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INTRODUCING YOU TO HOMICIDE

“There will be killing till the score is paid.”

—Homer, *The Odyssey*

“Nobody owns life, but anyone who can pick up a frying pan owns death.”

—William S. Burroughs

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INTRODUCTION

Murder continues to fascinate. The average person is drawn like a moth to a flame when a headline, CNN ticker, news anchor, or web browser announces, “Three shot at factory,” “Father murders family,” or “Elementary school student accidentally gunned down in gang drive-by.” There is no shortage of attention by the entertainment industry as television series

and movies thrill us and scare us with often exaggerated versions of killing. The news and the entertainment media offer information that might seem to provide preventive knowledge or caution—don’t go to this part of town; don’t be out late at night. Much like the haunted house we pay to walk through at Halloween, the public also seems to like a good scare. Horror movies also speak to how we like to be scared. Murder mysteries are not entirely the same. Do

we want to be seen as the hero of the story? Be the killer vicariously experiencing the thrill?

In this chapter, we open as most textbooks do with a bit of overview to set context as well as expectations. Violence in the world comes in a number of forms and has been with us throughout history. In this book, we will examine the prevalence of violence in contemporary U.S. society that results specifically in homicide. While violence is implicated in the study of homicide, we will not spend a great deal of time discussing violence widely. Our focus is homicide generally and criminal homicide specifically.

Societies have codified rules to forbid different acts. If a forbidden act is attempted or committed, the society imposes a sanction upon the offending person or entity. This is generally the province of criminal justice studies and the criminal justice system. We necessarily concern ourselves with laws that proscribe violence since it is precisely criminal violence that we study as opposed to all violence in a general way. *Why* people commit such criminalized acts is the focus of criminology.

HOMICIDE: WHAT MOST PEOPLE THINK THEY KNOW

We have all grown up watching crime dramas on television and going to the movies to see our favorite Hollywood stars pursuing and catching the killers (our other favorite actors). While we may have different preferences on which shows we enjoy the most or which ones we feel are most *realistic*, we *do* watch them. In most of the fictionalized plots where the bad guy is caught and is headed to court, we listen to the police or prosecutor state what the charge will be against the defendant. Often, the charge is *first-degree murder* because of its brutal or premeditated nature. If the state cannot make a solid case, the charge of first degree may be reduced or initially entered as a lesser charge, including manslaughter. The differing charges hold the potential for various levels of punishment that in some cases include the death penalty.

Homicide is not a common event. Homicide does not even make the top-fifteen list of causes of death in the United States. While many people find it hard to believe, the trend in homicide has been one of decline over the last two decades, with a recent uptick in some cities and areas of the United States. Even with this increase, the homicide rate today is significantly lower than 25 years ago. The criminal homicide clearance rate is not as high as many would expect, with the latest available data showing only about 61.6% of all homicide cases resulting in clearance (FBI, 2018). Even with technology advances, such as the use of DNA in forensic identification, clearance rates for criminal homicides have dipped (Schroeder, 2007).

People also believe that the more they understand a thing, the more control they may have over it or the emotions it engenders. This is not an unreasonable hope or expectation. The more we learn about many things in our environment, the better we may be able to control circumstances, including not becoming a victim. An unintended consequence of such an approach, however, is that it has partly led to the phenomenon known as the CSI effect. Unending television, movie, and fiction novel offerings of stories of murder lead to an awareness of modern forensic technology and investigative method but exaggerate the efficacy of both. The viewer (and potential juror) believes he has received a thorough education on forensics and crime investigation through his vicarious experience. The impact of this fallacy is felt in court proceedings as jurors (and some judges) may consider police work incomplete or incompetent because the investigators did not use 3-D imaging, DNA analysis, alternate light source (ALS) technologies, and other techniques and equipment that may have been quite unnecessary to an investigation.

The representations in drama and the disproportionate coverage by the media of extraordinary homicides such as mass and serial killings are notable. The general public is fascinated, horrified, or curious about such homicides, for various reasons. The problem is that such attention to rare forms of criminal homicide seems to impede people's understanding of the most numerous and intractable forms:

confrontational homicides arising out of arguments or so-called slights of honor and intimate partner homicide (IPH). It is important for researchers and practitioners from public health, social work, education, psychology, the criminal justice system, and others to inform the public and policymakers about the dynamics and possible strategies to use against these most common but deadly situations. Experts can provide the context often missing when someone conducts a web search and holds out the one second response as complete *knowledge* of a subject. And that context provided by relevant experts can change or inform the perspective of the citizen, practitioner, or policymaking legislator.

ORGANIZATION OF THE BOOK

One of the things that we learned in our years of studying criminal homicide and the investigation of death is that while each of us has a concern about homicide, our personal orientation to the topic will influence what parts we focus on or emphasize when we think about or comment on homicide. Various authors have written textbooks, true-crime books, and novels that inform, entertain, but often exaggerate certain types of murder over others. Our aim in this book is to provide broad coverage of criminal homicide encountered in society but to spend what we believe to be important time examining the most common types of murder in America—argument-based or confrontational homicide and intimate partner homicide—and societal responses to such acts.

Any textbook represents a conscious selection of what to include and what to exclude. This book is no different in that regard. Our aim was to include topics of general consensus that are of interest to researchers, practitioners, policymakers, and you, the student, in your various disciplines. While much is included in this broad coverage of the topic of homicide generally and criminal homicide more specifically, we have surely not covered every aspect of every form of the crime or act. Textbooks are also by their nature a repository of information first

about a main topic and then varying amounts of information about subtopics. Each chapter of the book attempts to address significant aspects or categories of homicide. Due to the nature of such coverage, a single thread or theme does not always bind the subtopics covered in the chapter. This early notification will help you absorb the material and make some of the connections among the topics in your own way, in addition to the connections that we have tried to point out.

Chapter 2 provides students and readers with the foundation of *why* we measure various aspects of lethal violence as well as *what* specific things are measured. The chapter discusses fatal violence, of course, but also provides some information about nonfatal violence. In this chapter, we provide general comments about the degrees of various crimes associated with one person killing another but also note that there is some variation among and between jurisdictions. The chapter examines the major programs in place to collect data about death by criminal, natural, and unknown causes. We also provide some general commentary about how cases are resolved, or *cleared*, by agencies that investigate such matters. The chapter addresses the need for and practice of studying homicide *situations*. This helps keep the reader's mind open and focused broadly on all of the factors that impact a lethal event. Some authors narrowly study or comment on victims or perpetrators rather than examining the context of the event as well as precipitating acts and contributing factors. Throughout the book, we try to highlight various factors and urge readers to consider the role these various factors and perspectives (e.g., laws, neighborhoods, victims, offenders, citizens, media, and justice system actors) play in violent encounters and deadly incidents.

Other factors first mentioned in Chapter 2, and explored later, include the use and abuse of alcohol and drugs and the presence of an audience and how these affect the escalation or de-escalation of a tense and possibly violent encounter. Considering the homicide situation and various domains, as opposed to narrowly examining individual factors, has been emphasized by Miethe and Regoeczi (2004) and Hawk and Dabney (2019). Their work looked at the *structure* and *process* underlying homicide

situations, and comprehensive models, respectively. The authors logically discuss how the elements of victim, offender, offense, and even the investigator are situated in a place and at a time and show that the combination of all of these are important to understanding the homicide event, as well as trying to solve the crime after it occurs.

Chapter 3 provides statistical information about various aspects of homicide. The expected recounting of demographic factors about victims and offenders is present, but we also provide information about other aspects of homicide situations. The location where a deadly assault occurs is critical to an understanding of why the event took place but also how related future events might be prevented. The same is true regarding the availability and choice of weapons used by one person against another. Under a section we title “Other Circumstances,” we include some initial thoughts about the role arguments play in many, if not a majority, of criminal homicide events. The significance of interpersonal conflict to understanding and hopefully mitigating violence cannot be overstated. The complexity of human behavior is not given to simple explanations. It is important to remember this as you learn about homicide given that most people have a low tolerance for lengthy or nuanced explanations.

Chapter 3 also looks at trends and patterns in homicide. Known to researchers and law enforcement officials alike is the fact that in many criminal homicide situations, the victim and the perpetrator share similarities; often they know one another. The overlaps between the two are examined in this chapter. While homicide in the United States has generally declined over the last 20 years to a rate half of that in the mid-1990s, we note that assaults and murders among youth remain a great concern and key area for researchers, policymakers, and practitioners to devote their focus and energies to. We also provide some commentary about international homicide statistics to provide further context to what happens here in the United States as well as to understand possible broader patterns of violence in the world.

Chapter 4 introduces readers to a broad but not exhaustive treatment of criminological theories implicated in much of the study of homicide today. The chapter contains summaries of various theoretical approaches to the study of violence and homicide. As people grapple with the idea of individuals killing other individuals, we offer avenues of research that have provided information about this important question. Criminology examines individual behavior as well as larger social movements as befits its sociological heritage. Theory can help us understand somewhat why people do what they do and also aid us in addressing the challenges of homicide in American society. Our approach in the book directs you to thinking about what information regarding homicide is of greatest importance and what as a society we can do about the information that research provides us.

Chapter 5, on confrontational homicide, and Chapter 6, which addresses intimate partner homicide (IPH), take up the two types of crime responsible for the largest number of murders in our society. While many textbooks provide equal chapter coverage to even rare types of murder, we try to make clear that even in a general text on homicide intended to comment broadly, these two areas are of special significance. We also believe that given what is known about confrontational homicide, strategies can be developed to encourage individuals to reduce the behavior and reactions that can escalate to a lethal event. Similarly, through research, we understand that intimate partner *homicide* is virtually never the first act of violence in a relationship on a trajectory of intimate partner *violence*. It is not only critical but quite probably productive to examine the points in the system where intervention might be used more forcefully or strategically to interrupt the cycle of violence often resulting in intimate partner homicide. Some of this is accomplished through tools such as lethality assessments and fatality review teams.

In Chapter 7, we look at forms of homicide within the family structure aside from intimate partner homicide. Familicide as a form of multiple murder is also known by the term *family annihilation*. A member of the family, often the

father, kills his spouse or significant other and one or more of their children, or he kills only the children to *punish* his spouse. We discuss the general findings about such incidents and examine less common forms of familicide in which one of the children, perhaps as an adult, carries out similar killings by first murdering one parent and then perhaps others in the family. The troubling nature of family homicide, already within the difficult area of all homicides, also involves parents who kill their children and children who kill others. Less well known are other forms of family killing, such as so-called honor killings, more prevalent in several other cultures around the world.

Multiple murders (commonly known as multicide) are addressed in Chapters 8 and 9. Chapter 8 addresses school killings, and while these incidents are less frequent than media coverage would have lay citizens believe, they remain of intense interest because the school population, composed mainly of our children, is seen as the most precious and often most vulnerable group in our society. The chapter examines at some length not merely those students who act against fellow students and adults but policy responses by schools, law enforcement, and legislators. The chapter necessarily focuses on the facts of these incidents and general responses. In the limited space of the text, it is not possible to examine the many psychosocial and other factors that marked the journey of an individual to his or her choice to murder others.

In Chapter 9, we turn to workplace and other public mass killings. Here we describe many of the characteristics found frequently among those who have killed in the workplace or in locations such as religious or public event venues. While not receiving the same level of media attention, we also note that nonemployees and individuals committing other crimes, such as robbery, are also responsible for deaths in the workplace not related to the stereotypical disgruntled employee or former employee. The mass killings that occur in places of worship and in public venues distinguish them from the workplace, where the killer will typically have greater knowledge of his victims.

In Chapter 10, we address two major topics and the relative balance between those topics. Gangs and cults are not asserted to be equivalent either in their involvement with homicide or the overall intention of their social grouping. Gang killings, much like organized crime killings of an earlier era, reflect some of the more challenging murders for law enforcement investigative efforts. With few witnesses or reluctant witnesses, these types of killings are seen to account for much of the diminishing clearance rates for homicide investigations in the last several decades. Some gangs, as with some organized crime organizations, have a hierarchy and structure that allows some success through investigating the process and flow of orders and information within the gang organization. Some gang structure is more akin to some terrorist organizational structures that model the cell organization that compartmentalizes knowledge of leaders and methods so that if one clique or group is successfully prosecuted, it may limit the threat to other members of the criminal organization. We provide what we hope is a thoughtful and thorough coverage of new religious movements (NRM), some of which are known as or considered by many people to be cults, and we point out that the vast majority of these groups have no interest in or involvement with violence of any kind. In considering cults that are dangerous, gangs who commit violent crimes, and terrorist organizations, we often observe disenfranchised or otherwise aimless followers who are attracted to the notion of a strong or charismatic leader or philosophy to follow blindly.

Chapter 11 takes up homicide as a tool of terror. The attention of the public is often focused on the Middle East and Islamic extremism when contemplating terrorism. ISIS, Boko Haram, and other now well-known groups represent only one part of a much larger and much older practice of terrorizing civilians in the hopes of influencing government policy in a country. The use of murder in an age of social media and the 24/7/365 news cycle can instantly spread the hateful and violent messages of a group. Terrorists, whether domestic or international, also utilize the Internet and

other media for recruitment purposes as well as training, meetings, and other aspects of communication for their group. While the 9/11 attacks on the United States remain the largest such attack, representing the greatest loss of life and property, there are other examples, such as the Boston Marathon bombing, the Las Vegas shooting where a lone wolf gunman killed 58 and wounded hundreds, and the attack on four police officers by a machete-wielding individual as well as the attack on the offices of Charlie Hebdo in Paris, that remind us such actions are ongoing.

While consideration of terrorist actions is a dynamic area of research, we should remember that domestic acts of terrorism by different groups and individuals are a far more frequent occurrence than a terrorist attack emanating from outside of the United States. There is also overlap among several types of public or mass shootings. Consider for example Major Nidal Hasan's attack on fellow soldiers as both a terrorist act as well as a workplace mass shooting. This chapter also describes and explores hate-based homicides in contemporary America. While not frequent, this category of violence is important to research and seek interventions as we grapple with the biases and hatred that underlie such acts and that undermine social progress for the country as a whole.

Chapter 12 turns to serial killing and some examples among the infamous and not-so-famous ranks of serial killers. Characteristics of serial killers are covered in the chapter, leaning on the work of Eric Hickey and others in this fascinating subfield of multiple homicide. The major types of serial killers are touched upon for this dramatic though statistically small segment of murders. While there has been disagreement among researchers and experts over the years as to the number of former or active serial killers, a rarely known but increasingly considered typology is the health care serial killer often found to have been responsible for scores if not hundreds of murders over a lengthy period of time. This is often the nurse or medical doctor who silently kills his or her victims in a setting where death is not unexpected and thus evades detection. The increasingly thorough and sophisticated medical

surveillance methods in the American health care system are both a boon to discovering and discouraging health care serial killers but also perhaps make homicide in a health care setting appear more prevalent compared to other countries based on those other countries' less robust monitoring practices.

Chapter 13 offers an important look at how law enforcement agencies go about solving criminal homicide. Thorough or appropriate treatment of this topic is important to a full examination of homicide. How and when an individual instructor or class takes up consideration of the investigation of the crime of homicide is somewhat arbitrary. What is important is that academics and practitioners alike understand the importance of policy and research informing criminal justice, education, social work, and health care practices and vice versa. The fact of criminal homicide or murder in society is well established. There is no realistic end in sight to instances of homicide, though we believe they may be reduced. Given this, communities look to their law enforcement agencies to be effective in the retroactive investigation of such acts. We discuss current agency practices investigating homicide, including cold cases, to include the ubiquity of social media, the proliferation of video, as well as the use of other technologies. We provide a realistic description of how officers engage a crime scene and the interaction among law enforcement, medical examiner or coroner, and prosecution personnel. It is important to recognize that all of these actors play important roles in solving homicides and pursuing justice for victims.

As we have mentioned previously, the CSI effect has led to many misunderstandings about actual police procedures relative to homicide and other investigations. The importance of following the very specific protocols and procedures of crime scene and investigative work are emphasized along with the necessity to work in accordance with the Fourth and Fifth Amendments to the Constitution and the various court rulings over the years that expand or contract and certainly clarify police limits as well as responsibilities.

Chapter 14 covers the introduction of a homicide case into the court system and the steps that follow. The physical arrest of a suspect by law enforcement personnel triggers the speedy trial clock for when a defendant must be brought into court and often hastens a defendant's invocation of his Fifth Amendment right against self-incrimination. These procedural aspects of the U.S. system have very real consequences for the investigation of the murder. The early involvement of the prosecutor in a case, even in an advisory role, is important to the eventual successful outcome of a murder case. There are many moving parts within a homicide case, and the coordination between the prosecutor and other actors in the justice system is crucial to seeing that justice is done according to the rules of the American system of jurisprudence. Ethical issues in the conduct of attorneys involved in homicide cases are discussed in this chapter. The factors involved in sentencing those convicted of homicide and typical outcomes are also examined.

Chapter 15 is titled "Victims, Society, and the Future." The role and goal of most summary chapters is to leave the readers with key thoughts to consider. We feel strongly that consideration of victimology and the impacts on individual victims, their families, society, or the community as a whole—and even the offender—is important. The impact of homicide is not isolated. It is not simply made up of the micro-event of one person killing another. The criminal justice system or process deals with the crime of homicide and the victims, both primary and secondary; the offender; and the community effects in various ways, based sometimes on who the victim is and who the suspected perpetrator may be.

There are several perspectives that have value for the consideration of homicide, and we examine public health as a lens by which to view homicide. We also look at legislation intended to impact violent crime as well as other societal issues. We conclude with some observations about predicting violence and the use of risk assessment as ways to continue to better understand violence leading to homicide and how perhaps to reduce both.

HISTORIC AND CONTEMPORARY

Violence in America is sadly nothing new. Violence the world over, in virtually all cultures and throughout recorded history, has been all too common. We are encouraged by the general decline in violence around the globe. Steven Pinker (2011) and others have chronicled the actual, if counterintuitive, reality of the low point in violence we currently see in the world. We say that this is counterintuitive because there is not a day that we cannot turn on the news, read a newspaper, or find at our favorite Internet sites information about killings and brutality in many countries and regions. In an age of the unending news cycle, it is important to remember that the images and stories we read and see do not proportionately represent murder and violence on Earth.

The United States, born in war as it was, has certainly gained great experience in violence over its relatively short life. Each generation of the American experience has seen aspects of homicide. Some places and times have seen more than their expected share of killing. We can point to the experiences and interactions of early European colonists with indigenous people on the North American continent as one example. The push westward by pioneers and entrepreneurs carried with it the challenges and dangers of organizing communities, while the civilizing processes and community entities of order often had to catch up to the wagon trains and trails that outpaced them.

As our country moved forward in time, it continued to struggle with social issues and evolving realities. A clear example of the still-evolving reality of equal opportunity and treatment of minority citizens is the history of oppression, denial of rights, and frequent brutalization of both individuals and entire groups of minority community members and immigrants at the hands of the majority who felt the American dream belonged only to them. This mindset as well as the threat to their earning power presented by freed slaves and industrious immigrants from other countries led to the

well-chronicled lynching and other physical, economic, and political mistreatment of so many over the generations. Close examination of available data indicates disparity as well in the rate at which homicides of minority citizens are solved.

WHAT THIS BOOK IS NOT

While the topic of homicide is inextricably bound with the concept of violence, we do not attempt to tackle the entire spectrum of violent behavior in society. Other authors, for example Alvarez and Bachman (2017), Riedel and Welsh (2011), and Ferguson (2010) in his edited book on violent crime, have all addressed the many aspects of violence in its various forms. Alvarez and Bachman (2016) refer to violence in their text as American as apple pie. We agree that it would be difficult for an objective observer to look at the breadth and depth of the American experience and think otherwise.

We continue to assert, however, that violence is not the beginning and ending of the American experience, nor does it define who we are as people or as a culture. Improving our society in regard to violence is up to the readers of this book and all of the professionals who work to study violence and homicide, establish policy to address its causative factors, and work to diminish its impact. This also means holding those who commit the act accountable.

While this book is a criminology text, it is not a theory text intended to replace the ones used in a criminological-theory course. Again, this work, by its nature, incorporates historic and contemporary threads of what we believe we know to be many of the causes and circumstances of homicide. The theoretical traditions of sociology and criminology are critical to understanding murder and homicide in its different forms. In fact, we believe the multidisciplinary approach is the one best suited to dealing with what some might view as a narrow issue—homicide. Biological, psychological, sociological, and less common theoretical tools and traditions in examining the intentional killing of others are all important to a well-rounded understanding, critical to developing policy, law, and practice. Our treatment is necessarily broad as we try to

equip students with a general knowledge of how homicide is studied by the academic world and dealt with by the policy and practitioner world. Human behavior is complex. This behavior has been productively studied through a lens of societal variables, including age, gender, economic standing, neighborhood, and race and ethnicity, that are sociological. The behavior has also been examined from a psychological perspective of the mental processes of individuals. Biological influences on human behavior have received a renewed surge of research activity that contributes further pieces to the vast puzzle of criminal human behavior. These and other theoretical frameworks provide structure to the work of researchers. The scientific approach of the past several hundred years is one of systematically observing and measuring various phenomena. This also involves experimentation based on the hypotheses of those conducting research.

There are a number of topics that could easily occupy their own textbook. While readers will not find encyclopedic coverage of every circumstance of unlawful killing within society, they will come away with much to think about in regard to homicide. In a general book addressing homicide, there will necessarily be topics of great importance and great interest to some that are excluded. In-depth aspects of the contemporary biological perspective are researched and written about with great clarity by (for example) Adrian Raine. The psychosocial approach to criminal behavior has long been studied and persuasively documented by Bartol and Bartol. They have also made great strides in explaining criminal profiling. We hope to bring attention to the different topics and point readers in some of the right directions to gain more in-depth knowledge about each.

POLICY IMPLICATIONS

We consider policy implications to be an important component of this book and our examination of homicide. As we have already noted, this is not a pure theory text, and as such, it perhaps offers some of its greatest benefit by asking you the reader to not only consider homicide from many perspectives but also to ask what can be done about lethal violence. How researchers

approach the larger or smaller components of violence generally and homicide specifically has ramifications for what information is available to policymakers and others. Law enforcement administrators, social-work agencies, the health care industry, and others are all stakeholders in responding proactively as well as retroactively to violence and homicide.

Policymakers, just as average citizens, can fall into a reactionary mindset based on a misperception of actual crime or crime risk factors. This may be driven by the zealous advocacy of a particular viewpoint or through the common over-coverage of certain crimes by the media. When the field of public policy analysis began to gain voice several decades ago, many astute

policymakers paused to listen. While elected officials and appointed administrators are not bound to enact policy options that appear objectively to hold the greatest potential, many at least spend more time and energy researching and examining alternatives for policy implementation. Some of the issues in contemporary homicide research that draw a lot of attention include homicide rates, clearance rates, the role of firearms, public concern about mass killings, and gang killings. This list is not exhaustive and these topics certainly overlap. The current trend in criminal justice is to use evidence-based methods and intelligence-led strategies. As you read, think of how the concepts and facts might shape policies and practices.

DISCUSSION QUESTIONS

1. Why is the study of homicide interesting and relevant to students and researchers?
2. What do most people think they know about homicide? How might these perceptions differ from what the data show?
3. How should researchers better inform the public perception about crime in general and homicide specifically?
4. What are the most compelling questions in the contemporary study of homicide? How should these questions be addressed by the criminal justice system, the health care system, and policymakers?

TRY THIS

Go to the FBI's most recent Uniform Crime Reporting (UCR) website and read the section on murder. What is the UCR definition of murder? What is included in this data and what is not included? Look at the most recent data on rates. How many people were killed in the United States in the most recent data reported there?

There has been a lot of focus in recent years on efforts by law enforcement in large cities where

the homicide rate has been above the national average. Go to the NPR story on New Orleans and its murder rate at <https://www.npr.org/2017/02/23/516669151/new-orleans-and-the-hard-work-of-pushing-down-the-murder-rate>

What efforts did the city of New Orleans embark upon to address their homicide rate? What were the results? What can be learned from this example?