White, 1995).

Further evidence of this problem is the transporting of immigrants by "coyotes," who charge a fee to smuggle illegal immigrants into the United States. Coyotes prey on people from developing countries who have few economic opportunities and are desperate to improve their socioeconomic status. The immigrant's safety and well-being during the long trip are often compromised because of the inhumane conditions. In 2003, a trailer bound for Houston carrying 74 undocumented immigrants was abandoned, and 19 people in it died from lack of oxygen (Parks, 2005).

The sixth category includes *minorities*. Their plight is similar to that of immigrants. They are often forced to live where crime flourishes, subjecting them to victimization by members of their own group or street gangs, as well as a lack of opportunities in the dominant culture.

The *dull normals* are in the seventh category. Hentig views this group as born victims. Because of their diminished intellectual status—which has a biological cause—swindlers and other criminal types easily victimize them. The low IQ of members of this group prevents them from understanding or recognizing the deception. Research demonstrates that more than 25% of

persons with severe mental illness had been victims of violent crime during a single year, a rate more than 11 times higher than that of the general population, even after controlling for demographic differences. And, depending on the type of violent crime (rape, robbery, assault, and their subcategories), the incidence was 3 to 12 times greater among persons with severe mental illness than among the general population (Teplin, 2005).

The eighth category includes the *depressed*, those who suffer from a psychological problem. Depressed people are likely victims because of their apathetic state of mind. A depressed person is generally a submissive person, frequently weak in both mental and physical strength, gullible, and easily swayed. Many homeless people are of this type, as well as persons under the influence of alcohol or other drugs.

The ninth category includes the *acquisitive*. An acquisitive person is one who is greedy and desires financial gain and thus is likely to be targeted by gamblers or other confident people. Poor people struggle to survive, and the rich seek to increase their wealth. In either case, they can fall victim to criminal types, such as frauds and cheats, if they have an acquisitive attitude.

The *lonesome and heartbroken* represent the tenth category. Those who seek and desire companionship and intimate relationships are likely to succumb to victimization. In their relentless search for true friendship or love, they lower their defenses or ignore undesirable traits in their partners. These types may believe that it is better to be abused than to be alone. In addition, some abused spouses may refuse to leave because of the undesirable consequences of being alone or the belief that they have nowhere to go.

The eleventh category includes those referred to as *tormentors*, such as alcoholic or psychotic fathers who abuse and assault their families over a long period of time and who may finally be killed by a family member. This type of person becomes a victim because he or she creates the situation by being an abuser.

The twelfth category includes the *blocked, exempted, and fighting victims*. They become victims because of situations they have created, but generally less violence is involved than when tormentors are involved. For example, a person who is blackmailed because of his or her previous involvement in criminal activity becomes a victim of extortion and is afraid to contact the police because of his or her record.

Another category not specifically mentioned by Hentig are disabled victims. In 2008, 15% of child victims of abuse or neglect had a reported disability. Disabilities considered risk factors included mental retardation, emotional disturbance, visual or hearing impairment, learning disability, physical disability, behavioral problems, or other medical problems (U.S. Department of Health and Human Services, 2010).

A study of 35 child protective services agencies across the country found that 14.1% of child victims of maltreatment had one or more disabilities (Hibbard et al., 2007). A study of North Carolina women found that women with disabilities were four times more likely to have experienced sexual assault than women without disabilities. Clearly, physical disability, as is the case with mental disability, increases the chances of victimization (Martin, 2006).

Mendelsohn's Typology

Mendelsohn's first type is the *innocent victim*. Innocent victims are unconscious and unaware of their potential for victimization. Young children fall into this category. Other victims just happen to be in the wrong place at the wrong time. For example, in the well-publicized O.J. Simpson case, Ronald Goldman, who was slain along with Nicole Brown Simpson, was an innocent victim. It is assumed that Nicole was the intended target, but because Goldman was also at the scene, he became a victim of consequence.

The next five types of victimization in Mendelsohn's typology are commonly categorized as *victim-precipitated crimes*, or *victimization*, in which the victim somehow contributes to his or her own injury. The second type is the *victim with minor guilt*. Examples of this type are victims who frequent high-crime areas, associate with deviant types, or are customers of prostitutes who then become victims. The *victim as guilty as the offender* is the third type. In this situation, victim and offender engage in criminal activity (e.g., robbery), after which one partner victimizes or robs the other. The fourth type is called the *victim is more guilty than the offender*. Here, a victim provokes or attacks another, but the defending person injures the provoking person. The final type, the *most guilty victim*, occurs when a person is killed by another in self-defense. The victim initiating the confrontation becomes a guilty victim, as well as a dead one.

Sellin and Wolfgang's Typology of Victimization

Sellin and Wolfgang (1964) offered a victim typology that addresses situations rather than relationships. Their five categories are primary victimization, secondary victimization, tertiary victimization, mutual victimization, and no victimization.

Primary victimization refers to personalized or individual victimization, such as when an individual or group selects a specific person to target for victimization. Victims of hate crimes or domestic violence are examples. Victims of *secondary victimizations* are impersonal targets of the offender. When a corporation or business sells faulty products to the public or church officials embezzle the offerings of a church congregation, the public or church member are secondary victims. The evangelist Jim Bakker engaged in this type of victimization, and the victims of corporate scandals, such as former employees of the Enron Corporation who lost their life savings, are other examples. *Tertiary victimization* involves the public or society as a victim. Crimes committed by the government, as opposed to businesses, are included in this category, such as when public officials embezzle funds or defraud the public. An elected official who takes pleasure trips and writes them off as business expenses is cheating the public. Victims may not recognize their victimization unless the government intervenes. *Mutual victimization* occurs when offenders become victims, as when two people engage in a criminal activity and then one becomes the victim of the other: the prostitute robs her customer or the drug dealer shoots the buyer.

The final category identified by Sellin and Wolfgang is called *no victimization*, which includes situations in which victimization is difficult to define. So-called victimless crimes are often mentioned in this category. It is difficult to define victimization when, for example, consenting adults engage in prostitution, an illegal activity, in a private home. Another example is sadomasochism, whereby two consenting adults agree to participate in sexual activities that cause bodily injury.

MODERN VICTIMIZATION THEORIES

Modern theories of victimization are basically revised versions of earlier perspectives. As with the older theories, they address victimization through associations, behaviors, culture, spatial relationships, victim lifestyle, and situations.

Cultural Trappings

Cultural trappings and victimization can be linked. Violence and resulting victimization is a product of structural arrangements in our culture conducive to violence (Galtung, 1996). Culture consists of a totality of values, norms, attitudes, beliefs, race and gender relations, child-rearing

practices, governance, and other practices of a society. Social relations, the media, the entertainment industry, and other forms of commercial enterprise influence the culture. When cultural messages are flawed, however, violence and victimization are possible outcomes. When a culture allows the dehumanization of certain people or groups, as in violent video games or R-rated films, violence may be the result.

A pathetic or weak cultural base can lead to *structural violence*, or the acting out of an individual or group incorporated into formal legal and economic exchanges. In other words, those who are poor or disenfranchised may turn to violence against property as a means to an end or to produce a feeling of recognition. Many of the inner-city racial riots of the 1960s and 1970s were the result of expressive disillusionment with systemic inequality. The malicious burning and looting were the result of perceived inequality by many.

Individual acts of direct violence, such as those committed by gangs, street thugs, and hate killers, are often grounded in cultural causes or fostered in environments that permit the perpetuation of violence. Because children continue to come from dysfunctional families that promote negative cultural values, where survival and recognition are based on gratifying personal needs, little else can be expected. As children grow and are exposed to violence at home, in the community, in the media, or at school, some will express anger and turn into bold, violent predators. Community predators victimize many, which results in the victims retaliating by bullying, which leads to more violent acts. This is not to suggest that everyone raised or exposed to these negative influences will become violent criminals, but many will commit crimes and justify their behavior by the fact that society has cheated them. Thus robbery, rape, and murder are get-even measures or means to exhibit power and control over others.

In regard to victimization, many of these offenders are streetwise and recognize that the average person is not crime conscious, making that person an easy target. In other words, victimization will occur as social and economic differences increase between those who have much and those who have little, particularly when both coexist in the same communities.

Victim Precipitation Theory

According to the **victim precipitation theory**, victimizations result from a number of precipitating factors, one of which is the victim's behavior, including lifestyle interactions in situations in which deviance and criminality flourish. Simply put, one who undertakes a crime risk activity or participates in a deviant act, however temporarily, takes a chance of becoming either a victim or an offender. The culture or physical environment and one's social standing may not make a difference in victim-precipitated events. Victim precipitation can be active or passive, depending on the role or behavior of the victim.

Active precipitation refers to situations in which victims provoke violent encounters or use words to cause a physical confrontation with another. The victim in a gang-related retaliatory killing or participants in a barroom brawl are examples of **active victims**. Research studies of homicide offenders and their victims have consistently identified precipitating factors to the crime. Comparisons of data of murder victims in large cities with those of victims in small communities find similarities such as previous relationships between the victim and offender and similar socioeconomic backgrounds (Hewitt, 1988).

Victimologists generally agree that the offender's behavior in homicides is directly related to the type of victim selected. In other words, victims of homicide and their offenders are often partners in crime—in some way, victims contribute to their own deaths. The use of drugs also contributes to victimization and violence. That is, drug usage increases the chance of violence initiated by or against the person.

The evidence indicates that drug users are more likely than nonusers to commit crimes, that arrestees frequently were under the influence of a drug at the time they committed their offense, and that drugs generate violence.

—Drug Policy Information Clearinghouse, 1999

Studies on the relationship between drugs and violent crime have consistently indicated high rates of homicide and suicide that often involve firearms. Deaths from illicit drug use or overdose also contribute to the high victimization rates (Mokdad et al., 2004). Based on incarceration rates in federal and state prisons, many inmates committed murders, robberies, and assaults while under the influence of drugs or in the pursuit of additional drugs (U.S. Department of Health and Human Services, 1999).

As for domestic disputes, many fatalities result from victim retaliation. And in many of these cases, drugs were often used by the perpetrator. In these situations, the abused spouse or partner may fight back, provoking more anger in the abuser and resulting in the death of the victim.

This is not to suggest that the victim is responsible, but that the victim's response incited the offender. Family members are still the primary targets of murders, which often result from abusive, violent, or dysfunctional family situations.

Passive precipitation occurs when a victim unknowingly provokes a confrontation with another. Unsuspecting lovers who are assaulted by their partner's estranged spouse are considered **passive victims**, especially if the suitor had no knowledge of the spouse. People victimized because of their religious beliefs, sexual orientation, or racial background are considered to be passive victims. These victims of hate crimes often are unaware of the intended aggression directed toward them, as evidenced by the victims of the bombing of the Oklahoma City Federal Building in 1995 and the thousands killed on September 11, 2001. The government was the target, and the victims were unaware of the intended aggression.

The concept of victim precipitation involves controversial issues. In cases of rape, for example, it has been suggested that some female rape victims contribute to their victimization by their actions and behavior (Amir, 1971). Although this position seems preposterous, evidence indicates that rape defendants have been acquitted because the jury accepted the argument that the victim "asked for it." In a celebrated Florida case, the clothing worn by a rape victim, which was described as a lace miniskirt with no underclothing, was successfully offered as evidence, contributing to the acquittal of the defendant (*Boston Globe*, 1989).

Evidence indicates that some people become crime victims because of their lifestyle or associations. Those who frequent areas prone to high crime activity or hang out with deviant types are more prone to victimization than those who choose safer environments or associate with more stable people. Researchers have suggested that when offenders come together in social encounters prompted by excessive alcohol use, uncontrolled rage, mental instability, depression, or frustration over socioeconomic status, a violent offense is likely to occur. In these situations, either party can be victim or offender. These situations are magnified when cultural differences or competition for employment, housing, or social recognition are factors (Hindelang, Gottfredson, and Garofalo, 1978; Lashley, 1989; Wolfgang, 1967).

The homeless are often passive victims of predatory crime. To be homeless is to be placeless, where life consists of attempts to survive in places that offer little protection from predators. Homeless people are often dropouts, often with no relationships with relatives or significant others. Their mental state, anonymity, and lack of resources make them vulnerable to predatory offenders and other deviant types (Fitzpatrick, Lagory, and Ritchey, 1993). In addition,

some homeless men and women are depressed or mentally unsound, making them easy targets. Predators recognize that some homeless people have disabilities and so are more likely to receive financial support. The homeless, whose ranks include juveniles and other disenfranchised people seeking security in the streets, free from the authorities, are not likely to report their victimization. Also, to survive, some homeless persons resort to criminal activity, such as prostitution, theft, or selling drugs. As a result, they are not likely to be reported as missing by family or friends. These victims are part of an anonymous subculture of violence and deviance.

Spatial Relations

Good fences make good neighbors.

—Robert Frost, from "Mending Wall"

Spatial relations and victimization can be intimately connected. The spatial relations of the community provide an opportunity for victimization. Both criminals and victims often live in physical proximity to one another, coexisting in socially disorganized, high-crime communities (Fagan, Piper, and Cheng, 1987). This is not to suggest that victims encourage crime, but rather that their normal activities make them targets for the motivated criminal (Garofalo, 1987: 234–240). Unfortunately, many people are unable to afford the luxury of gated communities or the strong fences needed to deter predators.

Research conducted by Sherman, Gartin, and Buerger (1989) revealed that some communities are considered dangerous places or have crime "hot spots" requiring a continuous police presence. The probability of victimization is high for those living in or frequenting areas that have drug houses or so-called nuisance bars. These communities commonly have a number of deteriorated buildings, low-rent apartments, abandoned vehicles, liquor establishments, large gatherings of unemployed young people, graffiti, overt prostitution, and drug dealing. In other words, the physical environment, along with the type of people in the area, sets the stage for crime and victimization. Many law-abiding citizens living in these areas are victimized simply because they are in contact with criminal types.

More recent research on spatial relations theory and crime victimization is known as the *spatial syntax theory* (Hillier and Shu,1999). Space syntax is a system for analyzing the connectivity of street patterns and its relationship to factors such as pedestrian activity and crime. It defines connectivity in multiple ways, the most common being the number of corners one must turn to get from one place to another. Space syntax also measures connectivity with visibility, or how much of a street is visible from any other streets or intersections. The safest locations are on well-connected streets with plenty of foot traffic and many highly visible dwellings. An analysis of crime in London found the more residences on a street, the lower the crime rate. As the researchers concluded, "There is safety in numbers!" (Hillier, 2004). In other words, research indicates that the layout of street design, building placement, and building size are correlated with crime and other social conditions (Baran, Smith, and Toker, 2006; Nubani and Wineman, 2005). Spatial syntax components may be used as potential correlates of crime or any other social phenomenon.

Related to space theory is the **broken windows theory** (Kelling and Coles, 1996; Wilson and Kelling, 1982). As a community deteriorates, crime increases. Factors contributing to such decline are nonenforcement of building codes and overlooking of minor criminal conduct, such as public drinking. Other evidence suggests that high-crime communities in decay appear to

have very high concentrations of locations selling alcohol, further influencing incivilities and disorder (Roncek and Maier, 1991).

A vandalized, run-down area is a signal to the potential offender that the neighborhood lacks stability and protection. As Newman (1972) proposed with his **defensible space theory**, people are more likely to defend themselves from crime if they live in conditions conducive to reporting. Communities with clearly defined territories, natural surveillance, and an image of protection are less likely to be frequented by undesirable types and are more likely to resist the presence of criminals. The defensible space theory suggests that criminals victimize others if the chance that they will be detected is low. Thus detection and victimization are related to the physical environment in which incidents occur.

Another collateral theory on spatial relationships and victimization is the **routine activities theory** proposed by Cohen and Felson (1989). They argue that the motivation to commit crime and the number of offenders are constant. According to this theory, victimization has three requirements. The first is the availability of suitable targets (e.g., homes with valuable goods or vulnerable people, especially females and elderly citizens living alone). As addressed in Focus 2–1, students and young adults, especially females engaged in partying and other festive activities, run a high risk of victimization because they are suitable targets for sexual predators and date rapists (Schwartz and Pitts, 1995). Cohen and Felson suggested that some people are prone to victimization through their social interactions or living conditions, prompting others to take advantage of them.

The second requirement for victimization to occur is the absence of capable guardians. People living alone, especially senior citizens, are vulnerable because they lack someone to defend them against intruders. The lack of adequate police or security protection also contributes to victimization. For example, single parents with a number of children may have less money to use to protect themselves against intruders, especially in communities with high crime rates; may have few security measures in place; or may live in an area with slow law enforcement response (Maxfield, 1987).

The third requirement for victimization to occur is the presence of motivated offenders. Motivated offenders are more likely to victimize when a suitable target and an absence of capable guardians exist. Gang members may be motivated to burglarize or commit assault when opportunities are provided and the probability of anyone reporting their activities is low.

FOCUS 2–1
Disappearance in Aruba

On May 30, 2005, high school student Natalee Holloway was reported missing during her trip to the island of Aruba. Like many tourists, students often travel to the island for excitement and escape. In this case, Holloway had just graduated from high school and traveled to Aruba with friends to celebrate. Like many teens, Holloway and her friends engaged in risky behaviors (partying, excessive drinking, etc.) away from normal protections or guardians. In places such as Aruba, violent crime is uncommon, and there is an expectation of safety. Holloway appears to be the victim of foul play or some tragic accident because her body was not recovered, and she was last seen in the presence of several young men whom she met on the island. As of this writing, a Dutch student who reportedly was with Holloway on the evening she disappeared was questioned. This same student was later convicted in 2012 for the murder of another young woman in South America. Holloway reportedly was a very trusting but naïve girl, which may have contributed to her disappearance.

Studies suggest that homes that are well guarded (e.g., those in guarded, gated communities) are less likely to be burglarized (Maume, 1989). The message is that victimization is less likely to occur when measures are taken to reduce criminal opportunity and when the chances of detection are high. Criminal offenders will very likely attempt to flee to avoid detection or arrest. Operating under the premise that most rational offenders prefer escape to apprehension and detection, one can argue that the use of strategies to reduce the opportunity for victimization is highly desirable. Unfortunately, many citizens are without resources to control or secure their environments or to leave communities to avoid victimization.

New Technology

Our reliance on and appetite for technology, which is pleasurable, informative, and indeed necessary, is quickly becoming a new area of victimization. There are those who exploit the benefits of technology to victimize the young, immature, or naïve. Others use computers to sabotage or to inflict terror, referred to as cyberterrorism.

A **cybercrime** is a criminal offense that has been devised or made possible by computer technology or is a traditional crime that has been transformed by the use of computers. Distinct types of computer-related crimes lead to victimization. The major crimes that include violence are the following:

- Criminal threats
- Stalking (cyberstalking)
- Threatening or annoying e-mails
- Distribution of child pornography
- Luring and enticement
- Computer hacking

The perception of cyberspace lowers people's inhibitions, encouraging them to say things they might not say when they are face to face with another person. People are anonymous online (no one really knows with whom they are interacting) and are far away from each other physically. Anonymity and physical distance mean that people online are protected from the immediate consequences of their actions. This impersonal connection has a desensitizing effect on the cyberspace bandit.

Computer bulletin boards and chat services can be dangerous, especially for children who then have ready access to sexually explicit material. Most cybervictims are, in fact, children or teenagers. Predators contact them over the Internet and try to entice them into engaging in sexual acts. Cybercriminals also use the Internet for the production, manufacture, and distribution of child pornography. In response to this threat, the Federal Bureau of Investigation (FBI) initiated an undercover operation code-named **Innocent Images National Initiative** to target offenders who use computers to receive or disseminate child pornography and lure minors into illicit sexual relationships (see Focus 2–2).

The FBI reported that between fiscal year 1996 and fiscal year 2003, the Innocent Images National Initiative recorded more than 9,000 new cases, more than 2,000 indictments and arrests, and more than 2,500 convictions. Also, under federal law, The Communications Act of 1934 criminalizes anonymous harassment by a telecommunications device. Congress recently amended the law to criminalize anonymous harassment via the Internet.

Troubled or rebellious teens seeking emancipation from parental authority can be especially susceptible to Internet predators. The risk of victimization is particularly great for

FOCUS 2–2
A Case of Online Luring

In 2002, a 15-year-old girl disappeared from her home. Her parents reported that she was on the Internet frequently and may have become the victim of Internet enticement. The local police requested FBI assistance. Several days after the report, the FBI received a telephone call from an anonymous individual who stated he was online in a chat room with the topic of sadomasochism. The caller said a person in the chat room was bragging and sending real-time photographs of a young female he identified as his sex slave, who he was allegedly molesting and torturing. The FBI determined the girl in the photographs was the 15-year-old reported missing. The Internet Protocol (IP) address of the perpetrator was retrieved, and the Internet service provider was subpoenaed to obtain the identity and address of the subject. When the subject's home was identified, the FBI and local police convened at the location, made forcible entry, and recovered the victim. The victim was found restrained to a bedpost with a dog collar around her neck and a chain with two padlocks. She was clothed only in thong underwear and had visible bruises. The kidnapper was arrested and prosecuted (Federal Bureau of Investigation, 2005).

emotionally vulnerable youth dealing with issues of sexual identity. In 1999, Dr. David Finkelhor conducted a research survey on Internet victimization of youth (Finkelhor, Mitchell, and Wolak, 2000). The report contains the following statistical highlights:

- One in five youth were approached sexually or received a solicitation over the Internet in the last year.
- One in 33 youth received an aggressive sexual solicitation in the last year; that is, a predator asked the young person to meet in person, called on the phone, and/or sent correspondence, money, or gifts through the mail.
- One in four youth had an unwanted exposure in the last year to pictures of naked people or people having sex.
- Only a fraction of all episodes was reported to authorities such as the police, an Internet service provider, or a hotline.

More evidence of potential abuses was reported in a study of online usage of more than 1,200 teenage girls between the ages of 13 and 18 years (Roban, 2002). It was revealed that many entered certain chat rooms without their parents' knowledge. More than 80% of the girls reported that they make their own online decisions regarding whom to chat with. Although girls may act older than their years, many are still naïve and vulnerable and are swayed by online contacts who express caring and emotional sentiments toward them. This type of emotional vulnerability attracts predators and others seeking so-called cybersex. Whereas cyberromances are rare, face-to-face interactions between young girls and online contacts do occur, which reveals that common sense does not always prevail.

In an unusual case of online harassment and cyberbullying resulting in the suicide of a 13-year-old female, in 2006, a neighborhood mother, her 18-year-old employee, and her 13-year-old daughter were accused of creating a fake Internet profile of a teenage boy that was used to send harassing messages to the teen. In 2008, charges were brought against the women. Although many of the respondents reported that their parents set specific ground rules for using the Internet, nearly 45% admitted breaking these rules at least once. When confronted with pornography or sexual harassment online, fewer than 7% reported it to their parents.

Summary

This chapter provides an overview of the impact of victimization and some significant theories on victimology. The theories presented are not intended to explain all types of victimization because there are exceptions and some types overlap. Also, some cases of victimization do not fit neatly into any of the typologies presented. However, violent victimization can occur in any community, regardless of its socioeconomic makeup or the availability of capable guardians.

Although theories are open to criticism and sometimes appear to state the obvious, they suggest that victimization is associated with lifestyle, behavior, and personal characteristics of the individual. By understanding how and why people are victimized and the factors associated with victimization, the development of systemic prevention and response strategies is possible. The literature is replete with studies on crime and the categorization of criminal types, but a need exists to examine the victims of crime and the events that led to the victimization. People should be educated in ways to avoid becoming victims. Later chapters examine specific types of victimizations and review approaches and strategies to control the chances of becoming a victim of violence.

Key Terms and Concepts

Active precipitation
Active victim
Battered women's syndrome
Broken windows theory
Cultural trappings and victimization
Cybercrime
Defensible space theory
Innocent Images National Initiative
Passive precipitation
Passive victim
Personal factors associated with victimization
Post-traumatic stress disorder (PTSD)
Rape trauma syndrome
Routine activities theory
Self-victimization
Situational victimization factors
Spatial relations and victimization
Victimology
Victim precipitation theory

Discussion Questions and Learning Activities

1. Compare, contrast, and critique the routine activities theory.
2. Write a paper taking the position that some crime victims are responsible for their victimization. What theories or examples would you provide to support this position?
3. Identify and explain the five victim categories offered by Sellin and Wolfgang.
4. Consult local newspapers or other news sources and find examples of the routine activities, lifestyle, proximity, and victim precipitation theories. Report your findings to the class.
5. Visit a police department and interview officers who patrol high-crime areas. Ask them to relate, from their experiences, how some people become crime victims.
6. Do a content analysis of victimization in the media. That is, watch a film or television show about crime and violence, and list the extent and type of victimizations depicted. How often are women victimized? Children? Are any of the victimization theories presented in the film or television program?
7. Research court decisions from your jurisdiction or interview a defense attorney and find out how often the defense of battered women's syndrome is used. Has PTSD been used successfully in any cases?
8. Do you agree that technology is becoming a medium of victimization? How?
9. Which victimization theories would apply in the Holloway case (Focus 2–1)? Can you find other examples in which someone disappeared and was never found? Discuss the events of the case.
10. Explain the culture of victimization discussed on page 23. Do you feel that victimization in some instances is misrepresented or overstated? Why?

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3

Victims of Familiar Violence

LEARNING OBJECTIVES

After studying this chapter, you will:

- Be familiar with stalking laws
- Understand the victimization associated with stalking
- Understand the situations leading to violence between intimates
- Understand the laws relating to domestic violence
- Understand the laws dealing with acquaintance or date rape
- Learn how the criminal justice system responds to violence between intimates
- Understand the circumstances leading to intimate violence and dating violence

INTRODUCTION

Familiar or intimate violence includes murder, rape, robbery, or assault committed by spouses, ex-spouses, boyfriends, girlfriends, or other acquaintances of the victim, as well as stalking behaviors, which are often a prelude to violence. Both males and females commit such crimes and are victims; however, women and children are more likely to be targets.

Victims of familiar violence may be physically injured or threatened with injury unless they comply with the demands of the offender. They are often targets of jealous or possessive acquaintances, ex-spouses, or admirers unknown to the victim. This chapter explores the dynamics of intimate violence, including violence to spouses, significant others, dates, elders, and children.

THE STALKING PROBLEM

We are going to slice her up like meat on a bone and feed her to the dogs.

—Letter written to actress Catherine Zeta-Jones by her convicted stalker

When examining the dynamics of intimate violence, there is a need to study **stalking** behavior. Stalking is often a prelude to violence, perpetrated either by former partners, acquaintances, or strangers. Data released by the National Center for Victims of Crime indicate that 81% of women who were stalked by a current or former husband or cohabiting partner were also physically assaulted, and 31% were also sexually assaulted by that partner. Seventy-seven percent of female victims were stalked by someone they knew, whereas 64% of male victims were stalked by someone they knew. Victims of stalking include both people presently in imminent danger and those with danger continually pending but not at immediate risk of harm. On college campuses, students stalking other students is an emerging problem, which often goes unreported. National studies show an alarming number of college women have been the victim of a stalker, and the majority said it wasn't by a stranger. Most victims said they were threatened by an obsessive boyfriend or ex-boyfriend. Although stalking has been practiced for some time, the conduct first captured public attention as a result of the 1989 murder of actress Rebecca Schaeffer, co-star of the TV series *My Sister Sam*, by a deranged, obsessed fan. In 2007, celebrity Sandra Bullock and her husband were stalked by an obsessive female fan. In 2008, a former psychiatric patient was indicted for writing to Uma Thurman threatening to kill himself if he saw the actress with another man. He was accused of stalking Thurman for 2 years.

Women are not, however, the only victims of stalkers. The National Institute of Justice's *National Violence Against Women Survey* estimates that more than one in four of the nation's 1.4 million annual stalking victims are men. And despite the impression given by the movie *Fatal Attraction*, 90% of the men stalked are targets of other men. Experts say the motive can be romantic jealousy, with gay men being the most likely victims of male-on-male stalking (National Center for Victims of Crime, 2000). However, the stalking of men often is linked to the high-profile positions that the targets, often entertainers, politicians, and other well-known figures, hold in society.

In 1998, without invitation, Margaret M. Ray entered talk show host David Letterman's New Canaan, Connecticut, home while he was away. She and her son slept in his bed, watched television, and drove around in his Porsche. She was eventually caught at a tollbooth without any money, claiming to be his wife. Another notable example of stalking is when Jonathan Norman, a bodybuilder, made verbal threats and unwanted visits to film producer Steven Spielberg. The obsessed, angry stalker was upset over Spielberg's rejection of his film script. Spielberg said, "The threat was very real to me. … No one before has come into my life in a way to do me harm or my family harm. … I really felt—and I still to this day feel—I am prey to this individual." Spielberg learned of Norman's plan to rape him while he and his family were in Ireland filming a movie. Norman was finally arrested after he made two attempts to invade Spielberg's Pacific Palisades palazzo in 1997. Norman was subsequently convicted and sent to prison (Willing, 1998).

Another trend in stalking is facilitated by electronic media. As discussed in Chapter 1, victimization through cybercrimes is very real. About 20% of the 600 cases reviewed by the Los Angeles district attorney's Stalking and Threat Assessment Team in 1997 involved some form of e-mail or electronic communication. An extreme case from Los Angeles involved a woman who was victimized via the Internet by a former boyfriend, who allegedly placed personal ads on the Internet in her name that made it appear she was seeking to fulfill fantasies of being raped. It was reported that on six occasions men came to the woman's home in response to the ads before investigators solved what became the first crime to be prosecuted under California's cyberstalking statute (Miller and Maharaj, 1999). Under the statute, passed in 1998, an offender can be charged with stalking, computer fraud, and solicitation of sexual assault. The law also updates California's antistalking laws to include threats by e-mail, pagers, and other forms of electronic communication.

> *If you've read much about serial killers, they go through what they call different phases. In the trolling stage, basically, you're looking for a victim at that time. . . . You can be trolling for months or years, but once you lock in on a certain person, you become a stalker.*
>
> —Dennis Rader, serial murderer

Stalking is not restricted to the famous, however. Ex-spouses, coworkers, acquaintances, and strangers also stalk. As indicated in the preceding quote by Dennis Rader, dubbed the BTK killer, who killed 10 people in the Wichita, Kansas, area between 1974 and 1991, the stalker might even be your respected neighbor. Rader was married with two children and served as a Boy Scout leader and president of his local church council. He also stalked and killed women to fulfill sexual fantasies.

Like most of Rader's victims, women are especially prone to stalking. However, former spouses or acquaintances stalk most victims. It is estimated that intimate partners stalk more than 1 million women and 371,000 men each year (Tjaden and Thoennes, 2000). In response to the stalking problem, all states have passed laws that seek to prevent stalking and punish those who engage in it. California passed the first antistalking law in 1991. Since then, all 50 states have passed similar laws (National Institute of Justice, 1993: 12–13).

What are the motives of stalkers, and why do they become so obsessed with particular people? Zona, Palarea, and Lane (1998) provided a comprehensive interpersonal typology based on the relationship between the victim and the offender. The researchers gathered data from law enforcement agencies and classified stalkers into the following four categories:

Simple obsession. The victim and the perpetrator have had a prior relationship. This stalker category is considered the largest and probably the most threatening to the victim. The motivation behind these stalkers may be coercion to reenter a failed relationship or revenge by making the life of the former partner miserable. The use of fear tactics and harassment is typical of this category. Common examples are former spouses who stalk because of jealousy and anger, as in the case of Nicole Simpson who, with Ronald Goldman, was allegedly murdered by estranged husband O.J. Simpson in 1996.

Love obsession. This type is the obsessed fan or celebrity stalker, such as the stalkers of David Letterman and Steven Spielberg. Generally, no prior relationship exists between the victim and the stalker. The victims are usually known through the media or Internet. Unfortunately, a large number of these stalkers may be suffering from a mental disorder, such as schizophrenia, making it difficult to predict what they will do.

Erotomania. **Erotomania** is a love obsession with an unwilling or unaware target. Much of the information on stalking resulted from the psychiatric study of erotomania and psychological studies on sexual harassment (see the case of Laura Black in Chapter 5) (Meloy, 1998). These cases differ from the simple and love obsession groups because the stalker falsely believes that the victim is in love with him or her. Many perpetrators are female, with the majority of victims being older males of higher social status. There are even examples of students stalking their teachers under the delusion that the teacher is in love with them.

False victimization syndrome. In this group, the stalker may accuse the victim of stalking to foster sympathy and support from those around the stalker. The majority of these perpetrators are female, and their motive seems to be attention. They may also falsely accuse another of harassment or crimes such as rape.

Whatever the motives, stalking generally involves any one of the following behaviors:

- Watching or following someone
- Making threatening or harassing phone calls or hang-ups

FOCUS 3–1
Shannon's Story

Shannon worked as waitress. She was 21, had a son, and recently broke up with the father of her baby. Later she met Tom, one of the customers at the restaurant where she worked. They began dating.

About 3 weeks into the relationship, Tom asked Shannon to marry her. Shocked and flattered, she asked him to give it some time. But a few days later something happened that really unnerved her. They were out driving when Tom saw his ex-girlfriend. He stated that he had an injunction against her for breaking the windows in his house and slashing his tires. Shannon became suspicious and had him checked out with a friend who was a police officer. It was found that Tom had a record for criminal mischief and grand theft. He'd been in jail for assaulting a police officer and had charges of lewd and lascivious acts with children.

Shannon broke off the relationship, but Tom continued to come to the restaurant for hours and stare at her. One night Shannon found a note on the windshield of her car. The note threatened her that she would be harmed unless she would meet with him soon. Shannon drove to his place and told him she never wanted to see him again and to quit coming to the restaurant. Tom hit her in the face. Terrified, Shannon drove away and called the police. When the police arrived at Tom's, he said that Shannon had struck him. No arrest was made. The next day Tom left a threatening note on her car and called and threatened to kill her. About a week later Shannon went to pick up her son at day care. The gas gauge showed empty, even though it was recently filled up. Apparently someone had loosened the gas hose. Then the calls started at work. Tom would say, "I'll get even with you. I'll make you hurt like you hurt me." Similar messages were left on her home answering machine. Over the next 3 months, the terrifying events escalated, starting with a friend's car being rammed one night by Tom. Shannon was the fourth woman who said that Tom had done something like this. Tom was later arrested.

- Sending hate mail
- Making verbal threats to the intended victim or a family member
- Vandalizing personal property
- Making drive-bys
- Sending unwanted love notes, flowers, gifts, and so on

Stalking behavior may also fall into other categories. Some stalkers with no violent motive simply want to follow a target and have no personal contact. Their intent is to experience the other person's activities. Others, such as Dennis Rader and other serial killers and sex offenders, may stalk a target with the express purpose of committing murder or sexual violence.

Stalking may begin with a chance encounter and then escalate into a violent attack. Focus 3–1 illustrates how innocently stalking can begin and how it can become a nightmare for the victim. This is a true story about a stalker and how the victim managed to deal with the situation.

Generally, former husbands are stalkers, and their motives can be violent. The data in Table 3–1 indicate a number of motives for stalking ex-spouses, including frightening, provoking arguments, or shouting or swearing at her. Also, evidence shows that husbands or partners who stalk their former partners are four times more likely than husbands or partners in the general population to physically assault their targets, and they are six times more likely than husbands and partners in the general population to sexually assault their targets. These data suggest that anyone associated with the target or known by the stalker (particularly a male friend or confidante) may be victimized as well.

Antistalking Legislation

Before the passage of antistalking legislation, victims were generally told that nothing could be done unless the stalker tried to harm them physically. Currently, the primary intent of **antistalking legislation** is to stop those stalkers who threaten and harass before they commit violent acts.

TABLE 3–1 Percentage of Ex-Husbands Who Engaged in Emotionally Abusive or Controlling Behavior, by Stalking

Types of Controlling Behavior	Ex-Husbands Who Stalked (%) (*N* = 166)
Couldn't see things from her point of view	87.7
Jealous or possessive	83.7
Tried to provoke arguments	90.3
Tried to limit her contact with family and friends	77.1
Insisted on knowing where she was at all times	80.7
Made her feel inadequate	85.5
Shouted or swore at her	88.0
Frightened her	92.2
Prevented her from knowing or having access to family income	59.6
Prevented her from working outside the home	30.7
Insisted on changing residences without her consent	33.9

Note: Based on responses for first ex-husbands only.

Source: Office of Justice Programs. 1998. *Stalking and Domestic Violence in America: The Third Annual Report to Congress under the Violence Against Women Act.* Washington, DC.: U.S. Department of Justice.

As of 1999, all 50 states, the District of Columbia, and the federal government enacted laws making stalking a crime. The laws vary in defining the specific behaviors outlawed and the penalties of violation. In brief, the 50 states' laws treat stalking as a felony offense; however, many states do not necessarily make a first stalking offense a felony, unless there is an associated offense such as a weapons violation (Miller and Nugent, 2002).

The protections against stalking usually involve court orders, often termed stay-away, protection, or **restraining orders**, which are issued to prohibit contact between a victim and another person (stalker or ex-spouse). These orders typically prohibit a defendant from communicating with the victim and from entering his or her residence, property, school, or place of employment. The orders can also prohibit an alleged stalker from visiting a place frequented by the victim or from coming within a certain distance of the victim or the victim's family members. The orders must specify, however, where the defendant cannot go (e.g., a specific club or office).

In most states, law enforcement officials can make warrantless arrests based on probable cause if they believe that a person has violated an order. In many jurisdictions, violating the order is a misdemeanor and may result in civil or criminal contempt charges against the defendant. In some states, such as California, the police can obtain emergency orders from a magistrate during nonbusiness hours, until more formal orders are available.

The U.S. Supreme Court ruled in ***United States* v. *Dixon*** (1993) that the police can enforce protection orders through criminal contempt proceedings, in addition to bringing subsequent charges based on the same conduct. This ruling prohibits the use of the constitutional claim of double jeopardy. Thus criminal prosecution of a defendant who violates a protective order does not bar a subsequent prosecution for stalking if the incident involving the violation of the protective order is considered stalking behavior.