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VICTIM PRECIPITATED CRIMINAL HOMICIDE

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For several years, both as a member of the faculty of the University of Pennsylvania and as a participant-observer in the Homicide Squad of the Philadelphia Police Department, Dr. Wolfgang has been intensively engaged in all aspects of research related to criminal homicide. The present study is part of a larger work entitled *Patterns in Criminal Homicide*, to be published by the University of Pennsylvania.—EDITOR.

In many crimes, especially in criminal homicide, the victim is often a major contributor to the criminal act. Except in cases in which the victim is an innocent bystander and is killed in lieu of an intended victim, or in cases in which a pure accident is involved, the victim may be one of the major precipitating causes of his own demise.

Various theories of social interaction, particularly in social psychology, have established the framework for the present discussion. In criminological literature, however, probably von Hentig in *The Criminal and His Victim*, has provided the most useful theoretical basis for analysis of the victim-offender relationship. In Chapter XII, entitled "The Contribution of the Victim to the Genesis of Crime," the author discusses this "duet frame of crime" and suggests that homicide is particularly amenable to analysis.<sup>1</sup> In *Penal Philosophy*, Tarde<sup>2</sup> frequently attacks the "legislative mistake" of concentrating too much on premeditation and paying too little attention to motives, which indicate an important interrelationship between victim and offender. And in one of his satirical essays, "On Murder Considered as One of the Fine Arts," Thomas DeQuincey<sup>3</sup> shows cognizance of the idea that sometimes the victim is a would-be murderer. Garofalo,<sup>4</sup> too, noted that the victim may provoke another individual into attack, and though the provocation be slight, if perceived by an egoistic attacker it may be sufficient to result in homicide.

Besides these theoretical concepts, the law of homicide has long recognized provocation by the victim as a possible reason for mitigation of the offense from murder

<sup>1</sup> VON HENTIG, HANS, *THE CRIMINAL AND HIS VICTIM*, New Haven: Yale University Press, 1948, pp. 383-385.

<sup>2</sup> TARDE, GABRIEL, *PENAL PHILOSOPHY*, Boston: Little, Brown, and Company, 1912, p. 466.

<sup>3</sup> DE QUINCEY, THOMAS, *On Murder Considered as One of the Fine Arts*, *THE ARTS OF CHEATING, SWINDLING, AND MURDER*, EDWARD BULWER-LYTON, AND DOUGLAS JERROLD, AND THOMAS DE-QUINCEY, New York: The Arnold Co., 1925, p. 153.

<sup>4</sup> GAROFALO, BARON RAFFAELE, *CRIMINOLOGY*, Boston: Little, Brown, and Company, 1914, p. 373.

to manslaughter, or from criminal to excusable homicide. In order that such reduction occur, there are four prerequisites.<sup>5</sup>

(1) There must have been adequate provocation.

(2) The killing must have been in the heat of passion.

(3) The killing must have followed the provocation before there had been a reasonable opportunity for the passion to cool.

(4) A causal connection must exist between provocation, the heat of passion, and the homicidal act. Such, for example, are: adultery, seduction of the offender's juvenile daughter, rape of the offender's wife or close relative, etc.

Finally (4), a causal connection must exist between provocation, the heat of passion, and the homicidal act. Perkins claims that "the adequate provocation must have engendered the heat of passion, and the heat of passion must have been the cause of the act which resulted in death."<sup>6</sup>

#### DEFINITION AND ILLUSTRATION

The term *victim-precipitated* is applied to those criminal homicides in which the victim is a direct, positive precipitator in the crime. The role of the victim is characterized by his having been the first in the homicide drama to use physical force directed against his subsequent slayer. The victim-precipitated cases are those in which the victim was the first to show and use a deadly weapon, to strike a blow in an altercation—in short, the first to commence the interplay or resort to physical violence.

In seeking to identify the victim-precipitated cases recorded in police files it has not been possible always to determine whether the homicides strictly parallel legal interpretations. In general, there appears to be much similarity. In a few cases included under the present definition, the nature of the provocation is such that it would not legally serve to mitigate the offender's responsibility. In these cases the victim was threatened in a robbery, and either attempted to prevent the robbery, failed to take the robber seriously, or in some other fashion irritated, frightened, or alarmed the felon by physical force so that the robber, either by accident or compulsion, killed the victim. Infidelity of a mate or lover, failure to pay a debt, use of vile names by the victim, obviously means that he played an important role in inciting the offender to overt action in order to seek revenge, to win an argument, or to defend himself. However, mutual quarrels and wordy altercations do not constitute sufficient provocation under law, and they are not included in the meaning of victim-precipitated homicide.

Below are sketched several typical cases to illustrate the pattern of these homicides. Primary demonstration of physical force by the victim, supplemented by scurrilous language, characterizes the most common victim-precipitated homicides. All

<sup>5</sup> For an excellent discussion of the rule of provocation, from which these four requirements are taken, see: ROLLIN M. PERKINS, *The Law of Homicide*, JOUR. OF CRIM. LAW AND CRIMINOL., (March-April, 1946), 36: 412-427; AND HERBERT WECHSLER AND JEROME MICHAEL, *A RATIONALE OF THE LAW OF HOMICIDE*, pp. 1280-1282. A general review of the rule of provocation, both in this country and abroad, may be found in THE ROYAL COMMISSION ON CAPITAL PUNISHMENT, *1949-1952 Report*, Appendix II, pp. 453-458.

<sup>6</sup> *Ibid.*, p. 425. The term "cause" is here used in a legal and not a psychological sense.

of these slayings were listed by the Philadelphia Police as criminal homicides, none of the offenders was exonerated by a coroner's inquest, and all the offenders were tried in criminal court.

A husband accused his wife of giving money to another man, and while she was making breakfast, he attacked her with a milk bottle, then a brick, and finally a piece of concrete block. Having had a butcher knife in hand, she stabbed him during the fight.

A husband threatened to kill his wife on several occasions. In this instance, he attacked her with a pair of scissors, dropped them, and grabbed a butcher knife from the kitchen. In the ensuing struggle that ended on their bed, he fell on the knife.

In an argument over a business transaction, the victim first fired several shots at his adversary, who in turn fatally returned the fire.

The victim was the aggressor in a fight, having struck his enemy several times. Friends tried to interfere, but the victim persisted. Finally, the offender retaliated with blows, causing the victim to fall and hit his head on the sidewalk, as a result of which he died.

A husband had beaten his wife on several previous occasions. In the present instance, she insisted that he take her to the hospital. He refused, and a violent quarrel followed, during which he slapped her several times, and she concluded by stabbing him.

During a lover's quarrel, the male (victim) hit his mistress and threw a can of kerosene at her. She retaliated by throwing the liquid on him, and then tossed a lighted match in his direction. He died from the burns.

A drunken husband, beating his wife in their kitchen, gave her a butcher knife and dared her to use it on him. She claimed that if he should strike her once more, she would use the knife, whereupon he slapped her in the face and she fatally stabbed him.

A victim became incensed when his eventual slayer asked for money which the victim owed him. The victim grabbed a hatchet and started in the direction of his creditor, who pulled out a knife and stabbed him.

A victim attempted to commit sodomy with his girlfriend, who refused his overtures. He struck her several times on the side of her head with his fists before she grabbed a butcher knife and cut him fatally.

A drunken victim with knife in hand approached his slayer during a quarrel. The slayer showed a gun, and the victim dared him to shoot. He did.

During an argument in which a male called a female many vile names, she tried to telephone the police. But he grabbed the phone from her hands, knocked her down, kicked her, and hit her with a tire gauge. She ran to the kitchen, grabbed a butcher knife, and stabbed him in the stomach.

#### THE PHILADELPHIA STUDY

Empirical data for analysis of victim-precipitated homicides were collected from the files of the Homicide Squad of the Philadelphia Police Department, and include 588 consecutive cases of criminal homicide which occurred between January 1, 1948 and December 31, 1952. Because more than one person was sometimes involved in the slaying of a single victim, there was a total of 621 offenders responsible for the

killing of 588 victims. The present study is part of a much larger work that analyzes criminal homicide in greater detail. Such material that is relevant to victim-precipitation is included in the present analysis. The 588 criminal homicides provide sufficient background information to establish much about the nature of the victim-offender relationship. Of these cases, 150, or 26 percent, have been designated, on the basis of the previously stated definition, as VP cases.<sup>7</sup> The remaining 438, therefore, have been designated as non-VP cases.

Thorough study of police files, theoretical discussions of the victim's contribution, and previous analysis of criminal homicide suggest that there may be important differences between VP and non-VP cases. The chi-square test has been used to test the significance in proportions between VP and non-VP homicides and a series of variables. Hence, any spurious association which is just due to chance has been reduced to a minimum by application of this test, and significant differences of distributions are revealed. Where any expected class frequency of less than five existed, the test was not applied; and in each tested association, a correction for continuity was used, although the difference resulting without it was only slight. In this study a value of P less than .05, or the 5 percent level of significance, is used as the minimal level of significant association. Throughout the subsequent discussion, the term *significant* in italics is used to indicate that a chi-square test of significance of association has been made and that the value of P less than .05 has been found. The discussion that follows (with respect to race, sex, age, etc.) reveals some interesting differences and similarities between the two. (Table I.)

#### RACE

Because Negroes and males have been shown by their high rates of homicide, assaults against the person, etc., to be more criminally aggressive than whites and females, it may be inferred that there are more Negroes and males among VP victims than among non-VP victims. The data confirm this inference. Nearly 80 percent of VP cases compared to 70 percent of non-VP cases involve Negroes, a proportional difference that results in a *significant* association between race and VP homicide.

#### SEX

As victims, males comprise 94 percent of VP homicides, but only 72 percent of non-VP homicides, showing a *significant* association between sex of the victim and VP homicide.

Since females have been shown by their low rates of homicide, assaults against the person, etc., to be less criminally aggressive than males, and since females are less likely to precipitate their own victimization than males, we should expect more female *offenders* among VP homicides than among non-VP homicides. Such is the case, for the comparative data reveal that females are twice as frequently offenders

<sup>7</sup> In order to facilitate reading of the following sections, the *victim-precipitated* cases are referred to simply as VP cases or VP homicides. Those homicides in which the victim was not a direct precipitator are referred to as non-VP cases.

TABLE I  
 VICTIM-PRECIPITATED AND NON-VICTIM-PRECIPITATED CRIMINAL HOMICIDE BY SELECTED VARIABLES  
 PHILADELPHIA, 1948-1952

	Total Victims		Victim-Precipitated		Non-Victim-Precipitated	
	Number	Percent of Total	Number	Percent of Total	Number	Percent of Total
<i>Race and Sex of Victim</i>						
Both Races	588	100.0	150	100.0	438	100.0
Male	449	76.4	141	94.0	308	70.3
Female	139	23.6	9	6.0	130	29.7
Negro	427	72.6	119	79.3	308	70.3
Male	331	56.3	111	74.0	220	50.2
Female	96	16.3	8	5.3	88	20.1
White	161	27.4	31	20.7	130	29.7
Male	118	20.1	30	20.0	88	20.1
Female	43	7.3	1	0.7	42	9.6
<i>Age of Victim</i>						
Under 15	28	4.8	0	—	28	6.4
15-19	25	4.3	7	4.7	18	4.1
20-24	59	10.0	18	12.0	41	9.4
25-29	93	15.8	17	11.3	76	17.3
30-34	88	15.0	20	13.3	68	15.5
35-39	75	12.8	25	16.7	50	11.4
40-44	57	9.7	23	15.3	34	7.8
45-49	43	7.3	13	8.7	30	6.8
50-54	48	8.2	11	7.3	37	8.5
55-59	26	4.4	6	4.0	20	4.6
60-64	18	3.1	7	4.7	11	2.5
65 and over	28	4.7	3	2.0	25	5.7
Total	588	100.0	150	100.0	438	100.0
<i>Method</i>						
Stabbing	228	38.8	81	54.0	147	33.6
Shooting	194	33.0	39	26.0	155	35.4
Beating	128	21.8	26	17.3	102	23.3
Other	38	6.4	4	2.7	34	7.7
Total	588	100.0	150	100.0	438	100.0
<i>Place</i>						
Home	301	51.2	80	53.3	221	50.5
Not Home	287	48.8	70	46.7	217	49.5
Total	588	100.0	150	100.0	438	100.0
<i>Interpersonal Relationship</i>						
Relatively close friend	155	28.2	46	30.7	109	27.3
Family relationship	136	24.7	38	25.3	98	24.5
(Spouse)	(100)	(73.5)	(33)	(86.8)	(67)	(68.4)
(Other)	(36)	(26.5)	(5)	(13.2)	(31)	(31.6)
Acquaintance	74	13.5	20	13.3	54	13.5
Stranger	67	12.2	16	10.7	51	12.8
Paramour, Mistress, Prostitute	54	9.8	15	10.0	39	9.8
Sex rival	22	4.0	6	4.0	16	4.0
Enemy	16	2.9	6	4.0	10	2.5
Paramour of Offender's mate	11	2.0	1	.7	10	2.5
Felon or police officer	6	1.1	1	.7	5	1.3
Innocent bystander	6	1.1	—	—	6	1.5
Homosexual partner	3	.6	1	.7	2	.5
Total	550	100.0	150	100.0	400	100.0
<i>Presence of alcohol during Offense</i>						
Present	374	63.6	111	74.0	263	60.0
Not Present	214	36.4	39	26.0	175	40.0
Total	588	100.0	150	100.0	438	100.0

TABLE I (Cont.)

	Total Victims		Victim-Precipitated		Non-Victim-Precipitated	
	Number	Percent of Total	Number	Percent of Total	Number	Percent of Total
<i>Presence of alcohol in the victim</i>						
Present	310	52.7	104	69.3	206	47.0
Not Present	278	47.3	46	30.7	232	53.0
Total	588	100.0	150	100.0	438	100.0
<i>Previous Arrest record of victim</i>						
Previous arrest record	277	47.3	93	62.0	184	42.0
Offenses against the person	150	25.5 (54.2)	56	37.3 (60.2)	94	21.4 (50.1)
Other offenses only	127	21.6 (45.8)	37	24.7 (39.8)	90	20.5 (49.9)
No previous arrest record	311	52.7	57	38.0	254	58.0
Total	588	100.0	150	100.0	438	100.0
<i>Previous arrest record of Offender</i>						
Previous arrest record	400	64.4	81	54.0	319	67.7
Offenses against the person	264	42.5 (66.0)	49	32.7 (60.5)	215	45.6 (67.4)
Other offenses only	136	21.8 (34.0)	32	21.3 (39.5)	104	22.1 (32.6)
No previous arrest record	221	35.6	69	(46.0)	152	32.3
Total	621	100.0	150	100.0	471	100.0

in VP slayings (29 percent) as they are in non-VP slayings (14 percent)—a proportional difference which is also highly *significant*.

The number of white female offenders (16) in this study is too small to permit statistical analysis, but the tendency among both Negro and white females as separate groups is toward a much higher proportion among VP than among non-VP offenders. As noted above, analysis of Negro and white females as a combined group does result in the finding of a *significant* association between female offenders and VP homicide.

## AGE

The age distributions of victims and offenders in VP and non-VP homicides are strikingly similar; study of the data suggests that age has no apparent effect on VP homicide. The median age of VP victims is 33.3 years, while that of non-VP victims is 31.2 years.

## METHODS

In general, there is a *significant* association between method used to inflict death and VP homicide. Because Negroes and females comprise a larger proportion of offenders in VP cases, and because previous analysis has shown that stabbings occurred more often than any of the other methods of inflicting death,<sup>8</sup> it is implied that the frequency of homicides by stabbing is greater among VP than among non-VP cases. The data support such an implication and reveal that homicides by stabbing account for 54 percent of the VP cases but only 34 percent of non-VP cases, a difference which is *significant*. The distribution of shootings, beatings, and "other" methods of inflicting death among the VP and non-VP cases shows no significant

<sup>8</sup> Of 588 victims, 228, or 39 percent, were stabbed; 194, or 33 percent, were shot; 128, or 22 percent were beaten; and 38, or 6 percent, were killed by other methods.

differences. The high frequency of stabbings among VP homicides appears to result from an almost equal reduction in each of the remaining methods; yet the lower proportions in each of these three other categories among VP cases are not separately very different from the proportions among non-VP cases.

#### PLACE AND MOTIVE

There is no important difference between VP and non-VP homicides with respect to a home/not-home dichotomy, nor with respect to motives listed by the police. Slightly over half of both VP and non-VP slayings occurred in the home. General altercations (43 percent) and domestic quarrels (20 percent) rank highest among VP cases, as they do among non-VP cases (32 and 12 percent), although with lower frequency. Combined, these two motives account for a slightly larger share of the VP cases (3 out of 5) than of the non-VP cases (2 out of 5).

#### VICTIM-OFFENDER RELATIONSHIPS<sup>9</sup>

Intra-racial slayings predominate in both groups, but inter-racial homicides comprise a larger share of VP cases (8 percent) than they do of non-VP cases (5 percent). Although VP cases make up one-fourth of all criminal homicides, they account for over one-third (35 percent) of all inter-racial slayings. Thus it appears that a homicide which crosses race lines is often likely to be one in which the slayer was provoked to assault by the victim. The association between inter-racial slayings and VP homicides, however, is not statistically significant.

Homicides involving victims and offenders of opposite sex (regardless of which sex is the victim or which is the offender) occur with about the same frequency among VP cases (34 percent) as among non-VP cases (37 percent). But a *significant* difference between VP and non-VP cases does emerge when determination of the sex of the victim, relative to the sex of his specific slayer, is taken into account. Of all criminal homicides for which the sex of both victim and offender is known, 88 involve a male victim and a female offender; and of these 88 cases, 43 are VP homicides. Thus, it may be said that 43, or 29 percent, of the 150 VP homicides, compared to 45, or only 11 percent, of the 400 non-VP homicides, are males slain by females.

It seems highly desirable, in view of these findings, that the police thoroughly investigate every possibility of strong provocation by the male victim when he is slain by a female—and particularly, as noted below, if the female is his wife, which is also a strong possibility. It is, of course, the further responsibility of defense counsel, prosecuting attorney, and subsequently the court, to determine whether such provocation was sufficient either to reduce or to eliminate culpability altogether.

The proportion that Negro male/Negro male<sup>10</sup> and white male/white male homicides constitute among VP cases (45 and 13 percent) is similar to the proportion these same relationships constitute among non-VP cases (41 and 14 percent). The important contribution of the Negro male as a victim-precipitator is indicated by the

<sup>9</sup> Only 550 victim-offender relationships are identified since 38 of the 588 criminal homicides are classified as unsolved, or those in which the perpetrator is unknown.

<sup>10</sup> The diagonal line represents "killed by". Thus, Negro male/Negro male means a Negro male killed by a Negro male; the victim precedes the offender.



fact that Negro male/Negro female homicides are, proportionately, nearly three times as frequent among VP cases (25 percent) as they are among non-VP cases (9 percent). It is apparent, therefore, that Negroes and males not only are the groups most likely to make positive and direct contributions to the genesis of their own victimization, but that, in particular, Negro males more frequently provoke females of their own race to slay them than they do members of their own sex and race.

For both VP and non-VP groups, close friends, relatives, and acquaintances are the major types of specific relationships between victims and offenders. Combined, these three relationships constitute 69 percent of the VP homicides and 65 percent of the non-VP cases. Victims are relatives of their slayers in one-fourth of both types of homicide. But of 38 family slayings among VP cases, 33 are husband-wife killings; while of 98 family slayings among non-VP cases, only 67 are husband-wife killings. This proportional difference results in a *significant* association between mate slayings and VP homicide.

Finally, of VP mate slayings, 28 victims are husbands and only 5 are wives; but of non-VP mate slayings, only 19 victims are husbands while 48 are wives. Thus there is a *significant* association between husbands who are victims in mate slayings and VP homicide. This fact, namely, that *significantly* more husbands than wives are victims in VP mate slayings—means that (1) husbands actually may provoke their wives more often than wives provoke their husbands to assault their respective mates; or, (2) assuming that provocation by wives is as intense and equally as frequent, or even more frequent, than provocation by husbands, then husbands may not receive and define provocation stimuli with as great or as violent a reaction as do wives; or (3) husbands may have a greater felt sense of guilt in a marital conflict for one reason or another, and receive verbal insults and overt physical assaults without retaliation as a form of compensatory punishment; or, (4) husbands may withdraw more often than wives from the scene of marital conflict, and thus eliminate, for the time being, a violent overt reaction to their wives' provocation. Clearly, this is only a suggestive, not an exhaustive, list of probable explanations. In any case, we are left with the undeniable fact that husbands more often than wives are major, precipitating factors in their own homicidal deaths.

#### ALCOHOL

In the larger work of which this study is a part, the previous discovery of an association between the presence of alcohol in the homicide situation and Negro male offenders, combined with knowledge of the important contribution Negro males make to their own victimization, suggests an association (by transitivity) between VP homicide and the presence of alcohol. Moreover, whether alcohol is present in the victim or offender, lowered inhibitions due to ingestion of alcohol may cause an individual to give vent more freely to pent up frustrations, tensions, and emotional conflicts that have either built up over a prolonged period of time or that arise within an immediate emotional crisis. The data do in fact confirm the suggested hypothesis above and reveal a *significant* association between VP homicide and alcohol in the homicide situation. Comparison of VP to non-VP cases with respect to the presence of alcohol in the homicide situation (alcohol present in either the victim, offender, or both), reveals that alcohol was present in 74 percent of the VP cases and in 60 per-

cent of the non-VP cases. The proportional difference results in a *significant* association between alcohol and VP homicide. It should be noted that the association is not necessarily a causal one, or that a causal relationship is not proved by the association.

Because the present analysis is concerned primarily with the contribution of the victim to the homicide, it is necessary to determine whether an association exists between VP homicide and presence of alcohol in the victim. No association was found to exist between VP homicide and alcohol in the offender. But victims had been drinking immediately prior to their death in more VP cases (69 percent) than in non-VP cases (47 percent). A positive and *significant* relationship is, therefore, clearly established between victims who had been drinking and who precipitated their own death. In many of these cases the victim was intoxicated, or nearly so, and lost control of his own defensive powers. He frequently was a victim with no intent to harm anyone maliciously, but who, nonetheless, struck his friend, acquaintance, or wife, who later became his assailant. Impulsive, aggressive, and often dangerously violent, the victim was the first to slap, punch, stab, or in some other manner commit an assault. Perhaps the presence of alcohol in this kind of homicide victim played no small part in his taking this first and major physical step toward victimization. Perhaps if he had not been drinking he would have been less violent, less ready to plunge into an assaultive stage of interaction. Or, if the presence of alcohol had no causal relation to his being the first to assault, perhaps it reduced his facility to combat successfully, to defend himself from retaliatory assault and, hence, contributed in this way to his death.

#### PREVIOUS ARREST RECORD

The victim-precipitator is the first actor in the homicide drama to display and to use a deadly weapon; and the description of him thus far infers that he is in some respects an offender in reverse. Because he is the first to assume an aggressive role, he probably has engaged previously in similar but less serious physical assaults. On the basis of these assumptions several meaningful hypotheses were established and tested. Each hypothesis is supported by empirical data, which in some cases reach the level of statistical significance accepted by this study; and in other cases indicate strong associations in directions suggested by the hypotheses. A summary of each hypothesis with its collated data follows:

(1) In VP cases, the victim is more likely than the offender to have a previous arrest, or police, record. The data show that 62 percent of the victims and 54 percent of the offenders in VP cases have a previous record.

(2) A higher proportion of VP victims than non-VP victims have a previous police record. Comparison reveals that 62 percent of VP victims but only 42 percent of non-VP victims have a previous record. The association between VP victims and previous arrest record is a *significant* one.

(3) With respect to the percentage having a previous arrest record, VP victims are more similar to non-VP offenders than to non-VP victims. Examination of the data reveals no significant difference between VP victims and non-VP offenders with a previous record. This lack of a significant difference is very meaningful and confirms the validity of the proposition above. While 62 percent of VP victims have a police record, 68 percent of non-VP offenders have such a record, and we have already noted

in (2) above that only 42 percent of non-VP victims have a record. Thus, the existence of a statistically *significant* difference between VP victims and non-VP victims and the *lack* of a statistically significant difference between VP victims and non-VP offenders indicate that the victim of VP homicide is quite similar to the offender in non-VP homicide—and that the VP victim more closely resembles the non-VP offender than the non-VP victim.

(4) A higher proportion of VP victims than of non-VP victims have a record of offenses against the person. The data show a *significant* association between VP victims and a previous record of offenses against the person, for 37 percent of VP victims and only 21 percent of non-VP victims have a record of such offenses.

(5) Also with respect to the percentage having a previous arrest record of offenses against the person, VP victims are more similar to non-VP offenders than non-VP victims. Analysis of the data indicates support for this assumption, for we have observed that the difference between VP victims (37 percent) and non-VP victims (21 percent) is *significant*; this difference is almost twice as great as the difference between VP victims (27 percent) and non-VP offenders (46 percent), and this latter difference is not significant. The general tendency again is for victims in VP homicides to resemble offenders in non-VP homicides.

(6) A lower proportion of VP offenders have a previous arrest record than do non-VP offenders. The data also tend to support this hypothesis, for 54 percent of offenders in VP cases, compared to 68 percent of offenders in non-VP cases have a previous police record.

In general, the rank order of recidivism—defined in terms of having a previous arrest record and of having a previous record of assaults—for victims and offenders involved in the two types of homicide is as follows:

	Percent with Previous Arrest Record	Percent with Previous Record of Assault
(1) Offenders in non-VP Homicide.....	68	46
(2) Victims in VP Homicide.....	62	37
(3) Offenders in VP Homicide.....	54	33
(4) Victims in non-VP Homicide.....	42	21

Because he is the initial aggressor and has provoked his subsequent slayer into killing him, this particular type of victim (VP) is likely to have engaged previously in physical assaults which were either less provoking than the present situation, or which afforded him greater opportunity to defer attacks made upon him. It is known officially that over one-third of them assaulted others previously. It is not known how many formerly provoked others to assault them. In any case, the circumstances leading up to the present crime in which he plays the role of victim are probably not foreign to him since he has, in many cases, participated in similar encounters before this, his last episode.

#### SUMMARY

Criminal homicide usually involves intense personal interaction in which the victim's behavior is often an important factor. As Porterfield has recently pointed out,

"the intensity of interaction between the murderer and his victim may vary from complete non-participation on the part of the victim to almost perfect cooperation with the killer in the process of getting killed. . . . It is amazing to note the large number of would-be murderers who become the victim."<sup>11</sup> By defining a VP homicide in terms of the victim's direct, immediate, and positive contribution to his own death, manifested by his being the first to make a physical assault, it has been possible to identify 150 VP cases.

Comparison of this VP group with non-VP cases reveals *significantly* higher proportions of the following characteristics among VP homicide:

- (1) Negro victims;
- (2) Negro offenders;
- (3) male victims;
- (4) female offenders;
- (5) stabbings;
- (6) victim-offender relationship involving male victims of female offenders;
- (7) mate slayings;
- (8) husbands who are victims in mate slayings;
- (9) alcohol in the homicide situation;
- (10) alcohol in the victim;
- (11) victims with a previous arrest record;
- (12) victims with a previous arrest record of assault.

In addition, VP homicides have slightly higher proportions than non-VP homicides of altercations and domestic quarrels; inter-racial slayings, victims who are close friends, relatives, or acquaintances of their slayers.

Empirical evidence analyzed in the present study lends support to, and measurement of, von Hentig's theoretical contention that "there are cases in which they (victim and offender) are reversed and in the long chain of causative forces the victim assumes the role of a determinant."<sup>12</sup>

In many cases the victim has most of the major characteristics of an offender; in some cases two potential offenders come together in a homicide situation and it is probably often only chance which results in one becoming a victim and the other an offender. At any rate, connotations of a victim as a weak and passive individual, seeking to withdraw from an assaultive situation, and of an offender as a brutal, strong, and overly aggressive person seeking out his victim, are not always correct. Societal attitudes are generally positive toward the victim and negative toward the offender, who is often feared as a violent and dangerous threat to others when not exonerated. However, data in the present study—especially that of previous arrest record—mitigate, destroy, or reverse these connotations of victim-offender roles in one out of every four criminal homicides.

<sup>11</sup> PORTERFIELD, AUSTIN L. AND TALBERT, ROBERT H., *MID-CENTURY CRIME IN OUR CULTURE: PERSONALITY AND CRIME IN THE CULTURAL PATTERNS OF AMERICAN STATES*, Fort Worth: Leo Potishman Foundation, 1954, pp. 47-48.

<sup>12</sup> VON HENTIG, *op. cit.*, p. 383.