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## CRIMINAL-VICTIM RELATIONSHIPS

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## Victim statistics

To say that crime statistics cannot satisfy the demands of criminologists is a traditional cliché. Indeed, official crime statistics seem unable to cope with the difficulties of drawing an accurate picture of the amount of crime and the number of criminals; and victim statistics, if any, offer even less information. Ever since Moreau de Jonnés pointed out the difficulties of evaluating statistical data,<sup>50</sup> and Adolphe Quetelet urged the first session of the International Statistical Congress in Brussels in 1853 to develop „scientific” criminal statistics,<sup>51</sup> a long list of publications have recommended better techniques and more useful methods of describing the crime problem.<sup>52</sup> The despairing views of the Mixed Committee of the International Statistical Institute and the International Penal and Penitentiary Commission, released shortly before World War II, helped to keep alive the pessimistic school of thought in judging crime statistics.<sup>53</sup> A recent major effort has been made by the President’s National Crime Commission, however, and hope must not be abandoned for a successful struggle against the “dark figures” and intelligent victim statistics.

At present a number of factors distort the reliability of crime statistics. One is the emergence of certain “topical crimes.” These are acts that are considered crimes only during the time of a specific temporary situation. Conduct is punished not because it is criminal; application of the penalty creates the criminal. Changed economic conditions, war or revolution, political upheaval, and other transient conditions may prompt the ruling power structure of a society to change permitted conduct into prohibited conduct. This increases the number of both criminals and victims. Other factors also make it impossible to isolate accurately the number of these temporary offenders and temporary victims and may increase the statistical distortion.

Also, variations in the legal system can hamper observations: for example, changes in procedural provisions,<sup>54</sup> different methods in proceedings,<sup>55</sup> changes in administrative efficiency and policies,<sup>56</sup> variations in court decisions. But in the main acts newly defined as crimes (new law) and variations in the definition of offenses are responsible for dislocations and distortions in crime statistics. This, too, may indicate that crime is made by law.

Variations in reporting also frustrate efforts to state the crime problem accurately. The social or economic power of “white collar criminals” hinder or stop reporting; often the victim of certain crimes is reluctant to report because he fears discriminatory social consequences if it becomes known that he is a victim.

Also, there are different types of crime statistics, which view crime from different angles. Police statistics, court statistics, correctional statistics, and other statistics may blur the statistical picture. Types of data, methods of collecting data, nomenclature – all differ in accordance with the purpose of each statistical work. “Uniformity is a constant problem of police statistics and this is true to a much greater extent for court and correctional figures.”<sup>57</sup>

Crime statistics ought to be the “lawmaker’s chart, compass, and lead”;<sup>58</sup> not only should they give facts, they should indicate an interpretation of these facts.<sup>59</sup> But today’s man of research must use them despite all their shortcomings. It is due to necessity rather than approval if “there seems to be a wide-spread disposition on the part of writers in the field of criminology, including many social scientists, to assume that published crime figures are sufficiently accurate to afford a basis for comparative studies as well as rather profound conclusions as to differences in crime trends among areas and states.”<sup>60</sup> Crime statistics, to the extent that they present a numerical analysis of crime and criminals, are sources of error, and even less reliable knowledge is obtainable if they concern the victim. However, if critical analysis and controlling procedures are applied to official statistical tables, the merit of some statistics in a variety of crime problems can be readily recognized. Permissible generalization is one thing, and findings regarding a specific sample is another; it is unfortunate how often we tend to confuse them and to use the method of investigation of one for that of the other.

The Federal Bureau of Investigation suggests that “a crime rate for practical purposes should be considered as a victim risk rate”; and since the crime rate projects the incidence of crime to the given population (in other words, it is a statement of numerical proportioning), “crime rates do not represent the number of criminals but, more accurately, the number of victims.”<sup>61</sup> In the very broadest sense this is true, yet this crude measure is hardly more than a general warning to victim-risks in general. It shows proportionately how much of the total population is exposed to the risk of victimization but does not demonstrate the wide variety of criminal-victim relationships that specifically indicate exposure to risk. Also, the difference between the clearance of offenses (called “police solution rate”) and crimes actually committed may distort the figures: law enforcement agencies cannot be expected to work miracles, a perfect police force does not exist, and there is no place in the world where – at least in terms of surface figures – the number of victims would not surpass the number of criminals. In fact, the police solution rate seems to be decreasing, while the known number of victims has increased.<sup>62</sup> Furthermore, it is not only the unsolved crime that is a source of anxiety, but also the unsuspected crime.

The FBI Uniform Crime Reports provide certain characteristics of the victim with respect to murder. This analysis is related to the weapons used and to a percental tabulation of murder victims by age, sex, and race. In addition, a recent edition presented the findings of a survey conducted in the metropolitan area of Washington, D.C., in which the age and place of residence of the victim and offender were compared. Along with police employee data, the Uniform Crime Reports give a nationwide view of the number of police officers killed and, the number assaulted, projected to geographic divisions and population groups.<sup>63</sup> However, no other direct information about the role of the victim is available, and the student of criminal-victim relationships must struggle along with scarce empirical material.

Lack of adequate victim-statistics is one reason for our lack of knowledge about the cost of crime. For decades there has been a deep concern about crime. The public is shocked by crime waves. People and politicians talk about a “war” against crime. Crime has become the favorite news topic after economics. There is a boom in public interest in crime. However, we just don’t know how heavy a burden crime is upon American society. The total loss caused by crime is not known.

The Uniform Crime Reports for 1965 partially estimates the value of property stolen at \$629,700,000; 52 percent of it (\$324,500,000) is said to be recovered.<sup>64</sup> Stolen automobiles head the list with the highest loss (\$332,900,000); but stolen currency, notes, jewelry including precious stones, furs, and clothing also considerably raise the cost of crime. J. Edgar Hoover, Director of the FBI, some time ago estimated the total at \$22 billion, an amount much greater than annual donations to churches, and averaging about \$500 for each American family.<sup>65</sup> In 1931 the Wickersham Commission (more properly named the National Commission on Law Observance and Enforcement) made a careful study of the subject, and estimated that the administration of justice, institutional costs, private insurance and protection, law enforcement, and related items alone cost a billion dollars. This amount, of course, is apart from the amount lost to crime itself, and apart from the thousands of nonmaterial effects of crime, mainly crimes against the person (homicide, rape, kidnapping, assault, and so on).<sup>66</sup>

Donald R. Cressey is not alone in suggesting that these estimates are completely worthless: “In the first place, they are principally guesses; and in the second place, they are based on unwarranted assumptions.”<sup>67</sup> Barnes and Teeters suggest that crime is known to be “fantastically” expensive, but “it is difficult to estimate even its approximate cost.”<sup>68</sup> Gerhard Mueller rightly thinks that on the dollar cost of crime “we are totally in the dark.”<sup>69</sup>

## Sex differences

The difference in crime rates between males and females has been known to the criminal sciences ever since the volume of crime has been observed from a statistical viewpoint. From the very beginning of criminal statistics it was the first classification of offenders and a natural one. Everywhere throughout history men have committed more crimes than women.

The sex difference in crime rates is not well understood, and there have been different explanations. Lombroso studied the problem and proposed as an explanation that prostitution was a substitute for crime. According to his hypothesis, if the full scope of prostitution were known and if it were to be regarded as a crime, the crimes of the two sexes would be roughly equal in frequency.<sup>70</sup> Napoleon Colajanni proposed that males and females would commit a similar amount of crime if they were equally exposed to the societal factors.<sup>71</sup> Otto Pollak also contended that the tendency toward crime in males is not greater than that in females, but that the “masked” criminality of women hides their crimes from detection.<sup>72</sup> Schafer hinted at the presexual and postmenopausal states females, and attempted to answer the problem by referring to the different hormonal balances.<sup>73</sup>

There is much disagreement about the quantitative difference between the criminality of the two sexes; at best the degree of this difference can be explained by cultural and social forces in different cultural and social groups. The Uniform Crime Reports show that in the United State, for all criminal offenses, men are arrested eight or nine times more often than women. However, in the case of violent crimes (homicide, aggravated assault, theft with violence) female offenses are even less frequent; males are arrested some fifteen or sixteen times more often than females. Schafer found slightly more female aggravated assaults than female thefts with violence.<sup>74</sup> Wolfgang, who combined sex and race factors, came to the conclusion that “the difference in the frequency of criminal homicide is significantly greater between the races within each sex than difference between the sexes within each race.”<sup>75</sup>

Victims are not markedly different from criminals. Here, too, there is a lower proportion of females. The President’s National Crime Commission found that the rates of victimization shown for certain indexed offenses against men are almost three times as great as those for women.<sup>76</sup> However, the proportions appear much closer in violent crimes. In homicide, assault, burglary, and robbery cases males are victims of crime only about four times more often than females, a proportion significantly different from that when the two sexes are compared as offenders. To put it another way, females are more often the victims of violent crimes than of other kinds of crime.

The proportion of male to female homicide victims seems to be atypical; comparisons tend to confuse any attempt at a universal social diagnosis. In Schafer’s findings in Florida 43 percent of the homicide victims were females, a ratio of almost one to one.<sup>77</sup> Wolfgang found in Philadelphia, among white homicide victims, that 27 percent were females, a ratio of approximately three males to one female.<sup>78</sup> In England and Wales, however, female murder victims consistently outnumber male victims; the proportion is about three to two.<sup>79</sup> Veli Verkko claimed that as a general rule the proportion of female homicide victims is small in countries where the frequency of crimes against life is relatively high;<sup>80</sup> but this does not seem to apply to England and Wales, where criminals statistics show a rather high rate of murder. In any case, the legal definition of murder and other forms of homicide is different in different states and countries; in the absence of reliable comparative tools no international analysis can be made without error.

Hentig attributed the high proportion of female victims to the fact that the female is relatively weaker; in other words, the female can be overcome by the superior physical force of the male.<sup>81</sup> However, this assertion would be valid only if it were true that all or most violent cases of crime involve male doers and female sufferers; or if it could be hypothesized that in these male-against-females dramas the female’s conduct precipitated or provoked more violence than did a male’s conduct in the clash. Schafer’s findings do not support Hentig’s speculations since in Florida male criminals attacked males over three times as often as females, and female criminals attacked females even times less often than males.<sup>82</sup> This would indicate that males not only constitute the great majority of criminals, but also are exposed to a higher victim-risk in violent crimes than females.

Crimes committed by the male outnumber those committed by the female – not only in general and in crimes of violence – but also in all age groups. Male criminality is slightly higher between the ages of 41 and 50; female criminality is slightly higher (but still consid-

erably less than male criminality) among women who are 51 or older. Age groups of victims correspond roughly with those criminals; this becomes obvious if it is assumed that crimes of violence most often occur in personal situations in which difference in age of those concerned is not strikingly great. Nevertheless, among males mostly those under 21 and those who are 51 or older are most frequently victimized. But in the oldest age group – 61 and over – clearly the largest group of sufferers are females. The longstanding speculation about the old woman as a victim type is supported by empirical data.<sup>83</sup> Also, the longer life span of females might be one explanation for the heavier proportion of victimized old women: since women live longer, there is a greater chance that they will be victimized. Old women may be exposed to higher victim-risks for other reasons as well. Physically they are weak; they may be defenseless if they have suffered social rejection; often they keep their money and their valuables in their homes; they may feel insecure and lonely; they may be egotistic and thus irritate the younger generation. Other factors, including regression within the personality structure and the particular relationship of the senescent individual to the social environment, may also expose them to higher victim-risks.

### Interpersonal relationships

Since motives cannot direct action in a vacuum, the interpersonal relationship of victim and criminal is of prime importance.<sup>84</sup> Mobilization of energy toward criminal activity and the level of emotions that directs behavior are often influenced by the particular relationship of the doer and his sufferer. The marital status of the offender and/or the victim – or the fact that one person is the spouse, child, parent, or other relative; or a friend or an acquaintance of the other person, or a stranger (third person) to him – may contain the seeds of a crime.

It has been shown that in Florida the greatest number of violent criminals was among married persons of both sexes; the smallest number was among widowed and divorced persons. This may cast some doubt on the validity of the general belief that marriage must take credit for having a strong restraining influence on crime. This assumption is based on the fact that in the overall prison population in America marital status shows up with definite significance in statistics: married men have the lowest rate of commitment, and divorced offenders the highest.

The significance of the family is supported, however, by other empirical data. In Florida more than half of the violent crimes were committed by persons who had no children in their household at the time of the crime. Moreover, criminality seems to decrease in almost direct proportion with the number of children in a family – from families with only one child to families of five or more. Children under 17 in a household had a strong correlation with a lower proportion of male criminals.

From the viewpoint of the victim, again married persons head the list for frequency. Married persons of both sexes are more often victims of violent crimes than persons in any other marital status. It has also been observed that legally divorced individuals are less often victims of violent crimes than those who are separated but not divorced. Among per-

sons most often victimized (married individuals) and among those who are least exposed to victimization (divorced individuals) the relative number of females is higher than in any other category; among widowed persons, the two sexes are equal victim-risks. It might be conjectured that the responsibility that comes with marriage may expose a person to more conflicts than a single person is exposed to; and, if the matter is viewed from another angle, greater criminal profit may be expected from established married persons than from other individuals.

The marital and family status of the criminal participants, the sufferer and his doer, is more important if it concerns their interpersonal relationship. Almost all crime statistics evidence the dominance of the "stranger" (third person) victims, followed in frequency by those who are victimized by friends or acquaintances. Relatives, spouses, and children are attacked more than four times less often than those who are in other relationships with the criminal. However, the primary group contacts gain significance mostly in crimes against the person, and first of all in homicide cases. Wolfgang has shown that categories that involve close friends, family members, paramours, and homosexual partners constitute 65 percent of all criminal-victim relationships.<sup>85</sup> The President's Commission on Crime in the District of Columbia found that some 80 percent of the murder and aggravated assault victims and their offenders are acquainted or related.<sup>86</sup>

The frequency of close-contact victimizations is clearly detailed by Gibson and Klein. Their research in England shows that for over 40 percent of all women murder victims the suspect was the husband; for about 25 percent, the suspect was either a relative or a lover. However, they found the relationship of murder victim to criminal very different for men since, at least in England, very few women kill their husbands or lovers, and male victims are less of ten related in any way to the murderer.<sup>87</sup> In contrast to this, Wolfgang found that when a man was killed by a woman, "he was most likely to be killed by his wife," and when a woman was the homicide offender "she was more likely than a man to kill her mate."<sup>88</sup> Schafer's investigation indicates that, relatively speaking, female criminals commit violent crimes against their spouse almost three times more often than do males, and nine times more often against their children. Also, violent crimes against friends and acquaintances are relatively more frequent on the part of females.<sup>89</sup> The President's National Crime Commission called attention to the finding that in 1965 killings within the family made up 31 percent of all murders, and over one-half of these involved spouse killing spouse and 16 percent parents killing children.<sup>90</sup>

Male criminals dominate the category of crimes against the stranger (third person). Despite the full emancipation of women, their area of conflict seems to be smaller, and their less frequent contact with the outside world more or less confines their potential circle of crime to the family, relatives, and friends.

## Age Differences

There is little disagreement in accepting age as one of the most decisive factors in crime. The division of offenders into juvenile delinquents and adult criminals goes back a century and has been introduced into most legal and penal systems of the world. The concept of youthful or young adult offenders, the consideration of the special aspects of the aging criminal, the classification of prisoners according to age groups – these and similar matters all claim our interest concerning age differences in crime. Age is one of the few crime factors that can be reflected in official statistics. Thus different age groups of offenders are open to a variety of investigations and analysis. Age groups of victims are customarily not classified, and no general statistical profile is available for them as it is for criminals.

In recent years the younger generation (20 years of age and under) has had the highest crime rate; the next highest rate is for adults between 30 and 39. The age group of 20 and under ranks high in thefts with violence (robbery and burglary); offenders in the age group of 21 to 29 rank high in criminal homicide and aggravated assault. Gibson and Klein's murder data for England, Schafer's research on violent crimes in Florida, and Wolfgang's study of homicide in Philadelphia reveal similar patterns.

The crime rate declines in the age group over 40. Younger offenders seem to be more interested in criminal profit; older offenders seem more likely to commit violent crimes for emotional reasons. Over the total life span, including those who are 61 and over, these patterns are quite pronounced. Theft with violence declines in frequency with age. Criminal homicide increases with age.

As to age differences in the criminal-victim relationship, the indication is, as Wolfgang put it, "those who kill are younger than those who are killed."<sup>91</sup> Criminals seem to be five to ten years younger than their victims, at least in homicide cases. This difference does not change significantly in the case of female offenders, but they are of a higher average age. Pollak points out that women arrive at "the peak of their criminal activities" at a later age than men.<sup>92</sup> In other words female crimes are delayed. Wolfgang's data for Philadelphia support this statement; they show that females in the age group of 25 to 29 commit homicides at about the same rate as males of 20 to 24. Similarly, in Gillies' sample, the mean age of the males is 28 and of the females 31.<sup>93</sup> However, females run a greater risk of becoming victims at a younger age than males. The President's National Crime Commission has shown that the victimization rate for women is highest in the 20-29 years age group, for men this falls in the 30-39 years age category.<sup>94</sup>

Schafer's Florida figures indicate that the closer the relationship of criminals to victims, the less frequent are violent crimes; also, the younger the offender the higher the frequency of crime. The figures also show that parents and children are least likely to be victimized. Only an insignificant proportion of violent crimes are committed against the spouse by persons under 21 years of age. This is explained by the fact that there are a relatively low number of married persons in this age group. Moreover, such persons are in an early and presumably happy stage of marriage. In the age group of 51 and over, the settled and pre-

sumably peaceful course of marriage is a factor in keeping down the frequency of violent crimes against the spouse.

However, as the data for Florida show, in the upper strata of the older age group (persons 61 or older), the spouse was the major target of violent crimes. In fact, this is the only age group in which almost half the violent crimes were committed against the spouse. Compatibility in marriage may not be true in the last lap of life; it is also possible that the feebleness and mental disorders that are sometimes found in old age can provoke one against his spouse. Generally speaking, in every age group the spouse is a victim of violent crime more often than the child, parent, or a relative. The latter are victimized primarily by those in the age group of 21 to 40.

Although strangers (third persons) are victims of crime more often than any other category in interpersonal relationships, this frequency is highest in the age group under 21, and decreases with the age of the criminal. The older the offender, the more his crime is likely to be committed against his family, relatives, /and friends.

In the United States infants less than a year old account for over 1 percent of all murder victims; children under 14 account for some 6 percent.<sup>95</sup> In England this proportion is considerably higher; it is some 7 percent for infants less than one year old and over 26 percent for children under the age of 16. About three quarters of all victims among English children were murdered by a parent or older relative; girls between 5 and 16 ranked particularly high as murder victims in this category.<sup>96</sup>

## Educational background of the partners in crime

Education as a socializing institution may change attitudes and values, and is to a certain extent related to variations in crime rates. In 1940, among male prisoners over 25 years of age, 7.5 percent had not completed the first grade; less than 23 percent had completed the seventh or eighth grade; 5.6 percent had been graduated from high school; and less than 1 percent had had a college education.<sup>97</sup> In 1963 in Florida the author found that most violent criminals were in the group who had completed the fifth to eighth grades; next in number were the group who had completed the ninth to eleventh grades; the group who had completed the fourth or a lower grade were third in number. Out of 672 who had committed violent crimes he found only six with some college education and only four who were college graduates.<sup>98</sup> Women prisoners cannot be much different; as Ruth Shonle Cavan pointed out, in seven northern states their median educational level was slightly under the eighth grade.<sup>99</sup>

According to the Florida data, persons with a fifth to eighth grade education committed violent crimes more than four times more often than those who had been graduated from high school. The victims of these criminals did not differ significantly in their educational background. Most of them had completed the fifth to eighth grade, and the incidence of those with a college diploma was very low.

It looks as if criminals and their victims do not generally have specific differences in ed-

educational background; in other words, it looks as if they are of the same educational level. However, the relationship between criminal, victim, and education is not as simple as that. Persons of little education do not attack only people of little education, and college graduates do not confine their criminal offenses to victims with a degree. The effect of a formal education on criminality is not well understood. Lombroso was mistaken in pointing out that it is dangerous to educate a criminal mind.<sup>100</sup> And illiteracy does not contain the solution to the crime problem. It cannot be denied, however, that the relatively little education of offenders is a statistical truth.

## Occupational differences

Any standard textbook on criminology shows clearly that there is little disagreement about statistics that place the majority of offenders in the lower occupational brackets. To many of the authors this indicates that the offenders belong in the lower social classes. "Lower class" and "working class," though rather different in meaning, are used interchangeably in most studies. However, while the working class refers to those who are engaged in physical labor (and might be the members of one or another social class), the lower class has a number of aspects. Even if the amount of income were the main criterion, lower class and working class cannot be considered identical. "A position does not bring power and prestige because it draws a high income. Rather it draws a high income because it is functionally important."<sup>101</sup> A considerable part of the working class draw a high income because it is functionally important; it therefore cannot be considered a part of the lower class.

Working class refers to occupation and focuses on a type of function; lower class is a position in the social stratification. Often they meet, but not necessarily. The lower class may represent only one subculture, even if this includes several sub-subcultures; but the working class might be represented in more than one subculture. The working class is functional not only as to the type of labor in which its members are engaged, and not only as a dispersed part of the society, but also in the understanding of the social structure. We might note here that distinguishing the working class from other classes is of major importance in Karl Marx's thought.

There is no agreement as to a method of measuring the differential placement of individuals in different sectors of the social structure; nor is there any agreement at the criteria which could be used for ranking. In fact, there is no agreement even on the meaning of the term "social class" as a research tool.<sup>102</sup> At the same time, however, the lower class (whatever its composition and the criteria for it may be) and the working class are not indicators of either different or identical levels of the rather complicated and often confused formation of the social strata but of different conceptual groupings of the members of the society.

This is probably what led Gillies to state that murderers and most of their victims are predominantly of a low social class, although his findings do not indicate this clearly.<sup>103</sup> Wolfgang has little doubt that "at least 9 out of 10 offenders" in his homicide investigation were in the skilled, semiskilled, service, unskilled, and unemployed categories.<sup>104</sup> However, he

did not identify occupational categories with class. Moreover, he questions the relationship between occupation and homicide. Occupation alone does not decide the commission of murder; many other factors have significant interplay. The same is true of the social classes; if it is a statistical fact that the majority of offenders belong to the lower class, this does not mean it is a social truth.

In the author's findings most criminals and most victims were semiskilled or unskilled, and unemployed persons made up the second largest group both of criminals and victims.<sup>105</sup> However, there are differences in the rest of the groups. The third largest group of violent criminals consisted of craftsmen and foremen, but their victims came from the categories of managers, officials, and proprietors. Criminals in professional or technical occupations had a tendency to attack persons in a clerical or sales occupation; however, most victims in a professional or technical occupation were attacked by semiskilled, unskilled, and unemployed persons. Violent criminals in a clerical or sales occupation attacked mostly unemployed persons; however, most victims in a clerical or sales occupation were attacked by semiskilled, unskilled, and unemployed persons.

All this would indicate that the lawbreaking clash between criminal and victim does not occur primarily among persons in the same or similar occupational group. Violent crime has a rather mixed occupational background.

The proportion of male and female victims differs markedly in almost all occupational categories, with male victims predominating. However, there are approximately equal numbers of men and women among victims who are in clerical and sales occupations. In other words, in these occupational categories, at least according to the Florida findings, the risk of being victimized is almost equally high for males and for females.

The relatively low income of craftsmen, foremen, semi-skilled, and unskilled persons, and the financial deprivation of unemployed persons should explain why so many of them are involved in crimes against property. Also, since emotional personal dramas develop so easily in rural areas, this may explain the higher rate of crimes against the person that are committed by farmers. However, the relatively high percentage of thefts with violence (robbery and burglary) committed by persons in a professional or technical occupation is not well understood.

The overwhelming majority of victims are strangers (third persons) to the offender. Probably the small size of communities in rural areas can explain why farmers are the ones who commit violent crimes most often against acquaintances. As mentioned before, their crimes are mainly against the person. In farm areas almost all members of the community know each other; it can be assumed that this fact, plus the unavoidable tension that comes of living together in such an environment, contributes to the high rate of offenses against the person.

Spouses and children are victims in all occupational categories, but the Florida findings show that they are victimized mostly by unskilled and unemployed persons. A relatively high proportion of violent attacks against spouses was also found among farmers, managers, officials, and proprietors.<sup>106</sup>

## Victims and criminal motives

Motive, as a factor that initiates and directs an action toward some goal or conditions one's conduct, is an essential element in any crime. Crime is always goal-oriented; without a motive it does not exist: even though the motive may operate on the unconscious level, and the offender may not be clearly aware of it. Even the criminal who is mentally ill has his motive for a crime, probably a sick motive that springs from his delusions. Motive is not the same as intent. The criminal intent or *mens rea* refers to the ability to deliberate; thus it does or does not exist, depending upon the mental state of the criminal. The motivation is the reason for the goal-directed action or conduct; thus it always exists. Intent and motive may be quite different in the same criminal case.

Motivation in human behavior may be based on biological or psychological needs, as well as on social forces. The variety of these activating factors permits the development of a variety of classifications of motives. This classification of individual motives in different ways makes comparisons difficult if not impossible. Often the motives of the offender are not defined and recorded at all; on other occasions they are recorded according to arbitrarily detailed reasons for the crime. Altercation domestic quarrel, jealousy, revenge, financial gain, sexual drive, avoiding arrest – these are only a few of the motives typically used in homicide studies. Financial need, profit-seeking, agitation, influence of alcohol or narcotics, mental disturbance – these are a list of motives of a more general nature.

Most studies indicate that criminal homicide and aggravated assault are usually committed under the pressure of strong emotion and that the least emotion is involved in crimes against property. There is such a wide range of detailed reasons for agitated emotions that, as Ralph Banay suggested, “the motives for killing can be assigned to an infinity of divisions.”<sup>107</sup> Although heated arguments and disputes, domestic quarrels, and jealousy seem to be involved in a majority of homicide and aggravated assault cases, robbery is also an important motive for murder. Financial need and profit-seeking logically motivate crimes against property. Intoxication leads the criminal first of all to assault, less often to killing, and very rarely to crimes against property – except in case of the *actio libera in causa*, in which the offender premeditatedly becomes intoxicated in order to make it easier for himself to commit a crime.

Schafer observed that profit appears as a dominant motive in younger age groups, up to 30 years of age. Beyond this age its frequency declines. In the age groups over 30 agitated feelings or emotions occur with stronger and growing frequency, and profit motivation seems to fade. This indicates that aspiration for gain may incite a person to crime in the years before he reaches financial stability; after this time emotions are the primary factor in lawbreaking. The effect of alcohol is important mainly in the “drinking age,” that is, from 21 to 50. The same age group commits the bulk of crimes in the case of mentally disordered offenders. Emotion almost exclusively motivates the aged criminal, probably because he is deprived of other motives for biological reasons.<sup>108</sup>

The motivation-sex correlation is not really different in the two sexes, although there are quantitative differences between the male and female criminality. In violent crimes

strong emotion is the dominant motive in both sexes. However, while the desire for profit (through robbery and burglary) ranks second as a motive in the case of male criminals, in the case of female offenders intoxication ranks second as a motivating factor. Data indicate that in Florida alcohol incites females to crime five times more often than the motive of financial need. In general, financial need appears as the least important motive among female offenders in violent crimes.

Males are the most numerous victims of violent crimes that are motivated by emotion or by the desire for profit. If narcotic addiction or mental disturbance motivates the criminal, his victims are mostly females.<sup>109</sup>

Wolfgang found that in 44 percent of his homicide cases both the victim and the offender had been drinking.<sup>110</sup> Gillies suggests that the setting for murder is most often a drunken quarrel; even in his rather small group of cases "three drunken victims provoked their deaths at the hands of sober persons."<sup>111</sup> The President's Commission on Crime in the District of Columbia has shown that almost half of the victims and offenders had been drinking prior to the crime.<sup>112</sup> While in other cases we can speak about a conflict of motivations, here an "agreement" is present. If the conduct-directing motivation in a crime is doubled because it operates in both parties, the conflict between the criminal and his victim becomes a sort of agreement in which the offender also risks personal damage. Many motivation agreements end in victim-precipitated crimes.

The desire for gain leads to crimes against strangers (third persons), but very rarely if ever to crimes against a kinsman. However, emotional disturbance and alcohol proved to be the leading causes behind crimes against the spouse, relatives, and friends. Strong emotion appears as the only motive for crimes against one's own child; hardly any other motive for a violent crime can be imagined in this instance.

Most criminals who have committed crimes involving violence have been found in fair or good physical and mental health. The poorer the physical health of the offender, the higher the probability of his committing crimes against the person; crimes for profit (against property) have been committed mostly by criminals in good health. We do not know why this is so. Probably psychological needs that are buried in the subconscious develop motives for crime.

### Victim-precipitated crimes and attitudes after the crime

The fact that the victim may play the role of the major contributor to a crime has been known to the courts all over the world for a long time. The offender is usually sentenced accordingly. But Hans von Hentig is the man who brought this "duet frame of crime" to the attention of sociological analysts of the crime problem.<sup>113</sup> In Hentig's words the crime-precipitating victim is an "activating sufferer," the shaper and molder of the criminal's lawbreaking behavior. Hentig meant that this type of victim provokes his own suffering. Wolfgang joins this assumption in proposing that "except in cases in which the victim is an innocent bystander, the victim may be one of the major precipitating causes of his own demise."<sup>114</sup>

In a way, the victim is always the cause of a crime, even if the crime is motivated for abstract reasons such as intellectual integrity, freedom of religion, public health, the safety of a nation. All crimes necessarily have victims, and, necessarily, the existence of the victim or something material or immaterial that belongs to him makes for crime and may actually produce a criminal effect. However, as so often happens, the victim not only creates the possibility of a crime but precipitates it. In other words, the victim may develop the direction of the offender's criminal conduct toward himself. Even if he is an innocent bystander, in certain cases his silent "bystanding" may make him not only a psychological accomplice but at the same time the one who establishes the criminal motive and encourages the criminal action. He may motivate the criminal unconsciously. Or he may motivate him consciously, disregarding the risk he is taking. Or he may feel that his provocation is justified. Or he may want to be victimized. Van Krevelen pointed out that the child as a victim of an adult offense is an exception that only seems to be a truism. Sometimes the child arouses emotions in the adult that may lead the latter to criminal action – there is a type of child who is "the victim of his own personal appeal."<sup>115</sup>

In precipitating a crime the victim enters into it as an active participant, shares the actor's role, and becomes functionally responsible for it. When Wolfgang gives as examples of victim-precipitation those cases in which "the victim was the first to show and use a deadly weapon" or "to strike a blow in an altercation ...in a short, the first to commence the interplay of resort to physical violence,"<sup>116</sup> he refers to legally clear-cut precipitation. But the victim should be functionally responsible for a great many more types of motivating behavior. The goal if the criminal's conduct may be learned not only through open and direct provocation and not only in relation to the opportunity produced by the mere existence of the victim but also in relation to the demands of the victim. The victim may intrude upon the criminal's behavioral system and influence or direct against himself the offender's problem-solving and decision-making processes. The victim's crime precipitation may range in intensity from making a person conscious of a criminal opportunity to simple passivity, a higher degree of irritation, incitement, instigation, or provocation.

Wolfgang found that 26 percent of his cases were victim-precipitated. In his homicide sample he revealed significantly high proportions of the following:

- Negro victims
  - Negro offenders
  - male victims
  - female offenders
  - stabblings
  - male victims of female offenders
  - male victims of spouse slayings
  - alcohol consumed immediately prior to homicide
  - alcohol in the victim
  - victims with a criminal record
  - victims with a previous record of arrest for assault<sup>117</sup>
- Schafer, in his sample, found that only 6 percent of the cases involved direct provocation

by the victim; an additional 4 percent involved passivity on the part of the victim. However, there was a strong and significant correlation between the age of the offender and the victim's attitude. In his sample of violent offenses, in most crimes committed by persons in the age group of 21 to 30, the victim resisted attack. Passivity appeared mainly in cases in which the criminal attack was made by persons in the age group of 31 to 40. In general, the indication seemed to be that the older the criminal, the lower the resistance of the victim. The victim's resistance against offenders in the age group of 61 and older appeared to be nearly nil. Resistance may be a kind of provocation, it may increase the criminal effort; this may be especially true in sex crimes. The highest frequency of victim-provocation (clearly victim-precipitation) occurred in cases in which the offender was in the age group of 21 to 30.

Correlation between the age of the victim and the criminal's attitude after the crime is not clear-cut and not well understood. Guilt feelings have been expressed by the offender most often in cases where the victim was in the age group of 31 to 40. The criminal felt that his crime was justified mainly in cases in which the victim was 21 to 30 years. The offender seemed to feel indifference after his crime if his victim was 51 or older or under 21. Gillies, however, found that the criminals he studied failed completely to voice "any regret for their actions, any sympathy for the victim or any concern for the victim's family."<sup>118</sup>

Some attempts have been made to see how far an offender is prepared to go to compensate his victim. In Schafer's sample, inmates' positive or negative attitudes toward restitution were shown in only 88 cases: in 19 cases of criminal homicide, in 22 cases of aggravated assault, and in 47 cases of violent theft. Attitudes toward compensation, as classified in accordance with the three types of crime, the sex of the offender, and whether positive or negative, are as follows:

1. In criminal homicide (19 cases), 15 males and 3 females expressed a positive attitude, and only 1 male gave a negative response.
2. In aggravated assaults (22 cases), 10 males and 2 females expressed a positive attitude, and 9 males and 1 female expressed a negative attitude.
3. In thefts with violence (47 cases), 24 males and 2 females expressed a positive attitude, and 20 males and 1 female expressed a negative attitude.

The above data, expressed in percentages and projected to each type of crime, is as follows:

	POSITIVE	NEGATIVE	TOTAL
<b>Criminal homicide</b>	94.7%	5.3%	100%
<b>Aggravated assault</b>	54.5%	45.5%	100%
<b>Theft with violence</b>	55.4%	44.6%	100%

These figures indicate that the overwhelming majority of those who committed some form of criminal homicide wished that they could make some reparation. Among those sentenced for aggravated assault, a much smaller proportion (slightly over half) felt obliged to do something for their victim; the rest apparently felt that their debt was due only to the state. Among those who committed robbery or burglary, again only somewhat over half of

the offenders felt they had some obligation to the victim; the rest could perceive no legal, moral, ethical, or social link with other than the prison staff.

In the course of the interviews involving criminal homicide cases, many of them with prisoners soon to be executed, the impression was gained that their feeling of guilt, involving self-devaluation and apprehension and leading to their preparedness for doing anything good for the victim's family, grew out of a fear of the penal consequences. It was felt that their proximity to death, to be suffered in the name of human justice, changed their experience-evaluating and behavior-selecting attitudes toward right and away from wrong. Not punishment as pain, but a realization of the limit placed on their natural life seemed to relate them to social obligations, reparation for their wrongdoing among them. However, this was not experienced by inmates who were sentenced for aggravated assault or theft with violence. These offenders, at least many of them, did not appear to be intropunitive and apparently could not understand and thus could not accept their functional responsibility. Their orientation was such that they could not understand their wrongdoing in terms of social relationships, not even in terms of the victim. Their understanding of incarceration seemed limited to what they viewed as merely a normative wrong that has to be paid to the agencies of criminal justice, but to no one else. Their reluctance to go beyond this isolated and narrow attitude was not due to some deviant logic, but to a lack of understanding of the referent factors of their crime.<sup>119</sup>

### Previous criminal record

The hardened criminal and the innocent victim are popularly believed to be the participants in crime as it is imagined by those who are not quite familiar with the functional anatomy of criminal behavior. If James V. Benett is right in suggesting that more than half of the prison population returns within five years after being discharged,<sup>120</sup> it is possible that more than half of the victims are attacked by recidivist criminals, and less than half by first offenders. According to the "careers in crime" study by the FBI, of 134,938 federal offenders three out of every four were repeaters;<sup>121</sup> this would reduce criminal contacts of victims with first offenders to one quarter of the cases.

Wolfgang supports the contention that "criminal homicide offenders have a strong proclivity for engaging in crimes of violence or of personal assault rather than in crimes of an acquisitive nature."<sup>122</sup> Gibson and Klein arrived at different results; among their repeaters "almost all had been convicted of larceny or breaking and entering" and about a quarter of these had also committed an offense against the person. They suggest that capital murderers are mostly thieves "who kill in pursuit of criminal activities."<sup>123</sup> Among the violent criminals he studied, Schafer found that in cases of a single previous offense 66.7 percent of the offenders had committed different types of crime; but all those with four previous crimes on their record had been sentenced for the same type of crime each time.<sup>124</sup> Gillies found a history of violence in a minority of the murderers he studied; most of their previous records contained offenses of a nonviolent nature. None had been previously charged with

murder.<sup>125</sup> This suggests caution in setting up patterns of crime repetition; however, there are reliable indications that there are criminals with a tendency to commit the same or similar offenses.

Data about the victim are scarce, and our information about his criminal record is particularly scarce. In homicide and other violent crimes it is estimated that close to half of the victims have a criminal record containing one or more offenses against the person. This suggests that the violent personal clash often occurs among those who are inclined toward violent acts, and that it is not at all rare for the victim himself to be a motivating factor in his own suffering.

### Patterns of time

The time of the day, the day of the week, the season of the year – in other words, the temporal aspects of crime – may shed some light on risks of victimization. The effect of “time” on crime is not new to criminology. Temperature, climate, and change of season are among the oldest factors in the study of crime, and the effect of man’s physical environment on criminality engaged the attention of some thinkers long before criminology as a discipline became known and recognized. Guerry<sup>126</sup> and Adolphe Quetelet<sup>127</sup> were among early investigators who were interested in the relationship between morality and climate, and they related French crimes against the person to places where warmer weather is prevalent. Leone Levi’s survey in England reached a similar conclusion, and found that crimes against the person are more numerous in summer than in winter.<sup>128</sup> Georg von Mayr’s reference to the “influence of nature,”<sup>129</sup> Enrico Ferri’s<sup>130</sup> and William Douglas Morrison’s<sup>131</sup> “cosmic” consideration of crime, Meyer’s “tellurionic” interpretations,<sup>132</sup> and Gaedeken’s speculation about the “physicochemical influence of meteorologic agents” on crime<sup>133</sup> prompted a number of studies on the connection between crime and specific weeks, months, seasons, and climate.<sup>134</sup>

The FBI *Crime Reports* suggest that murder follows a seasonal pattern and occurs more frequently in the summer months, except for a high rate in December. Similar patterns can be observed regarding forcible rape and robbery, but without a flare-up in winter months.<sup>135</sup> Wolfgang’s Philadelphia findings regarding the high frequency of criminal homicides in summer and on Saturdays, and his reference to “the most lethal hours” between 8 P.M. and 2 A.M. are empirical supports for longstanding assumptions.<sup>136</sup>

Schafer’s Florida findings<sup>137</sup> revealed significant correlation between the time of day when a crime is committed and the sex of the offender. It indicated that males commit most of their violent crimes at night<sup>1</sup> and that females commit fewer violent crimes in the evening hours. Males commit violent crimes at night three times more often than in the daytime and almost fifteen times more often than in the evening. Generally, criminals of both sexes appear to be “least criminal” in the evening. Victimizations, naturally, show corresponding

<sup>1</sup> The division of the day into three eight-hour periods has been an arbitrary research decision of the author, as follows: daytime, 6 A.M. to 2 P.M.; evening, 2 P.M. to 10 P.M.; night, 10 P.M. to 6 A.M.

patterns. The male victim is more often attacked at night, and the female victim is least often attacked in the evening.

Similarly, statistics for the two sexes do not concur as to the day of the week. Male criminals commit violent crimes mainly on weekdays, and more than twice as frequently as on week-ends. However, females commit violent crimes mainly on weekends, mostly on Sundays and least of all on Fridays. One may speculate that females are victimized more often on weekdays than males. Sunday turned out to be the day when males are most often victims of violent crimes, as opposed to rather low proportion of female victims.

It has been observed that males commit most of their violent crimes in winter (December-February) and in the spring (March-May). However, females commit most of their violent crimes in the autumn (September-November). Victimization correspond.

An attempt has been made to correlate the age of the offender with the time of the day when the crime was committed. It was found that all age groups prefer the night for violent crimes; but those in the age group of 21 to 30 prefer the night hours for crime more than do other age groups. The highest relative frequency of violent daylight crimes is committed by offenders who are 31 to 50 years old. Generally, the participation of age groups in violent crimes as projected to each period of the day is in proportion to the growth and decline of physical energy. The frequency of violent crimes at night by criminals who are 30 or under is rather high. However, over this age frequency seems to shift to daytime crimes and shifts back to nighttime crimes only after the age of 61.

Members of the age group of 21 to 30 commit most of their violent crimes on weekdays, but they head the list for frequency on all days. Criminal activities on weekdays are proportionately less as one moves from younger to older age groups. Except for those who are 61 and older, the older the offender the more likely his crime will be committed during a weekend.

Crime also varies by age groups according to the season. The strongest relationship appears between criminals of 21 to 30 and violent crimes committed in the winter (December-February). The weakest relationship appears between the oldest age group (61 and older) and violent crimes committed in the autumn (September-November). The age group of 21 to 30 heads the rate of violent crime for all seasons. The next highest rate is for those in the 31-40 age group as far as the spring (March-May) and the summer (June-August) are concerned, but for the age group of 21 and under, as far as the autumn and the winter are concerned.

Time is also a "selective" factor in crime types. In the daytime most violent crimes are aggravated assaults, with a relatively higher frequency than in any other period of the day. This might be explained by greater opportunity people have to meet each other, leading in turn to more possibilities for clashes and arguments. Only slightly less frequent than aggravated assault is the daytime frequency of theft with violence, but with almost the lowest relative frequency as compared with other periods of the day. Criminal homicide ranks last for frequency in the daytime.

Evening hours seem to favor homicide. As compared with aggravated assault, the more often criminal homicide is committed in the evening, the less often it is committed in the daytime. At night criminal homicides, at least in relative terms, seem to decline, almost

to the level of the daytime cases. At night robberies and burglaries are the most frequent among violent offenses; they occur almost twice as often as homicides.

In an absolute sense all three violent types of crime (criminal homicide, aggravated assault, and theft with violence) are mostly committed at night. The evening hours appeared to be the most peaceful; no one quite knows why this is so. One may conjecture that in Florida, where Schafer conducted his research, "evening-hours" means the shortest period of the day, an even shorter period than in the northern United States, and this rather brief transition from daylight to darkness does not offer too many opportunities for crime or many good opportunities.

Research tells us that weekdays favor the commission of robberies and burglaries, whereas on Saturdays and Sundays the incidence of aggravated assault is highest. Criminal homicides are concentrated on holidays. The fact that places of business are open may encourage the weekday incidence of thefts with violence, and the fact of greater contact among people during weekends may increase the frequency of aggravated assaults. But these are matters of speculation.

In every period of the day, on every day of the week, and in every season of the year, the stranger is most often the victim. This fits in with all overall categories of general criminal statistics. At any period of the day, violent crimes occur against the spouse more often than against relatives; and in the evening hours spouses are victims of violent crimes more often than persons in any other relationship, except "strangers." This may lead to the assumption that the evening is the time of day when married people have the greatest opportunity to argue with each other, a situation that may be aggravated by the pile-up of tension from the day's work.

Although violent crimes against the spouse have their highest incidence on weekdays (Monday through Thursday), Saturday is the day when more violent crimes are committed against the spouse than against persons (except strangers) in any other relationship. On Saturdays probably no outside tension diverts married people from potential arguments within the family circle, and thus, because they may be more concentrated, quarrels may lead to violent outbreaks. Why spouse victimizations seem to occur mostly in the autumn is not known. Violent victimization of children occurs most often in the spring and in the summer.

The victim's occupation has no statistically significant correlation with the time when a crime is committed. In general, it was observed that most daytime crimes of violence, at least in Schafer's research findings, are committed against unemployed persons. This is probably because the crimes are aggravated assaults in which property aspiration plays little or no part. In daytime offenses with violence semiskilled and unskilled persons occupy second place in the incidence of victimization, and persons in clerical and sales occupations occupy third place. In evening crimes semiskilled and unskilled persons are most frequently victimized; managers, officials, and proprietors come next, followed by those in clerical and sales occupations. Night-time crimes, like evening crimes, are directed mainly against semiskilled and unskilled persons; these are followed by unemployed persons, and individuals in clerical and sales positions.

Projection of the seasons to occupational categories reflects the important functional period of each occupation. Professional and technical persons have their highest victim-risk in the autumn and in winter months. Farmers seem to face the peak of potential victimization in the autumn. Managers, officials, and proprietors have their highest victim-risk in winter months, some twice as much risk as in the summer. Clerical and sales people are in danger of victimization mostly in the winter. Craftsmen and foremen have their highest victim-risk in the spring. Semiskilled and unskilled individuals are victimized mainly in the winter.

Findings for the day, week, and season combined indicate that the strongest relationship exists between nighttime and weekday violent crimes, and the weakest between evening and Sunday crimes. In general, weekdays had the highest frequency of daytime violent offenses, more than three times as many as weekend days. Weekday crimes also led in frequency of incidence in the evening hours and at night.

Nighttime crimes lead among all crimes in any season, but violent crimes at night are most frequent in the winter months. In this respect the least victim-risk occurs in autumn evening hours. As mentioned before, weekday crimes dominate in all seasons; yet in the spring and in the autumn months crimes on Saturdays and in the summer and winter months crimes on Fridays follow in frequency those committed on Mondays through Thursdays.

Whether or not anyone was with the offender at the time of the crime is strongly related to the time of the crime. Most crimes are committed by one person acting alone, and this proved to be true for all periods of the day. If the criminal had one partner, violent crimes were more frequent in the evening hours and at night. However, if the offender had five partners or more, they were most likely to occur in the daytime. This may indicate that gangs and other criminal organizations do not favor the night. This seems to be a rapidly developing trend mainly in crimes against property; apparently modern safety and security devices create more difficulties for the underworld than a quick holdup in which criminal skill is less hampered when safety and security measures, as is often the case, are neglected. In warmer seasons, that is, in late spring and in the summer, most violent crimes are committed by the offender acting alone or with one partner. In colder seasons, that is, in late autumn and winter, most violent offenses seem to be committed by five or more criminal participants.

Whether anyone was with the victim at the time of a violent crime is significantly related to victim-risk. Most violent crimes are committed at night against solitary, lonely victims; apparently this happens some sixteen times more often than during the evening hours and three times more often than in daylight hours. Daytime crimes against victims who are in the company of three or more others occur more often than at night. The lonely victim is an easy prey of the criminal on weekdays and next on Saturdays, primarily in the winter months. The lowest victim-risk is in the summer months if the victim is in the company of four or more.

## Spatial aspects of the victim-risk

The geographical and spatial aspects of violent crimes offer important clues for potential victimizations. What is the size of the area, in terms of its population, where the crime was committed? What is the type of the crime area? Is it a suburb, a residential locality, or a business district? Does the violent crime take place on a main street, a back street, or was it committed at some deserted place? If the crime was committed "inside", did it take place in a house or an apartment, in a bar, in a shop or a store, or at another interior locale? Where is the residence of the victim and that of the offender with respect to the distance from the place of the crime? All these factors play significant roles in, and suggest the chances of, victim-risks.

The relatively high frequency of criminal homicides and aggravated assaults in smaller communities, as reported by Schafer, supports the longstanding speculation that intense and frequent contact among people increases the likelihood of clashes. Frequency of crimes against property is lower in small communities, however, because they do not offer much opportunity for this type of crime; moreover, smaller groups have tighter control. Robberies and burglaries increase markedly when communities reach a population of 10,000, and are greatest in communities with a population of 100,000 or over. This supports evidence to the effect that criminals increase their opportunities by moving to larger communities. The bigger the community, the looser the contact of people with each other; this may explain the lesser tensions and the lower rate of criminal homicides and assaults in places with a large population. The increasing trend in all types of crime along with increases in population indicates that overall opportunities for the criminal have increased, and that the development of more crimes, criminals, and victims is a mathematically favorable possibility.

Extremely strong and statistically significant correlation has been observed between the different types of violent crime and the type of area in which the crime is committed. The theft with violence sharply dominates in business areas of the suburbs, and even more so in the case of downtown business districts, where valuable property is concentrated. It follows that there would be a relatively lower incidence of criminal homicides and aggravated assaults in main business districts, and a somewhat higher rate of them in nonresidential parts of suburbs where businesses are in operation. In these areas many offenses against the person are only incidental to the crimes against property.

Criminal homicides and aggravated assaults are relatively higher in residential areas. This can be explained by the close contact of people with each other and the resulting tension, and perhaps also by the relative absence of opportunities for crimes against property, into which some criminal effort might otherwise have gone. If aggravated assaults stand out moderately in business districts, where property crimes predominate, this suggests the possibility of frequent arguments and tensions in the course of everyday work.

Most violent crimes are committed in main streets, yet most of these crimes are robberies and burglaries. In back-street crimes more aggravated assaults show up. Deserted places seem to favor homicidal attacks, and robberies as well. The rather high incidence of theft with violence at deserted places is not well understood, except if the theft is from the person (and not from business premises).

In pinpointing victim-risk, it has been observed that no places are more frequently the objects of theft with violence than shops and stores, and no places can rank as high as family houses and apartments in the incidence of criminal homicides. Shops and stores, obviously because they offer an abundance of opportunities, are favored for burglaries and robberies. Family houses and apartments, probably because they permit tensions to build up without being witnessed by outsiders, are most frequently the scene of emotionally engendered homicides. The street seems to be for violent thefts rather than for crimes against the person. Bars, most likely because of the effect of alcohol, are predominantly the locale for aggravated assault (but not for homicide). Even robberies are more prevalent in bars than murders.

In communities of all sizes the least amount of crime occurs during evening hours, and night involves the highest victim-risk. Violent attacks in residential areas occur mainly at night, while in business districts most victimization occurs in daylight; the opportunities open to the criminal in each instance make this logical. Nighttime crimes lead in frequency and the lowest victim-risk obtains in the evening hours, regardless of the locale of the crime – except in the case of crimes committed in back streets, where violent crimes in the evening hours have a relatively high frequency.

In communities with a population of 50,000 or less, most crimes with violence are committed on Saturdays, and even the Sunday rate is higher than the Friday rate. In cities with a larger population, Friday crimes increase and overtake Saturday and Sunday crimes in frequency. Again, however, the incidence of violent crimes on weekdays (except Friday) is sharply higher in all communities and all areas than that on any weekend day. On Sundays and holidays most businesses are closed and this is why the crime rate is lower on weekdays in business districts. However, the relatively high proportion of violent crimes, mainly offenses against the person, in residential areas on Saturdays and Sundays is explained by the fact that people are at home on these days. The degree of contact between people should also explain why there are fewer main-street crimes on weekends. There is an outstanding crime rate for deserted places on weekend days, mainly Saturdays. By the same token it is understandable that shops and stores are the setting for violent crimes more often on Fridays, and even more often on Saturdays, than on Sundays, and that violent crimes are committed in family houses and apartments mostly on Sundays. The high proportion of violent crimes in bars on Fridays can be explained by the fact that it is a payday and also a time when the week's work responsibilities have ended.

As to crime in terms of seasons and population: in the smallest towns (population of 5,000 and under) and in the biggest (population of 100,000 and over) most violent crimes are committed during the winter. In communities between 5,000-100,000 most violent crimes are committed during the spring. In bigger communities the summer months have the weakest correlation with crimes with violence and one might connect this finding with the fact that vacations temporarily reduce population. More violent crimes are committed in business districts than in residential areas, except in the autumn. Main streets and back streets lead in violent crimes, primarily in the winter; deserted places lead in the spring and in the autumn. Weather conditions can explain the low frequency of violent offenses in deserted places in the winter months, but why the frequency is low in the summer is

not known. Again weather conditions may explain the sharply higher frequency of violent crimes in family houses, apartments, and bars in the colder months of the year.

Computations have been made of the correlation between the distance (in approximate miles) from the criminal's residence to the scene of the crime with the distance (in approximate miles) from the victim's residence. This computation led to significant findings concerning victim-risks. When the victim lived at the place of the crime, in 61.5 percent of the cases the criminal lived there, too; in 15.4 percent the criminal lived one to three miles away. When the victim lived less than a mile away, and when the victim lived one to three miles away, the criminal lived at the same distance in each case. In crimes where the victim lived three to ten miles away, in 66.7 percent of the cases the criminal, too, lived three to ten miles away; in only 33.3 percent of the cases did he live more than 10 miles away. When the victim lived more than 10 miles away, the criminal, also, in 66.7 percent of the cases, lived at a similar distance; in only 33.3 percent of the cases did he live nearer (three to ten miles). This indicates that, as a general rule, both criminal and victim live at about the same distance from the scene of the crime; at least this is what the Florida research reveals.

Correlation between the age of the victim and the distance from the criminal's residence to the scene of the crime had no statistical significance. The strongest relationship appeared between victims in the age group of 31 to 40 and criminals who lived three to ten miles from the scene of the crime, and between victims in the age group of 51 to 60 and criminals who lived more than 10 miles away. Also insignificant was the correlation between the age of the victim with the distance from his home to scene of the crime. The strongest relationship appeared between victims under 21 and their residence as the scene of the crime. All of these victims in the research were victimized in their own homes. Also, the crime was committed in the victim's home in all those cases in which he was 41 to 50 years old. About half of the victims in the age group of 31 to 40 and of 61 and over were attacked in their own homes.

When spatial factors are considered in connection with the relationship of the victim to his criminal, victim-risks are indicated. In general, in agreement with all other observations, the stranger (third person) is the one who is victimized most frequently, regardless of the location of the scene of the crime. This is especially true of violent crimes committed in business districts; this is logical in view of the large number of property crimes in such areas. Residential areas have a rather high rate of criminal violence against the spouse and against friends. In fact, most violent crimes against the spouse are committed in residential areas, and only a small proportion occur in the suburbs and in business districts. However, most violent crimes against the offender's own child seemed to be committed in the suburbs.

With respect to violent crime, a clear distinction between the suburbs and residential areas (as defined below) is extremely difficult, if indeed the distinction can be made at all. A residential area is considered here as a place that has few if any businesses and that is predominantly middle class. By a suburb is meant the outskirts of a city, with a mixed class stratification, and with a substantial number of businesses located among residences. Without a closer investigation of the people themselves, such as the middle-class attitude toward violence against the spouse, or the lower-class attitude toward violence against one's own child, no trustworthy explanation can be derived from the findings.

Violent crimes against persons who have any relationship with the offender take place most frequently on main streets. Deserted places have the weakest correlation with crimes committed against friends; violent crimes against friends are probably committed so much under the pressure of emotion that they do not involve the planning that is often required for crimes committed in deserted places. The high percentage of violent crimes against the spouse that are committed in family houses and apartments clearly indicates that most personal dramas of this kind take place in the home. The same applies to violent crimes against the criminal's own child.

Wolfgang attempted to investigate the specific place in the house or apartment where criminal homicides take place, and found that data of this kind in police files are more accessible than any other information. He suggests that "the bedroom has the dubious honor of being the most dangerous room in the home," and that the kitchen and living room are to an equal extent the next most dangerous.<sup>138</sup> The specific location of a crime within a house or an apartment is mainly significant in establishing the flow of events leading to the crime and in tracing the motivation of both criminal and victim.

### The methods of crime

The more advanced our technology, the greater variety of methods are at the disposal of the criminal. Today we have to cope with many more criminal methods than, say, a century ago. Many new tools, instruments, and machines are used not only for the comfort and benefit of the members of a society (that is, the potential victims), but are also used to facilitate crimes against them. The automobile is not only used to rush a doctor to a criminally wounded person but is also used by the criminal for an efficient getaway. Gloves are used not only to protect the hands in cold weather, but also to conceal fingerprints.

In the matter of crimes with violence new methods are utilized mainly in crimes against property; traditional methods are mostly used in aggravated assaults and criminal homicides. In Gillies' study, the deaths of seventy victims resulted from sharp and blunt instruments, shooting, strangulation or asphyxiation, or barbiturate poisoning.<sup>139</sup> Gibson and Klein list almost the same methods of murder.<sup>140</sup> Wolfgang lists stabbing, shooting, and beating as methods; and lists penknife, knife, switchblade, pistol and revolver, rifle and shotgun, fists, feet, and blunt instruments as weapons for killing.<sup>141</sup> The FBI Uniform Crime Reports list as weapons used in criminal homicides the gun, cutting or stabbing, a blunt object (club, hammer, or similar weapon), hands and other parts of the body (resulting in stranglings and beatings), poison, explosives, and others (drownings and arson, for example).<sup>142</sup>

In Schafer's Florida investigation "barehands" as the method of crime was found mostly in violent offenses committed for profit, in crimes committed under the influence of alcohol, and in crimes committed during an emotional outburst. Skeleton keys and similar tools did not occur in offenses with violence when "smoother" or "intellectual" methods were preferred. Guns are used primarily in crimes for profit, or if the offender acted under emotional pressure, and about three times more often than in cases where the crime

was motivated by financial need or alcohol. Cuttings, stabbings, and use of a blunt object proved to be typical of emotional crimes in which the criminal uses the first weapon he can get his hands on. In the overall picture the gun is used most.<sup>143</sup>

There is a definite difference between methods and between instruments used in violent crimes by males and females. Wolfgang suggests, referring only to criminal homicides, that females kill during domestic quarrels, "which frequently occur in kitchens while they are preparing meals"; thus it is not unlikely that they use cutting or stabbing instruments. However, males use blunt instruments or their fists alone, and "beat their victims to death nine to ten times more often than do female offenders."<sup>144</sup> Schafer found that only a slightly higher percentage of females over males were victimized barehanded; however, this was for all types of violent crime.<sup>145</sup> In general, in crimes with violence, the male prefers the gun, and the female favors cutting and stabbing. This may call attention to the victim-risk of the different sexes.

The preference for guns in violent crimes can be observed in all relationships between victim and criminal. Attacks against the spouse are made mainly with a gun or a stabbing and cutting instrument; also, barehanded attacks outnumber attacks with a blunt object. In the family the spouse seems to be the only one who is victimized barehanded. The criminal uses a gun or a blunt instrument when attacking his child. Strangers (third persons) are attacked in all conceivable ways, but the majority are victims of shootings.

In all three violent crimes (criminal homicide, aggravated assault, burglary and robbery) the gun is used most, followed by cutting and stabbing, and then by other methods. The gun is used in most cases during any period of the day and on any day of the week. Blunt objects are used minimally during evening hours. Most barehanded violent crimes occur in the daytime. Cutting and stabbing instruments are used mainly on weekdays and on Saturdays during the weekend. The gun is used more than other weapons during every season of the year, but is used most frequently in the summer and winter months. Barehanded crimes seem to occur mostly in the autumn. However, the correlation of criminal methods and instruments to different seasons is not well understood.

The method or weapon used may reflect the victim's attitude in crime. Since present data are derived only from cases of violent crime and one of them is theft with violence, it is understandable that in many instances the victim was absent, and thus could not evidence any particular attitude toward the crime. In most barehanded crimes the victim resists, and this would indicate the victim-hope to overcome the criminal whenever, at least apparently, he is not paralyzed by the used weapon. In most cases in which the offender used a gun, the victim was passive. In three quarters of the crimes in which a cutting or stabbing instrument was used, the victim proved to be provocative, perhaps as the result of a close, heated person to person argument. The provocation explains the choice of weapon, since usually a knife or a similar object is close at hand when provoked emotions demand immediate action. The use of blunt objects has also been victim-provoked but with less frequency; in many instances the victim has been passive.

In most violent crimes the victim's postcrime attitude has proved to be retributive in nature. In many violent crimes against family members, the relationship between the crime participants should explain the presence of a lenient or forgiving attitude. Violent crimes

against family members are most often committed barehanded or with stabbing or cutting weapons. The use of a gun in many cases leads the victim's postcrime attitude to passivity, in some cases even to slight leniency.

### The significance of victim-risks

Promising as they are, the above-mentioned attempts to approach and understand the structure of crime through the victim's participation have not provided more than the beginnings of a framework, the first steps in a neglected aspect of the crime problem, in which a rather wide range of interrelations and personal interactions between criminal and victim often occur. Their main contribution to the understanding of the victim's role in crime is to lead the way toward study of a particular area of criminology, in which victim-risks, victim-precipitations, and victim-participations can more definitely be examined. The study of victimology is meant to broaden the universal understanding of crime in terms of the functional responsibility of the lawbreaker. The insistence that this new or, better, revived aspect of crime should be a new science or an independent or separate discipline does not seem to have survived its first sympathetic acceptance. The very fact that the victim in his role as a sufferer of, or a participant in, a crime should be studied in itself supports the objections against separating him from the general crime problem. However, no disagreement seems to prevail regarding the fact that, at present, when our information about crime is limited primarily to the offender and his offense, and little is known about the formally or materially conforming partner in the crime, this missing knowledge makes the understanding of crime incomplete. A gap, where criminal-victim relationships should appear, is beginning to be filled.

A widely held belief, which developed as a result of the trend toward recognizing the victim's importance, interprets the criminal's and his victim's joint presence in crime as a comprehensive dual behavior that should stem from the objectivized, formalistic-legalistic skeleton structure of the crime concept. Crime should be seen in its functional dynamics. An all-dimensional view of crime can hardly accept the criminal's behavior and the victim's behavior as two distinct and separate forms of conduct. Even at the present stage of knowledge, it is generally recognized that the victim is not simply a part of the evidence, that he is not merely "the cause" of, or "the reason" for, criminal proceedings – without whom or without whose injury, harm, or disadvantage the machinery of criminal justice could not operate. Rather he is a part of the crime, often playing an esoteric and not an exoteric role.

In fact, everybody, regardless of age, sex, race, occupation, social stratification, or other classification, is exposed to the possibility of a criminal attack of some kind. In other words all members of a society are potential victims. But, and this is what the study of criminal-victim relationships is aiming at, not all victims are wholly passive sufferers of the attacking criminal, and the terms "offender" and "victim" fundamentally designate a legal position. Many offenders are offended by the victim, or, better, many victims victimize the offender; thus, the doer-sufferer distinction does not mean the exclusive doing of one party and the suffering of the other. This mutuality of doing and suffering between the participants in a crime may appear in any criminal offense. However, the composition and proportion of ac-

tivity and passivity vary according to the influence of a multitude of interplaying factors, such as the type of crime, personality of the offender and that of the victim, their relationship with each other, and circumstances of the criminal act. These and other factors can be analyzed only in each individual case. The sufferer's doing – in other words, the victim's activity – is not necessarily precipitative in nature; it can be either more forceful and decisive in determining the offender's crime or less forceful and indeterminate, thus merely facilitating, shaping, or molding the crime, or increasing the offender's motivation.

The significance of the sufferer's doing – and the combination of doing and suffering as the functional substances of crime commission – most of the time cannot be clearly seen or well understood, and the victim's role in a crime, if any, is not only largely ignored in both judicial and criminological consideration, but is also frequently too deeply hidden to be detected. One may be justified in thinking that a great deal of positive victim participation is not known: because investigations do not go into areas that might reveal them, or because there is no investigative technique that can reach them. It is assumed, however, that the more physical activity is involved in a crime, the better are the chances for observing the victim's eventual contribution to it. This is one of the reasons why most research is devoted to violent crimes. Such crimes are more difficult to conceal, and the criminal's extrovert aggression and visible physical force may open up an opportunity for making the victim more visible not only as a sufferer but also as a doer. Violent crimes are selected for research also because of the embryonic state of this region of criminology, and because they establish the framework for exploratory experimentation that concentrates exclusively on criminal-victim relationships.

The revival of interest in the victim does not mean that his role and importance in criminal proceedings and his involvement in efforts to understand the crime problem are in fact already revived. Rather it indicates that a beginning has been made toward this revival. In the end, this revival should lead to the understanding of criminal, victim, and society, in terms of their functional responsibilities.

## Notes

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