

CHAPTER 1

VIOLENCE AND CRIMINAL VIOLENCE

DEFINING VIOLENCE

If we pay attention to newspapers, television, and other types of media, violence appears to be a pervasive part of life. Even if we ignore fictional accounts, newspapers, magazines, television, and the World Wide Web provide a plethora of violence both in types and amount. But what is violence? Is there a difference between violence and criminal violence?

Violence is difficult to define because there are so many different kinds. There is violence associated with the forces of nature. Tornados, hurricanes, earthquakes, rainstorms, floods, and forest fires are frequently described as violence that results in loss of life and property.

Violence may be the outcome of extreme emotional states such as rage, anger, or hate. While rage, anger, or hate may be directed toward people, these emotions may also be directed toward animals or even objects. Kicking the dog after a frustrating day at the office is the most commonly given example, although there are far more serious instances of animals being excessively beaten, starved, or otherwise abused (Newman, 1979). The definition of violence used in this book is taken from the National Research Council's Panel on the Understanding and Control of Violent Behavior: "behavior by persons against person that intentionally threatens, attempts, or actually inflicts physical harm" (Reiss & Roth, 1993, p. 35).

Violence may be the inevitable accompaniment of socially approved activities. An enormous amount of *sports violence* is not only legal, but it is acceptable because of the circumstances in which it occurs. Atyeo (1979, p. 11) wrote:

The thing about sport is that it legitimizes violence, thereby laundering it acceptably clean. Incidents routinely occur in the name of sport which, if they were perpetrated under any other banner short of open warfare, would be roundly condemned as crimes against humanity. The mugger in the parking lot is a villain; the mugger on the playing field is a hero. The pain inflicted in sport is somehow not really pain at all; it is Tom and Jerry pain, cartoon agony which doesn't hurt. We can sit happily at the ringside watching a Chuck Wepner have his face split and torn by a Sonny Liston, yet if we forced backstage to watch the doctor lace 120 stitches into that same face we would run away in horror.

Because violence is legitimated on the playing field, there is a tendency for athletes to be involved in more violence off the field than nonathletes. According to a study of Judicial Affairs offices for ten Division I universities, male student-athletes comprised 3.3% of the population, but represented 19% of sexual assault and domestic violence (Crossett, Benedict, & McDonald, 1995; Crossett, Ptacek, McDonald, & Benedict, 1996).

What is the source of a far greater number of deaths and injuries than workers assaulting one another in the workplace? *Corporate violence*. Corporate violence is behavior that produces an unreasonable risk of physical harm to employees, the general public, and consumers resulting from deliberate decisions by corporate managers or executives (Brownstein, 2000; Kramer, 1983).

Willey, Hendershot, and Berger (2006) describe the disaster in Bhopal, India.

In essence, about 41 metric tons of methyl isocyanate [used in pesticides] was released from the Union Carbide India Limited (UCIL) pesticide plant in Bhopal just after midnight on December 3, 1984. This gas spread slowly southward from the plant site during the early morning hours with very stable weather conditions. Of the 900,000 population within the city, more than 200,000 people were exposed to MIC-tainted air. Documented death counts are listed at 3,787. The number of undocumented deaths will never be known, but estimates are more than 10,000.

Chaos surrounded the city afterwards. Thousands panicked. As the story of the disaster circled the globe, international aid began to flow into the city. Union Carbide, USA, was the majority owner of the plant (50.9 percent) with Indian investors owning the rest.

Occupationally related deaths also have occurred because the employer did not provide adequate safeguards to prevent contact with toxic substances. For example, people have died from cancer at disproportionate rates because of exposure to high levels of asbestos or vinyl chloride (Swartz, 1975).

In addition to attempts or actual use of physical force, there is *psychological violence*, which can consist of persistent negative attributions to others, particularly those emotionally close to the speaker. For example, it can be emotionally damaging to one intimate partner if the other steadily threatens, denigrates, or verbally abuses him or her. Other examples include controlling another in a way that provides an opportunity to criticize and denigrate (i.e., a husband may allocate too little money to the household food budget, then constantly criticize the wife for the type and quality of food served).

What is notable about the preceding examples is that the violence may or may not be criminal. Does psychological abuse carry a criminal penalty? Although there are numerous instances of sports and corporate violence, few of those responsible for the acts are criminally prosecuted. What is the difference between violence and criminal violence?

TURNING VIOLENCE INTO CRIMINAL VIOLENCE

What turns the threat, attempt, or use of physical force by one or more persons toward others into criminal violence is *law*. Without law, the violence may be outrageous, immoral, depressing, hurtful, demoralizing, and lamentable, but it is not a crime. Certain acts of violence cannot be tolerated in an ordered society, so representatives of a government create rules

prohibiting some forms of violent behavior outright and circumscribing their expression in other instances. Sanctions, such as incarceration, are imposed for violations of these laws.

One view of how such laws are created is the *consensus* model, which assumes that members of society by and large agree on what is right and wrong and the law codifies these agreed-upon social values (Adler, Mueller, & Laufer, 1998). The nearest approximation to this view are laws prohibiting homicide, which are among the oldest criminal laws.

The laws regarding homicide used in the United States developed out of English common law. When the Pilgrims landed at Plymouth Rock, they brought English common law with them. One of the first murders reported in the U.S. colonies occurred in 1630, when John Billington, one of the original band of 102 Pilgrims to land at Plymouth Rock, fired his blunderbuss at a neighbor from behind a rock and killed him. Billington was charged with murder, tried, convicted, and hanged (Nash, 1973).

A second view is a *conflict* model, in which power is the key to lawmaking. According to the conflict model, people with political and economic power make laws that protect their interests while keeping the poor at a disadvantage. The conflict model is used to explain why laws governing white-collar and environmental crimes are infrequently and lightly enforced. Those responsible for exposing humans to toxic wastes that shorten lives or those who make unsafe automobiles are rarely prosecuted as violent criminals because of their high social status (Hills, 1987).

Related to the conflict perspective is the view that social reality in general, including criminal laws, is *socially constructed* (Berger & Luckmann, 1967; Spector & Kitsuse, 1987). Brownstein (2000) provides a succinct statement of this perspective:

From the social constructionist perspective, social reality is a product of social interaction in the form of individual decisions, interpretations, and actions. In that individuals act and interact, make decisions, and interpret their experience in the context of their unique social positions and interests, social reality, and hence all social phenomena, are necessarily constructed in an ideological and political context. That is, the social world in which we live is designed by us in the context of our own values and interests, or, more precisely, by those among us who have the power to design that world in the context of their own values and interests.

Brownstein is suggesting that social problems such as violence, comprise images and ideas that appear as subjective perceptions to us. These perceptions, however, are socially constructed; that is, they become social problems as the result of interaction with others, particularly interaction with groups or organizations that have the capacity to socially define a condition as problematic, in a literal sense. These groups and organizations also provide solutions in the form of laws or prevention programs. Among the most powerful of these claims makers are the media, who present constructions of violence that come to be accepted as objectively real even though, in many circumstances, what is uncovered by research shows the constructed reality to be grossly exaggerated or nonexistent. Examples include:

- In the mid-eighties, the public was led to believe by media and government officials that we were in the midst of a crack cocaine epidemic that was leading to high levels of violence. At the same time, Henry Brownstein, Paul Goldstein, and Pat Ryan were studying whether crack caused violence. They found a relationship between crack and violence,

but 85 percent of crack-related homicides involved disputes over crack-market dealing. Only five of the 414 New York homicides studied were the result of using crack, and two of these involved other drugs as well. Clearly, the "drug-crazed killer" was the product of media claims making (Brownstein, 2000).

- The seventies witnessed the discovery of a new deviant — the Halloween sadist, who gives dangerous and adulterated food to children. For example, the nice lady down the street who gives apples to children may conceal a razor blade inside. Media warnings to parents went out, and California and New Jersey legislatures passed laws against Halloween sadism. Best and Horiuchi (1985) searched four major newspapers for all instances of Halloween sadism between 1959 and 1984. Of the seventy-six instances uncovered, only two resulted in the death of children. In one case, the child ate heroin that was hidden in his uncle's home, not in Halloween candy. In the second case, the child died of cyanide in candy that had been placed there by his father, not some anonymous sadist. The remaining cases had minor injuries.
- The eighties saw the emergence of a moral panic about serial killings, which were, according to widespread accounts, up to 20 percent of all homicides. Upon investigation, however, Jenkins (1994) concluded that serial murders were fewer than 1 percent of all murders. The exaggerated count of serial murderers emerged from dubious statistics presented in congressional hearings by Federal Bureau of Investigation representatives that were treated as objective fact by media. Media claims were reinforced and extended by groups such as homosexuals, African-Americans, feminists, and various cults who claimed victimization by serial killers.

The focus of the media on drug-crazed killers, Halloween sadists, and serial killers occurs partly because they are unusual forms of violence. The thousands of U.S. murders, sexual assaults, domestic batteries, aggravated assaults, and robberies occur so frequently that they are no longer newsworthy. We are suggesting, then, that there must be something unusual about criminal violence to warrant media attention. The issue is captured by the old saying, "It's not news when dog bites man. It's news when man bites dog."

The fact that the media rarely present a representative view of violence in the United States has an important policy implication. The views carried by the media have an impact on legislators, policy makers, and the public; criminal laws can and do result from exaggerated and distorted views of the problem. Perhaps the best example is the fact that severe sanctions are imposed for the possession and use of marijuana although the drug has been shown repeatedly to have little or no relationship to violence (Reiss & Roth, 1993).

A large number of laws govern the expression of criminal violence. We know them under laws prohibiting homicide, assault and battery, robberies, sexual assaults, and collective and political violence, such as terrorism, labor violence, and hate crimes. We will describe these laws in the chapters dealing with the latter forms of violence.

PERSPECTIVES ON CRIMINAL VIOLENCE

The three perspectives of criminology, criminal justice, and public health provide different ways of viewing criminal violence. We will discuss the similarities and differences between

the two
section
health
tive in

A CR

Crimi
work
tion in
of law
Laufer

We
crim
butior

Th

of as
betwe
tice sy
person

are, o
likely,
Crimi

Th
gists a
some
fit the

A CR

Crimi
justice
1970s
multi
econc

W
is the
(1999

- Th
cri
of
• La
ac

the two most closely related disciplines, criminology and criminal justice, in the following section. Although criminological issues overlap with those of criminal justice and public health, we will focus on distinctions between criminal justice and the public health perspective in the second section. All three approaches contribute to policy and practice.

A CRIMINOLOGICAL PERSPECTIVE

Criminology in the United States got an important impetus and legitimization from the work of sociologists at the University of Chicago who studied crime and social disorganization in the 1920s and 1930s. Criminology is defined as "the scientific study of the making of laws, the breaking of law, and society's reaction to the breaking of laws" (Adler, Mueller, & Laufer, 1998).

We have discussed the making of laws in a previous section, in which we described how criminal law is made through consensus and conflict. For the latter, we discussed the contributions of social constructionists.

The second part of our definition, the breaking of laws, is what is typically thought of as the main concern of criminology. What is important to recognize is the difference between a legal and a criminological approach to crime. Practitioners in the criminal justice system (e.g., law enforcement, prosecutors, judges, probation officers, and correctional personnel) are primarily interested in processing offenders according to criminal law. They are, of course, very interested in any measures that would reduce the appearance or, more likely, the reappearance of offenders, but their job is to work within the limits of law. Criminologists, on the other hand, have the task of explaining why the behavior occurred.

The final component, society's reaction to the breaking of laws, indicates that criminologists are interested in the effect that lawbreaking has on general society. Do people feel that some sanctions are more effective than others? Does the punishment handed out by courts fit the crime in the view of the public?

A CRIMINAL JUSTICE PERSPECTIVE

Criminal justice achieved its current prominence as a result of legislation funding criminal justice education during the administration of President Lyndon Johnson in the 1960s and 1970s. Although criminology has been heavily influenced by sociology, criminal justice is multidisciplinary, assimilating the insights of a variety of social sciences (e.g., psychology, economics, history, geography, and political science).

While criminology focuses on why criminal behavior occurred, the focus of criminal justice is the criminal justice system: law enforcement, the criminal courts, and corrections. Gottfredson (1999) describes four themes that are central to understanding the criminal justice system:

- The conflict between personal liberty and community safety that is reflected in daily criminal justice decisions. Although we value liberty, we also recognize that the behavior of some people must be controlled for the safety of others.
- Law enforcement agencies, criminal courts, and correctional agencies are part of an interacting system. What happens in one part affects all the other parts.

- An emphasis in the study of criminal justice is on the quality of decision making by those who work in the system. Decisions should be made in a framework that is legal and ethical.
- The main resource for making decisions and understanding the criminal justice system should be a reliance on scientifically gathered and evaluated information.

The different emphases of criminology and criminal justice are complementary. Criminology focuses on the "front end" of the criminal justice system, criminal justice on the remainder of the system itself. Criminology considers not only the causes of individual crime, but also the components of a criminogenic society. Criminal justice examines organizations and how decisions impact on the offender and on other parts of the system.

Both criminology and criminal justice rely on scientific theory and the use of the scientific method to understand and evaluate criminality. Because the public health perspective also relies on the scientific method, we will postpone discussion of how criminal violence is studied until we have described the public health perspective.

PUBLIC HEALTH PERSPECTIVES

The public health approach views violence as emerging from a complex causal system that includes, but is not limited to, offender intentions, motivations, and characteristics (Moore, 1995). The public health approach focuses on reducing the probability (risk) of harm. It emphasizes prevention rather than reaction, and reducing risk factors rather than simply incapacitating violent offenders (Prothrow-Stith, 1991). Moore (1995) outlines three key distinctions between public health and criminal justice approaches to violence. Each provides different ideas about (the problem, its causes, and effective interventions.

First, each sees the *problem* of violence differently. Criminal justice personnel view interpersonal attacks as crimes; public health specialists view them as *intentional injuries*. Intentional injuries are viewed as part of a larger category of health problems that include both disease and injuries; injuries include intentional injuries as well as unintentional injuries (e.g., auto accidents, falls, and fires).

Criminal law and the public both place greater weight on violent incidents resulting in serious injury or the threat of injury (Moore, 1995). Public health professionals, in contrast, traditionally have focused more on diseases and unintentional injuries. If data show that the death rate due to homicide for young black males is more than ten times the rate for young white males, however, then one must seek to find ways to reduce the level of harm to this population (Mercy & O'Carroll, 1988).

Differences in problem definition also result in different views regarding offenders and victims. In general, the criminal justice system attempts to prevent violent crime through deterrence, incapacitation or rehabilitation. *Deterrence* refers to the inhibiting effect that punishment has on potential offenders in the public (general deterrence). This may involve increasing the probability of arrest, conviction, incarceration, or increasing sentence severity. Specific deterrence, in contrast, would seek to prevent future criminal acts only by the individual punished. *Incapacitation* refers to the fact that an offender is restrained from committing any further crimes against the public, at least during the period he or she is confined.

Rehabili
likeliho
Chapter
multipl
nounce

To p
and rec
traditio
violenc
noncri

Cri
on ind
be trea
of the
rehabil
offend

Pul
limite
probal
when
lower

A.f
O'Car
(2) ris
places
tion (
and ex
standi
and p
resear
malle
theor
(Moo

Pt
tural
Pover
traun
cess i
Crim
serio
tors
The
the p

Rehabilitation refers to any postconviction treatment aimed at reducing an offender's future likelihood of committing crimes. We review some evidence for the effectiveness of each in Chapter 15. In reality, though, many criminal justice programs and policies today address multiple goals simultaneously, and traditional distinctions among these goals are less pronounced than they once were (Welsh, 1993).

To public health specialists, the essential task is to repair the damage caused by the attack and reduce future attacks rather than assign blame. Similarly, the public health community traditionally has been more sensitive to violence occurring among intimates, because much violence unreported to police is likely to turn up in emergency rooms, schools, and other noncriminal justice settings.

Criminal justice also tackles *causes* differently. Criminal justice specialists tend to focus on individual offender intentions, motivations, and backgrounds. Indeed, violence would be treated as accidental rather than criminal were there not some level of intent on the part of the offender. The criminal justice system's emphases on deterrence, incapacitation, and rehabilitation flow naturally from its focus on the intentions and motivations of individual offenders (Moore, 1995).

Public health tends to see violence as emerging from complex causes, including, but not limited to, the individual offender. *Risk factors* can be defined as statistical or conditional probabilities that elevate the likelihood of violent victimization. Protection is indicated when certain factors, such as being raised in a two-parent rather than a single-parent family, lower the statistical likelihood of violent victimization.

A four-step "risk-based" approach guides prevention and intervention efforts (Mercy & O'Carroll, 1988): (1) surveillance (collect, analyze, interpret, and report health data), (2) risk group identification (identify persons at greatest risk of disease or injury, and the places, times, and circumstances associated with increased risk), (3) risk factor exploration (analyze to explore potentially causative factors), and (4) program implementation and evaluation (design, implement, and evaluate preventive interventions based on understanding of risk factors and the population at risk). This approach is thus highly empirical and pragmatic rather than theoretical. Public health specialists are informed by theoretical research, although they are more directly concerned with identifying risk factors that are malleable or changeable through ethical and humane methods. Part of the test for a useful theory or a useful risk factor is whether interventions based on its logic will work or not (Moore, 1995).

Public health perspectives focus on at least three broad classes of risk factors: (1) structural and cultural, (2) criminogenic commodities, and (3) situational (Moore, 1995). Poverty, for example, is a structural risk factor. Poverty exposes children to higher rates of trauma, victimization, and poor health, with the result that the likelihood of future success is lowered and the likelihood of future victimization and/or offending is increased. Criminogenic commodities are items that increase both the likelihood of violence and the seriousness of injury: guns, alcohol and drugs (see Chapters 12 and 13). Situational risk factors are specific types of interactions and settings in which the risk of violence is elevated. The notion of *dangerous offenders*, central to criminal justice, is conspicuously missing from the public health perspective (Moore, 1995).

As Moore suggests, the public health perspective complements, not replaces, criminal justice. It widens strategies for prevention and intervention. It identifies important opportunities for preventing and controlling violence that go beyond deterrence, incapacitation, and rehabilitation. It also challenges our moral values about who should be blamed for violent incidents. At least some interpersonal violence may be seen as heavily influenced by structural, cultural, and situational factors rather than the moral depravity of offenders. If the causes of violence go beyond the individual, then so must solutions.

Indeed, the different focuses of intervention for criminal justice and public health advocates is the third key distinction between the two approaches (Moore, 1995). Traditionally, criminal justice is more *reactive*, while public health is more *proactive*, attempting to intervene before violence occurs. As a result, three types of prevention are distinguished by public health:

- *Primary prevention* attempts to prevent the occurrence of disease, injury, or death by targeting and altering one or more critical risk factors. One might seek to prevent, for example, the initial occurrence of child physical or sexual abuse. Public health strategies typically emphasize the importance of primary prevention.
- *Secondary prevention* attempts to identify and change key stages in the development of disease, death, or injury that, if left unaltered, are likely to lead to more serious physical or mental health consequences. Secondary prevention programs often target individuals who have already begun to experience some negative health consequences as a result of their exposure to certain risk factors but have not yet progressed to serious illness or injury.
- *Tertiary prevention* attempts to intervene after an illness has been contracted or an injury inflicted. It seeks to minimize the long-term consequences of the disease or injury and reduce the likelihood of its reoccurrence. Tertiary prevention programs tend to focus on targets who have already suffered serious, negative consequences (e.g., serious injury, physical or mental disability, and/or criminal justice involvement) as a result of their exposure to certain risk factors.

Preferred interventions are at the level of primary prevention, the prevention of harm before it occurs. The public health perspective complements criminal justice efforts, which mostly take place at secondary and tertiary levels, when the risk of violence has been identified and when violence has already occurred. The public health approach brings a different set of strategies for observation and intervention, additional resources for developing and using data, and a broader constituency. The public health approach is not limited to reducing victimization; it extends to reducing violent offending. To reduce harm, public health specialists are equally interested in interrupting the processes that produce violent offenders (Moore, 1995). For example, a primary prevention approach attempting to reduce drug abuse by adolescents would seek to reduce the likelihood of initial experimentation. Secondary prevention programs target users who have tried drugs but not yet experienced serious physical or mental health consequences. Tertiary prevention programs target users who have already experienced serious, negative health or behavioral effects (Greenwood, 1992).

The extension to violent offending is clear. Public health specialists prefer primary prevention, wherever possible, and thus emphasize the desirability of trying to prevent *first offenses*, or initial occurrences of violent behavior (Moore, 1995). Public health specialists,

in contrast to criminal justice professionals, also tend to target structural, cultural, environmental, and situational risk factors much more than individual characteristics. When behavioral approaches are considered (e.g., altering adolescent attitudes and behavior regarding drug use), educational approaches rather than legal interventions (e.g., massive mobilization of police resources to combat drug sales in high crime neighborhoods) are emphasized.

HOW IS CRIMINAL VIOLENCE STUDIED?

THEORETICAL PERSPECTIVES

The study of criminal violence is anchored in criminal law; without criminal law, as we said at the beginning of the chapter, the behavior maybe violent, but it is not criminally violent. Criminology, criminal justice, and public health perspectives are not compelled to view criminal violence through the lens of criminal law, however. The essential characteristic of a discipline is that it contributes its unique view to an understanding of a phenomenon. The three perspectives discussed in the preceding pages may each view the same phenomena differently from the way they are viewed by criminal lawyers and other practitioners.

To use an example from criminology, the major legal difference between aggravated assault and criminal homicide is the existence of a dead body. Thus, if an offender robs and beats a victim, leaving him or her in a coma, the offender can be charged with aggravated assault and robbery. If the victim dies, however, the charge is changed to criminal homicide.

Viewing criminal homicide and aggravated assault as separate categories of violence may not be the most useful way of looking at them from the viewpoint of developing a scientific theory to understand this type of violence. The two crimes are legally distinct and are processed differently because the homicide ends in death and the assault does not. An analysis of police records, however, indicates that the two types of crimes have very similar characteristics (Block, 1977; Pittman & Handy, 1964; Pokorny, 1965). In a more recent comparison of assaults and homicides in Dallas, Harries (1989) found results similar to earlier studies. Homicides are similar to assaults with respect to socioeconomic status, temporal patterns, and racial, age, and gender distributions. Homicides differ from assaults primarily in the more frequent use of firearms.

From the viewpoint of understanding the causes of criminal homicides and assaults, does it make sense to have a theory of homicides and a theory of assaults because they represent different legal categories? A more useful approach is to assume that because they share many characteristics, criminal homicides and assaults may be subsets of one general theoretical category of violence. From this perspective, the causes of both crimes are similar. The differences between the two are the result of factors related to the situation (i.e., differential availability of firearms) or the process of the violent event. In other words, a scientific explanation of criminal violence may call on criminologists to conceptualize violent behavior in ways that are substantially different from the goals of criminal law and criminal justice processing.

RESEARCH METHODS

The preceding discussion on theoretical perspectives illustrates how researchers can view violence using their particular perspectives. In many instances, research is carried out to answer

policy or practice questions using legal categories. For example, homicide has been declining in the United States since the mid-nineties. Using the criminal law definition of homicide, researchers continue to explore the reasons for the decline (Blumstein & Rosenfeld, 1998).

What binds the three perspectives together is that they use scientific methods to acquire information about criminal violence. For example, Sherman, Shaw, and Rogan (1995) did an *experiment* in which police intensified their efforts to enforce existing gun laws on an experimental patrol beat in Kansas City. The results of their efforts were compared to those in another patrol beat (control beat) in which no increased effort was made to enforce gun laws. The results show that gun-related crimes in the target beat decreased from 37 per 1,000 persons to 18.9, while gun crimes in the control beat showed little change. Other positive findings included a decline in homicides and less public fear in the experimental area as compared to the control area.

The National Crime Victimization Survey (NCVS), discussed in detail in the next chapter, is an example of how a *survey* is used to study violence (Rennison and Rand 2007). In addition to questions on violence, the NCVS asks a nationally representative sample a series of questions about how often they have been victimized and the nature of their victimizations.

Researchers use *interviews* as a method of learning about violence. Giordano et al. (1999) interviewed a representative sample of 12-to 19-year-old young men and women in Toledo in 1982 and again in 1992. The authors wanted to know if prior delinquency involvement and self-concept played a role in relationship violence, particularly among females. The results of their analysis supported the view that prior delinquency involvement did, indeed, increase relationship violence among females.

Participant observation is one of a number of qualitative research techniques used to study violence. For example, Jankowski (1991) conducted studies of 37 gangs in Boston, New York, and Los Angeles. The gangs were of African-American, Jamaican, Puerto Rican, Dominican, Chicano, Central American, Irish, and mixed ethnic membership. Jankowski studied these gangs by participating in their daily activities, even to the extent of fighting with them when it became impossible to do otherwise. He became accepted by the gangs and took notes and made tape recordings of their activities.

Secondary data and *content analysis* are frequently used because violent phenomena are statistically rare (Riedel, 2000). Somewhat less frequently used is content analysis to determine the kinds of information that are available—and, presumably, read—by selected audiences. Social constructionists who study the impact of media interpretations of public opinion and legislation use content analysis of television, magazines, the World Wide Web, and newspapers. Best and Horiuchi's (1985) study of Halloween sadism is an example of how content analysis of newspapers is used to study violence.

CHALLENGES OF VIOLENCE RESEARCH

The challenge in doing research on violence has little to do with method and everything to do with content, because it is criminal violence, rather than violence, that is being studied. Because it is *criminal* violence, the research has to be anchored, in some fashion, in a legal

concept of crime. This fact alone shapes and limits the kind of information that is available for research purposes. For example, there are relatively few studies of violent offenders who are not incarcerated. Studies of incarcerated offenders indicate awareness that they are committing a violent crime. Although such research is enormously useful, it is clear that offenders interviewed may or may not be a representative sample of, for example, robbery offenders.

Much research on violent crime draws on secondary data, that is, information gathered for another purpose. Most of this research draws on official records, such as police department records or official statistics, such as the *Uniform Crime Reports*, an annual summary of crime in the United States published by the FBI. We will discuss the law enforcement record and other sources of data in the next chapter.

The following considers some characteristics of crime that make access to reliable and valid data on violent crime difficult.

The first obstacle to obtaining valid and reliable data is the rarity of the event. As a rule, the more serious the crime, the less frequently it occurs and the less likely it can be observed directly. For example, in 2008, there were only 2,293 murders and nonnegligent manslaughters in a California population of 38,596,687, which is .0060 percent of the population (State of California, 2009; Riedel, 2009). Given its rarity and generally unannounced occurrence, information about criminal homicides is obtained as a byproduct of police investigation and apprehension of offenders.

Readers may be puzzled because the opening pages of this chapter give numerous examples of violence and criminal violence, yet in the preceding paragraph we say that violent crime is statistically rare. In one sense, both statements are true, depending upon what is being compared. When we consider 2,293 murders and nonnegligent manslaughters in a population of more than 38 million people, they are, indeed, rare events. When we consider violent crime in comparison to other technologically advanced nations, however, criminal violence is extremely high in the United States. We consider these issues in Chapter 3.

Second, there are violent crimes more prevalent than criminal homicides, but they cannot be observed easily for other reasons. For example, Harries (1989) found that aggravated assaults ($n = 32,096$) occurred 27 times more frequently than criminal homicide ($n = 1,228$) in Dallas from 1981 through 1985. Aggravated assaults, however, occur in settings that are not routinely subject to surveillance. Thus, robberies and rapes, as well as crimes like burglaries, occur in locations and in ways that reduce the possibility of the offender being identified and apprehended.

Violent assaults also occur in settings that are legally protected from outsiders. Thus, the study of domestic violence must be limited to voluntary reporting by the victims or offenders because of the protected privacy of the settings (Gelles & Straus, 1988).

Third, a major premise of the criminal justice system is that victims or bystanders will report crimes. In many instances, victims have a clear interest in reporting crimes because they seek justice, retribution, and/or restitution for an injury suffered. Crimes go unreported, however, because victims may be legally implicated in offenses like prostitution, gambling, and possession of controlled substances. Aside from legal accountability, victims may not report crime because they fear humiliation, embarrassment, or the offenders. For this reason, spousal and child abuse, sexual assaults, and rapes are underreported.

Generally, violence involving family members and relatives is less frequently reported than violence involving strangers, for several reasons. There is a tendency to "normalize" violent attacks by people known to the victim, which does not occur for attacks by strangers. A violent attack is "normalized" by a victim's effort to attribute a socially acceptable and benign meaning to it. The older literature on violence between spouses is replete with examples of normalizing. The wife believes that a beating by her husband has to be forgiven and understood in the context of his fears and insecurities over losing his job, for example.

In addition, the criminal justice system is less willing to deal with violent offenses involving people known to one another compared to offenses involving strangers, although recent legislation has compelled more attention by law enforcement to domestic violence. Gottfredson and Gottfredson (1988) summarize the impact of strangers on discretionary decisions:

The major pattern may be stated succinctly: It is preferred that the criminal justice process not deal with criminal acts between nonstrangers. Nearly every decision maker in the process seeks alternatives for criminal acts between relatives, friends, and acquaintances. The gravest dispositions are reserved continuously for events between strangers. Victims report nonstranger events less frequently, police arrest less frequently, prosecutors charge less frequently, and so on through the system.

Fourth, victims may respond differently, depending on what is considered "normal" in their particular environments. For example, victimization surveys find that victimization by assault is positively correlated with education, despite the fact that police files indicate that most victims of assault are less educated. It may be that better-educated persons are better respondents and give more information. It is also likely, however, that less educated persons may see certain types of violence as a normal part of life, whereas the better-educated have had very little contact with physically assaultive behavior and see such acts as criminal violence (Skogan, 1982).

Fifth, because crime is stigmatizing and carries with it penal sanctions, large portions of the record may be missing even though the crime is reported. Obviously, offenders have the greatest interest in concealing events. Except for observations supplied by the victim, information about the offender depends on "clearing" an offense by the arrest of one or more offenders. Clearance percentages are very low, however; the clearance percentage for the most serious crime, homicide, was 63.6 percent in 2008 (FBI, 2008). If the offender is not known and the victim is dead, police records are missing information about an important participant in the crime in 36.4 percent of these cases.

WHAT LIES AHEAD?

The first three chapters of this book provide a background for understanding subsequent chapters on specific forms of violence. Chapter 2 reviews and discusses the strengths and limitations of different measures of violence. These include data available from police and medical professionals at the local and national levels and the NCVS.

Chapter 3 focuses on historical and comparative perspectives. Was the United States always a violent society, or is it more violent now than in previous historical periods? How does the rate of criminal violence in the United States compare to those in other technologically advanced, and Third-World, countries?

A TRIPARTITE APPROACH TO UNDERSTANDING VIOLENCE

Following Welsh and Harris (2004) we suggest a *tripartite approach* to violence in Chapters 4–15. For any specific type of violence, we first examine *patterns* of violence (who is involved, where, how much, how often, how long, and so on). Second, we attempt to understand or *explain* violence based on those observed patterns. Third, we need to explore *solutions* (interventions) to specific types of violence that are consistent with *both* observed patterns and explanations. Failure to do so increases the likelihood of failed interventions. Using the tripartite approach, Chapters 4–7 discuss specific types of violent crimes (homicide, robbery, rape, hate crimes). Also using the tripartite approach, Chapters 8–14 discuss criminal violence in specific settings and contexts. Thus, there are separate chapters on family, workplace, school, and gang violence as well as on gun and drug violence. Chapter 14 discusses terrorism and Chapter 15 examines the relationship between punishment and prevention.

Patterns

We begin analysis of any specific type of violent behavior by examining information about it. We are interested in questions like: How do we define a specific behavior (e.g., homicide, robbery)? How prevalent is it? Where is it most frequently found? Who are the offenders, and who are the victims? How long has the problem existed? How has it changed over time? We need to be careful, because problems are socially constructed by the media, politicians, or even criminal justice officials. In other words, certain problems are perceived, and decisions are made to focus attention and resources on a particular problem (Welsh & Harris, 2004). Perceptions of a problem and reactions to it, however, may be quite different from the actual size or distribution of a problem (Spector & Kitsuse, 1987; Walker, 1998). We need methods to document, describe, and analyze patterns for any specific type of violence.

We also need to look at some kind of data to estimate the degree and seriousness of a problem. Wherever time and resources allow, it is always desirable to use as many techniques as possible to analyze a specific issue. Social indicators, such as police and NCJS data, are perhaps the most accessible and widely used information for analyzing criminal justice problems. Other types of data include interview and participant observation.

Examining Potential Causes of the Problem

What causes any specific type of violence? How can we explain why people commit particular acts of violence? This is a critical stage of analysis, because different causes imply different solutions. If we choose a solution (e.g., changing existing laws) before examining causes, it is likely that the solution will be ineffective. Any intervention should be aimed at a

specific cause or causes. Causes may be identified at different levels of analysis ranging from individual to social structural:

- **Individual:** Presumed causes lie within individuals (e.g., personality traits, such as "aggressiveness").
- **Group:** Presumed causes lie within the dynamics of particular groups to which a person belongs (e.g., patterns of roles and relationships within a family or a gang).
- **Organizational:** Presumed causes lie within the particular culture and procedures of a specific organization, such as the police, courts, or prisons (e.g., how police officers are recruited, selected, or trained; how criminal justice officials use their discretion in case processing).
- **Community:** Presumed causes lie within the behavioral patterns and dynamics existing within a specific community (e.g., community "cohesiveness" or the degree of involvement in community organizations, such as churches and community associations; attitudes toward deviance; supervision of juveniles).
- **Social Structure or Cultural:** Presumed causes lie within the underlying social structure of society (e.g., the unequal distribution of wealth and power engendered by the economic system of capitalism) or its cultural attitudes regarding behaviors, such as drug use, sexuality, education, crime, and so on.

We explicitly examine our causal assumptions about a specific type of violence and examine empirical evidence for any cause or theory. One should look at journal articles, books, and government and agency reports (e.g., numerous branches of the U.S. Department of Justice, including the National Institute of Justice).

Interventions

We usually need to discover what types of previous interventions have been attempted to reduce a specific type of violence. We attempt to find out what major interventions have addressed specific types of violence and identify which specific causes the intervention was attempting to modify. Excellent sources of information about interventions are officials working in justice-related positions, criminal justice journals and books, and government reports. Numerous databases can be searched by key words and terms. Criminal justice literature searches can be conducted on-line, via computer software (disk or CD-ROM), and in printed index format. These include the National Criminal Justice Reference Service Abstracts sponsored by the U.S. Department of Justice.

CONCLUSIONS

This chapter has introduced the topic of violence and criminal violence. Violence may be legally neutral. We gave examples of violence in nature and instances of sports violence. Violence in sports is looked on as part of the sport, regrettable as that may be.

What turns violence into criminal violence is law. Laws are constructed by consensus or conflict. We discussed how laws are socially constructed and the powerful effect media claims have on shaping our image of violence and shaping the laws that define criminal violence.

In the third health perspective, the final pages of this book because of the need to read the next chapter, some of the stories.

The final stories of the chapters, we present perspectives on violence in sports and interventions.

Although new and promising responses to violence are Chapter 15.

DISCUSSION

1. Discuss the
2. Discuss the
3. Explain the
4. Describe the
5. What is the

SUGGESTED

- Best, J. (1999).
of California
Messner, S.
Wadsworth
Zahn, M. A.
Cincinnati

REFERENCES

- Adler, E. I.
McGraw
Atyee, D. (1999).
Berger, P. I.
knowledge
Best, J., &
legend
Block, R. (1999).

In the third part of the chapter, we discussed criminology, criminal justice, and public health perspectives that will inform the discussion of criminal violence in this book. The final pages of that section described the difficulties of doing research on criminal violence because of the limitations of the data. We hope we have left the reader with curiosity to read the next chapter in which we describe sources of data about criminal violence and how some of the shortcomings are addressed.

The final section discussed how the remainder of the book is organized. In the first three chapters, we provide a background, describing data sources, and historical and comparative perspectives. Chapters 4–7 approach specific forms of violence, while Chapters 8–14 discuss violence in specific settings through the tripartite approach of patterns, explanations, and interventions.

Although our responses to violence have become more punitive over the past few years, new and promising prevention strategies are being developed and tested. *Arguably, the best responses to violence can, must, and will include a balance of both punishment and prevention.* Chapter 15 will examine promising prevention and intervention strategies in more detail.

DISCUSSION QUESTIONS

1. Discuss the three different ways that criminal law is made.
2. Discuss how the public health perspective differs from the criminological perspective.
3. Explain the importance of the research on the "razor blade in the apple."
4. Describe the similarities and differences between criminology and criminal justice.
5. What is meant by "clearing" an offense and how does that affect research on offenders?

SUGGESTED READINGS

- Best, J. (1999). *Random violence: How we talk about new crimes and new victims*. Berkeley: University of California Press.
- Messner, S. F., & Rosenfeld, R. (2001). *Crime and the American dream* (3rd ed.). Belmont, Calif.: Wadsworth.
- Zahn, M. A., Brownstein, H. H., & Jackson, S. L. (Eds.). (2004). *Violence: From theory to research*. Cincinnati: Anderson/Lexis Nexis.

REFERENCES

- Adler, F., Mueller, G. O. W., & Laufer, W. S. (1998). *Criminology*. (Third Edition). Boston: McGraw-Hill.
- Atyeo, D. (1979). *Blood & guts: Violence in sports*. New York: Paddington Press.
- Berger, P. L., & Luckmann, T. (1967). *The social construction of reality: A treatise in the sociology of knowledge*. Garden City, N.Y.: Doubleday.
- Best, J., & Horiuchi, G. T. (1985). The razor blade in the apple: The social construction of urban legends. *Social Problems* 32, 188–499.
- Block, R. (1977). *Violent crime: Environment, interaction and death*. Lexington, Mass.: Lexington Books.

- Blumstein, A., & Rosenfeld, R. (1998). Explaining recent trends in U.S. homicide rates. *Journal of Criminal Law and Criminology*, 88, 1175-1216.
- Brownstein, H. H. (2000). *The social reality of violence and violent crime*. Boston: Allyn and Bacon.
- Crosset, T. W., Benedict, J. R., & McDonald, M. A. (1995). Male student-athletes reported for sexual assault: A survey of campus police departments and judicial affairs offices. *Journal of Sport and Social Issues*, 19, 126-140.
- Crosset, T. W., Ptacek, J., McDonald, M. A., & Benedict, J. R. (1996). Male student-athletes and violence against women: A survey of campus judicial affairs offices. *Violence Against Women*, 2, 163-179.
- Federal Bureau of Investigation (FBI). (2008). *Crime in the United States 2008*. <http://www.fbi.gov/ucr/cius2007/index.html> (accessed December 8, 2009).
- Gelles, R. J., & Straus, M. A. (1988). *Intimate violence*. New York: Simon and Schuster.
- Giordano, P. C., Millhollin, T. J., Cernkovich, S. A., Pugh, M. D., & Rudolph, J. L. (1999). Delinquency, identity, and women's involvement in relationship violence. *Criminology*, 37, 17-40.
- Gottfredson, D. M. (1999). *Exploring criminal justice: An introduction*. Los Angeles: Roxbury.
- Gottfredson, M. R., & Gottfredson, D. M. (1988). *Decision making in criminal justice: Toward the rational exercise of discretion*. New York: Plenum Press.
- Greenwood, P. W. (1992). Substance abuse problems among high-risk youth and potential interventions. *Crime and Delinquency*, 38, 444-458.
- Harries, K. D. (1989). Homicide and assault: A comparative analysis of attributes in Dallas neighborhoods, 1981-1985. *The Professional Geographer*, 41, 29-38.
- Hills, S. L. (Ed.). (1987). *Corporate violence: Injury and death for profit*. Totowa, N.J.: Rowman & Littlefield.
- Jankowski, M. S. (1991). *Islands in the streets*. Berkeley: University of California Press.
- Jenkins, P. (1994). *Using murder: The social construction of serial homicide*. New York: Aldine de Gruyter.
- Kramer, R. C. (1983). A prolegomena to the study of corporate violence. *Humanity and Society*, 7, 149-178.
- Mercy, J. A., & O'Carroll, P. W. (1988). New directions in violence prevention: The public health arena. *Violence and Victims*, 3, 285-301.
- Moore, M. (1995). Public health and criminal justice approaches to prevention. In M. Tonry & D. F. Farrington (Eds.), *Building a safer society: Strategic approaches to crime prevention* (Vol. 19, 237-262). Chicago: University of Chicago Press.
- Nash, J. R. (1973). *Bloodletters and badmen: A narrative encyclopedia of American criminals from the pilgrims to the present*. Philadelphia: Lippencott.
- National Coalition Against Violent Athletes. (1997). <http://www.ncava.org> (Retrieved May 25, 1999).
- Newman, G. (1979). *Understanding violence*. New York: Lippencott.
- Pittman, D., & Handy, W. (1964). Patterns in criminal aggravated assault. *Journal of Criminal Law, Criminology, and Police Science*, 55, 462-470.
- Pokorny, A. D. (1965). A comparison of homicide in two cities. *Journal of Criminal Law, Criminology, and Police Science*, 56, 479-487.
- Prothrow-Stith, D. (1991). *Deadly consequences*. New York: Harper Collins.
- Rennison, C. M., & Rand, M. R. (2007). Introduction to the national crime victimization survey. In J. P. Lynch & L. A. Addington (Eds.), *Understanding crime statistics: Revisiting the divergence of the NCVS and UCR* (17-54). New York: Cambridge University Press.
- Reiss, A. J., & Roth, J. A. (Eds.). (1993). *Understanding and preventing violence* (Vol. 1). Washington, DC: National Academy Press.

- Riedel, M. (2000). *Research strategies for secondary data: A perspective for criminology and criminal justice*. Thousand Oaks, Calif.: Sage.
- Riedel, M. (2001). *California population by counties, 1970-2040*. Unpublished. Carbondale: Southern Illinois University.
- Riedel, M. (2004). *California homicides data file*. Unpublished. Carbondale: Southern Illinois University.
- Sherman, L. W., Shaw, J. W., & Rogan, D. P. (1995). *The Kansas City gun experiment* (Research in Brief). Washington, DC: National Institute of Justice.
- Skogan, W. G. (1982). *Issues in the measurement of victimization* (NCJ-74682). Washington, D.C.: Government Printing Office.
- Spector, M., & Kitsuse, J. I. (1987). *Constructing social problems*. New York: Aldine de Gruyter.
- State of California. (2009). E-4 population estimates for cities, counties and the state, 2001-2009, with 2000 benchmark. Retrieved 2009 from <http://www.dof.ca.gov/research/demographic/reports/estimates/e-4/2001-09/>.
- Swartz, J. (1975, Spring-Summer). Silent killers at work. *Crime and Social Justice*, 15-20.
- Walker, S. (1998). *Sense and nonsense about crime*. Belmont, Calif.: Wadsworth.
- Welsh, W. N. (1993). Ideologies and incarceration: Legislator attitudes toward jail overcrowding. *Prison Journal*, 73, 46-71.
- Welsh, W. N., & Harris, P. W. (2004). *Criminal justice policy and planning* (2nd Edition). Cincinnati: Anderson/Lexis Nexis.
- Willey, R. J., Hendershot, D. C., & Berger, S. (2006). *The accident in Bhopal: Observations 20 years later*. Paper presented at the 40th Annual Loss Prevention Symposium, Orlando, Fla.