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VICTIM-OFFENDER DYNAMICS IN VIOLENT CRIME

RICHARD BLOCK*

A long held axiom of criminology is that in most societies crime prevention is primarily the responsibility of the citizenry and not the police. The study of victim-offender dynamics in violent crime is research of events which result either from a failure to prevent crime or a willingness to precipitate or participate in a criminal event. When prevention has failed, the decision to resist and the method of defense become important determinants of both the decision to invoke the criminal justice process and the criminal processing system's decisions to react to the crime. Thus, the perspective of the victim is probably more important for understanding the violent criminal event than either that of the police or courts.

The major responsibility for crime prevention has historically been with the community and citizen, not with the crime processing system. If the study of victims of crime is to have a major effect on rates of crime, it may come through the enhancement of the ability of citizens to prevent crime and react to criminal events in a way which minimizes the resultant damage and injury to the victim.

I. THE CRIMINAL EVENT

The dynamic of victim-offender interaction is important to the understanding of the nature of violent crime, both for the outcome of the crime itself and for the victim. It is also important for understanding police and court decisions to apprehend and punish offenders. Violent crime can be thought of as social behavior involving at least two actors and their interaction. In any violent crime, there must be a target, an offender, and their interaction. This triad can be called the crime event. Like all social behavior, the crime event is surrounded by a history and an environment which themselves alter victim, offender, and future events.

The criminal event may be thought of as one instance surrounded

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by a microenvironment of social relationships, physical structures, and weapons of potential use, a macroenvironment of neighborhood and community, a history of social relationships, and ideas of violence and danger, self-defense, social class, and segregation. The two actors, victim and offender, interact with and are affected by these structures, but they retain individuality; their behavior can never be fully predicted.

The outcome of the criminal event is often determined by the interaction of victim and offender. This interaction will in turn affect the victim's decision to invoke the criminal justice system and the criminal justice system's decisions to process and prosecute the crime event. Yet both the criminal event and the criminal justice system are embedded within the society and within their own macro and microenvironments. Figure 1 illustrates these relationships. All elements of the society share a common heritage and history. Important for the study of American violent crime are the traditions of frontier violence, racial segregation, arming of the populace, and many other factors.¹

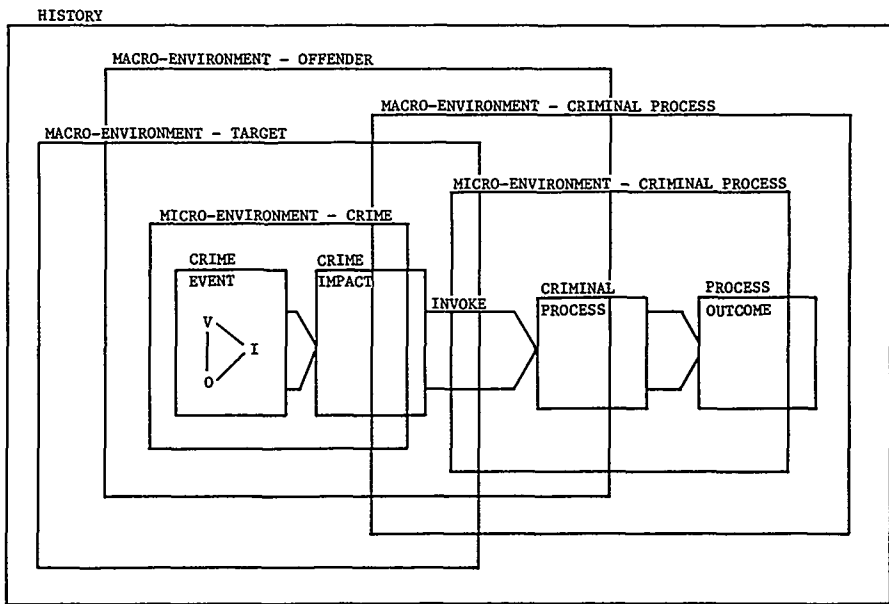


FIGURE 1
THE CRIMINAL EVENT

The macroenvironment of criminal behavior is the physical, social, and economic structure of the community in which the crime occurs.

¹ See *VIOLENCE IN AMERICA: HISTORICAL AND COMPARATIVE PERSPECTIVES* (H. Graham & T. Gurr rev. ed. 1979) [hereinafter cited as *VIOLENCE IN AMERICA*].

Some communities are structured with a wide availability of targets for criminal attack. There may be tourists in one neighborhood or many homes which are unoccupied during the day in another. Other neighborhoods may have fewer obvious targets. Some individuals have wide opportunities for legitimate behavior; others have few. The macroenvironment of the criminal justice system overlaps that of the crime environment; however, the macroenvironment of criminal processing can often be defined by structural capabilities and capacities—how many cases and what types the criminal justice system can handle.

The microenvironment of criminal behavior is the immediate network of events and structures surrounding the crime, such as the relationship of victim and offender, the location of a crime, and the weapons available for use. The microenvironment of the crime processing system is the characteristics of particular police, prosecutors, and courts at the time of contact with the crime or criminal. As can be seen in Figure 1, the micro and macroenvironment of a crime and the criminal justice system overlap. Still, they are not congruent. Much of the environment of crime is largely irrelevant to the criminal justice system, and the criminal processing environment has little effect on criminal behavior.

If this model is correct, research which uses data gathered by the criminal justice system to analyze victims may be distorted, as victim surveys of the criminal justice system may be. The perspective of the victim and offender is lost in the environment of the police. While the victim may react to his treatment by police, he has little knowledge of police work or its constraints.

Within its environment the criminal event is the initiator of outcomes and actions. Thus, the interaction of victim and offender largely determines whether the crime is a rape or merely an attempt and also determines the level of injury in the crime. To a large extent the outcome of a violent crime determines whether the police will be notified. It is generally believed that the police are far more likely to be notified of a homicide than an assault, and that they are more likely to be notified of a completed robbery than an attempt. Notification is the bridge between the victim and the criminal justice system and between their two environments. In notification, the two environments most clearly overlap. Factors which influence the decision to inform the police of a crime, such as degree of injury or outcome, are also factors which affect the police decision to investigate.

Police and court action are clearly influenced by the crime event. Most studies of police and court decisionmaking have found the nature

of the crime to be an important and valid factor in decisionmaking.² Yet the criminal justice process is surrounded by a different environment than the criminal event, and decisions of the criminal processing system are often wholly independent of the environment of the crime.

The concept of the crime event and its surrounding environment and history will form a basis of this article and of the future research proposed here. Thus, the crime event must be related both to its outcome and to its surrounding environment. At the same time the environment of the criminal act must be kept largely separate from that of criminal processing.

Given the importance of the crime event for the victim of crime, it is not surprising that much of the early research in victimology was concerned with victim-offender interaction. The study of victims of crime began with the study of victim-offender dynamics. Once the study of victims went beyond descriptions of the spatial and demographic descriptions of incidents, the first topics addressed were victim-offender relationship and the victim as a generator of his own victimization.³

Early research in victimology often concentrated on the degree to which the victim could be considered responsible for his own victimization. Mendelsohn developed a typology of six types of victims varying from those who were more guilty than the offender and those who were solely guilty to those who were guiltless.⁴ Von Hentig also developed a typology of victims and discussed victim-offender interaction as a duet.⁵ Wolfgang and his students carried on this tradition in studies of various categories of crimes.⁶

Victim precipitation may be thought of as a failure of the social control mechanism of crime prevention. Wolfgang and others have argued that much victim-precipitated homicide occurs in a subculture of violence in which norms of interpersonal behavior are different from those of the society as a whole.⁷ Similarly, Amir, in classifying victim precipitation of rape, judged behavior which was different from that normally expected of women to be precipitating.⁸ On a broader level,

² See, e.g., Black, *The Social Organization of Arrest*, 23 STAN. L. REV. 1087, 1107 (1971).

³ See, e.g., H. VON HENTIG, *THE CRIMINAL AND HIS VICTIM: STUDIES IN THE SOCIOBIOLOGY OF CRIME* (1948); Mendelsohn, *The Victimology*, 1 ETUDES INTERNATIONALES DE PSYCHO-SOCIOLOGIE CRIMINELLE 25 (1956).

⁴ See S. SCHAFER, *VICTIMOLGY: THE VICTIM AND HIS CRIMINAL* 35-36 (1977) (explains Mendelsohn's six types of victims).

⁵ H. VON HENTIG, *supra* note 3, at 383-450 (ch. 12).

⁶ M. WOLFGANG, *PATTERNS IN CRIMINAL HOMICIDE* (1958); A. NORMANDEAU, *TRENDS AND PATTERNS IN CRIMES OF ROBBERY* (1968) (Ph.D. dissertation, University of Pennsylvania).

⁷ M. WOLFGANG & F. FERRACUTI, *THE SUBCULTURE OF VIOLENCE* (1967).

⁸ M. AMIR, *PATTERNS IN FORCIBLE RAPE* 259-76 (1971).

various scholars have argued that the high rates of violence in America, when compared to other developed nations, result from a culture of violence.⁹ A subculture of violence thus exists within the culture of violence.

Early studies of victims utilized records of the criminal justice system. Thus, victim-precipitated homicides or rapes were those perceived as victim-precipitated by the police, courts, medical examiner, or coroner. This examination may be affected by the environmental perspective of the agency and only partially take into account that of the victim.

These studies were greatly affected by the data source. Before a crime becomes officially recorded, it must pass through several filters. If these filters randomly select events, whether the interaction is studied from the victim's perspective in a survey or the police perspective through official records is of no great importance. However, the crimes that are reported to the police are not a random sample of all crimes which occur. First, the victim or observer must decide that the benefits to reporting or the moral imperative are sufficiently great to require police notification. Then the police must decide that they have the resources and interest to respond to the crime.

As will be shown, both victim and police decisions are affected by victim-offender interaction. Crimes which are successful are more likely to be reported to the police than attempts. The criminal justice system records a far different set of crimes than do surveys of victims, and the outcome of crime as reported in victim surveys is far different than that reported in official records. Criminal justice system records are highly appropriate to study the effect of victim characteristics or victim-offender dynamics on police, prosecution, and court decisions. They are not appropriate to study the background of the criminal events, the relationship of victim and offender, or the dynamic of victim-offender interaction. To study these, knowledge of the victim's perspective and environment is most appropriate. These can only be collected through a victim survey, but this must be a far different survey from those currently gathered.

II. DOES RESISTANCE AFFECT THE OUTCOME OF VIOLENT CRIME?

In a previous analysis of the character of robberies, aggravated assaults, and homicides in Chicago based upon records of the Chicago Police Department, I found that death or injury and success or failure in violent crime was to some extent determined by the nature of the vic-

⁹ See VIOLENCE IN AMERICA, *supra* note 1, at 17-18.

tim-offender dynamic at the time of the crime's occurrence.¹⁰

In police records, I found that victim-offender dynamics in robbery were strongly affected by the presence of a gun. In robberies with a gun threat, force was much less likely to be used than in robberies without a gun. The use of force was related to resistance by the victim, the successful theft of property, and injury to the victim. I concluded from this analysis that victim resistance only slightly reduced the probability that the robbery would be successfully completed and greatly increased the probability that the victim would be injured.¹¹ Police records thus suggested that victim resistance during a robbery made little sense.¹²

Nevertheless, I was concerned that these relationships might be affected by victim and police decisions to begin the criminal justice process. However, I lacked the conceptual tools and data to test these concerns. When the city tapes of the National Crime Survey became available, I was able to consider these decisions to invoke the criminal justice process.

This analysis found that victim resistance, completion of the robbery, and police notification were strongly related in the victimization survey.¹³ Table 1 illustrates these relationships.

TABLE 1
PERCENTAGE OF ROBBERIES IN WHICH THE VICTIM
CLAIMS TO HAVE NOTIFIED THE POLICE,
CHICAGO, 1974

	Completion	Attempt
Resistance	66% (11716)	31% (17144)
No Resistance	57% (30057)	25% (3624)

This data indicated that attempted crime is less than half as likely to result in police notification than completed crimes and that robberies in which the victim resisted were slightly less likely to result in notification than crimes with no resistance, independent of the effect of completion. Of the estimated 28,869 robberies in which the victim resisted, 40.6% were completed. Of the estimated 33,861 robberies with no resistance, 90.1% were completed. Thus, robbery victims in the survey were far more likely to resist than were victims in the police sample and that resistance had a higher probability of success than in robberies recorded

¹⁰ The following section is a condensation and reinterpretation of Block & Block, *Decisions and Data: Transformation of Robbery Incidents into Official Robbery Statistics*, 71 J. CRIM. L. & C. 622 (1980).

¹¹ R. BLOCK, *VIOLENT CRIME: ENVIRONMENT, INTERACTION AND DEATH* 87 (1977).

¹² *Id.* at 87-88.

¹³ Block & Block, *supra* note 10, at 636.

by the police.¹⁴

The relationship between completion and notification is supported by Hindelang and Gottfredson for the twenty-six-city sample. In these surveys, 62% of completed robberies and 33% of attempts were reported to the police.¹⁵ An analysis of the 1976 National Crime Survey (NCS) results in almost the same conclusions as the Chicago analysis. See Table 2. Resistance, completion, and police notification are clearly interrelated. The robberies that are reported to the police are more likely to be successful, and the victim is less likely to have resisted than in those robberies that ended without police notification.

TABLE 2
PERCENTAGE OF ROBBERIES IN WHICH THE VICTIM
CLAIMS TO HAVE NOTIFIED THE POLICE,
NATIONAL CRIME SURVEY, 1976

	Completion	Attempt
Resistance	60% (285)	32% (92)
No Resistance	61% (343)	36% (36)

Examining police records to determine the effect of victim resistance results in a very different conclusion than from a victim survey. Most of the cases of successful resistance will have been eliminated from the data. Since cases of unsuccessful resistance are more likely to be recorded by the police, the researcher may erroneously conclude that resistance is likely to be unsuccessful.

If one had sampled police-recorded robberies, it would appear that victim resistance does very little good. Seventy-eight percent of resisted robberies are completed, despite the resistance, and resistance only improves the victim's chances of not having the robbery completed by twenty percentage points. On the other hand, if one had used the victim survey as a sample, resistance would appear to be a more rational act. The majority of resisted robberies are not completed. The difference is 48 percentage points.¹⁶

¹⁴ *Id.* at 630 (Figure 5).

¹⁵ Hindelang & Gottfredson, *The Victim's Decision Not to Invoke the Criminal Justice Process*, in *CRIMINAL JUSTICE AND THE VICTIM* 66 (W. McDonald ed. 1976).

¹⁶ Block & Block, *supra* note 10, at 633 (Table A).

TABLE 3
EFFECT OF SAMPLE ON CONCLUSIONS: ROBBERY
COMPLETIONS AND VICTIM RESISTANCE IN
THREE SAMPLES

	Victim Resistance	Total Cases	Percent Completed	Percentage Points Difference
Incident	Yes	28,860	41%	
Sample	No	33,681	89%	48
Notified	Yes	13,000	59%	
Sample	No	17,918	95%	36
Founded	Yes	3,872	78%	
Sample	No	13,464	98%	20

Thus an incident sample, taken from a victim survey, describes the victim often resisting, and then probably being successful in that resistance. Police-recorded incidents, on the other hand, give an image of the victim being less rational in resisting and more powerless to affect the situation. Survey data describes a citizen who is more active in self-protection.

The fact that characteristics of victim survey samples are systematically different from the characteristics of police data does not imply that one is more accurate than the other. It only implies that the two are measuring different phenomena.¹⁷ Police-recorded robberies may be an appropriate data base for studying police activities or prosecutor and court decisions. However, at least in Chicago, official records of robbery paint a far different picture of the dynamics of victim-offender interaction than do victim surveys. Given the major differences found when samples of victimization survey robberies and robberies based upon police records are compared, several conclusions can be made about the relationship between the crime event and its outcome.

In both the victim survey and police data, resistance is likely to result in a reduction of the probability of completion of the crime. On the other hand, in both the victim survey and police records, those who resist are more likely to be injured than those who do not. However, as Hindelang points out,¹⁸ a crucial cause and effect question remains. Does resistance result from injury or lead to injury? While sequencing of interaction was not possible with either sample, in both samples,

¹⁷ *Id.* at 635-36.

¹⁸ M. HINDELANG, CRIMINAL VICTIMIZATION IN EIGHT AMERICAN CITIES 261 (1976).

physical resistance, the offender's use of force, and injury coincide. Evasive resistance was less likely to coincide with force and injury.

Another paradoxical finding of this research and others¹⁹ is that the offender's use of a gun threat reduces the probability that the victim will be injured. The Chicago police data, however, indicate that it increases the probability that the robbery victim will die. In the few reported robberies in which a gun was used rather than threatened, 2.6% resulted in death as compared to 0.6% of those robberies in which another form of force was used.²⁰

Thus my research and that of others indicates that the dynamics of the robbery event affect its outcome, the victim's decision to notify the police, and early police decisions. However, the strength of these effects are far different when victims are asked than when police records are read.

III. VICTIM-OFFENDER DYNAMICS IN HOMICIDE

Most analysts hold that official records of homicide are far more complete than those for other violent crimes. Thus, problems of sampling are far less relevant than for robbery. However, while an incident is likely to be recorded, the victim is dead. The nature of the victim-offender dynamic in that incident must often be reconstructed by the police. In this reconstruction, the victim's perspective is often represented by the offender or may remain unrepresented.

In my analysis of Chicago Police records I found it appropriate to consider homicide generally to be the outcome of another violent criminal event (typically, either a robbery or an aggravated assault). A few homicides could not be classified as the result of any other crime. However, when homicides were divided into those that resulted from arguments or fights and those that resulted from robberies, many differences could be found between the characteristics of the two forms of homicide, but few differences between each type of killing and its precedent crime, either demographically or in the relationship of victim and offender.

I named these two forms of homicide instrumental and impulsive. Others have called them felony and nonfelony related.²¹ In either case, these two homicide forms are different not only as they occur, but also in their legal implications.

If the identity of the offender in a felony-related or instrumental

¹⁹ See, e.g., J. CONKLIN, *ROBBERY AND THE CRIMINAL JUSTICE SYSTEM* 120 (1972); J. MACDONALD, *ARMED ROBBERY, OFFENDERS AND THEIR VICTIMS* 138 (1975).

²⁰ R. BLOCK, *supra* note 11, at 58.

²¹ See Zimring, Eigen & O'Malley, *Punishing Homicides in Philadelphia: Perspectives on the Death Penalty*, 43 U. CHI. L. REV. 227 (1976).

homicide is known, the offender rarely is an acquaintance of the victim. The offender is usually much younger than the victim, and the probability of either victim participation or precipitation of the crimes is small. Little can be said about resistance in instrumental homicide. Many cases are not cleared and in many the nature of the victim's reaction cannot be known.²² Impulsive homicides are far more likely to occur among relatives or acquaintances of nearly the same age, with a higher probability of victim participation or precipitation. Impulsive homicides are more likely than instrumental homicides to occur in the home—hidden from public view.

The number of homicides increased very rapidly in most American cities in the late sixties and early seventies.²³ In many cities rates of homicide more than doubled. The increase continued through the mid 1970s and then stabilized. Although the motive for homicide varied greatly from city to city in early studies,²⁴ from Wolfgang's study of Philadelphia in the 1950s on, all studies of homicide have found that death resulting from an argument or fight was far more common than from a felony. Still, much of the increase in homicides during the late sixties and early seventies resulted from an increase in felony-related killings.

An analysis of homicides in Chicago during the period from 1965 through 1976 indicates that both felony- and nonfelony-related homicides increased rapidly from 1965 to 1970. After 1970 assaultive homicides remained constant or declined while robbery-related homicides, especially with a gun, continued a linear increase through October 1974 and then rapidly declined. However, a more complete comparison of the overall pattern of homicide with its different component patterns indicates that all trends in homicide during the period 1965 through 1976 were accounted for by shifts in killings with a gun rather than by shifts in the nature of the crime or changes in crime or community demography.²⁵ Thus, it may be said that shifts in the number or proportion of violent crimes in which a gun was used accounted for more of the change in homicide number and patterns than did the dynamics of victim-offender interaction.

²² R. BLOCK, *supra* note 11, at 78.

²³ See Barnett & Kleitman, *Urban Violence and Risk to the Individual*, 10 J. RESEARCH CRIME & DELINQUENCY 111 (1973).

²⁴ See Zahn, *Homicide in the 19th Century United States*, in HISTORY & CRIME: IMPLICATIONS FOR CRIMINAL JUSTICE POLICY (J. Inciardi & C. Faupel eds. 1980).

²⁵ C. BLOCK & R. BLOCK, PATTERNS OF CHANGE IN CHICAGO HOMICIDE 26 (Ill. Law Enforcement Comm'n 1980).

IV. VICTIM-OFFENDER INTERACTION IN AGGRAVATED ASSAULT

The problems of sampling are so severe in analysis of aggravated assault that one might conclude that police reports of aggravated assault are useful only because they represent the small set of incidents which the police know about and are willing to retain on file. On the other hand, victim reports in a survey may represent only those incidents which the victim thinks are sufficiently impersonal to be reported to an interviewer. The problems of accurate measurement of aggravated assault began to surface with the beginnings of victim surveys. In 1966, as scholars were obtaining the first returns from the NCS, it was clear that some of the incidents reported as assaults were really fights and that the designation of victim and offender was more determined by the sampling frame than by any real difference in the behavior of victim and offender. This realization plus a similar problem for fraud resulted in a screen for all incidents to determine if they should be defined as criminal acts.

At the inception of the NCS, the San Jose methods test indicated that fewer than half the assaults reported to the police were also reported to the survey interviewers.²⁶ A comparison of Uniform Crime Reports for the twenty-six victim survey rates resulted in a negative correlation.²⁷ Thus, it might be concluded that police records of assault and victimization surveys are samples of almost wholly different phenomena. My 1977 analysis of police-recorded aggravated assaults in Chicago indicated that incidents called assault varied from husband-wife domestic quarrels to crimes which looked very much like robbery.²⁸ Further analysis of the dynamics of victim-offender interaction through these police records probably reveal as much about the police records as about the nature of aggravated assault. Table 4 illustrates these relationships.

In police records most aggravated assaults were fights. Most of these began mutually, and about 4% resulted in the death of at least one participant. A significant number, however, involved no victim participation or victim precipitation only as interveners. Crimes started by the victim are more likely to result in the victim's death than others where the nature of participation is known. However, dead men cannot tell their own story and cannot say whether or not they began a fight. Overall, more than three-quarters of these police reports are records of crimes

²⁶ National Inst. of Law Enforcement & Crim. Justice, *San Jose Methods Test of Known Crime Victims* (Law Enforcement Assist. Admin. June, 1972) (Stat. Tech. Rep. No. 1).

²⁷ Boland, *Patterns of Urban Crime*, in *SAMPLE SURVEYS OF THE VICTIMS OF CRIME 31* (W. Skogan ed. 1976).

²⁸ R. BLOCK, *supra* note 11, at 89-90.

in which two or more people actively participated either in a fight or as interveners in a fight.

TABLE 4

VICTIM PARTICIPATION IN AGGRAVATED ASSAULT AND
OUTCOME, CHICAGO POLICE RECORDS, 1974

Victim Participation	Percent Overall	Percent no injury	Percent some injury	Percent Death	Percent Guns	Percent Wounds
None	23	12	86	2	49	2
Fights						
Off. Starts	3	7	92	2	15	29
Vic. Starts	6	4	76	30	48	23
Both Start	51	8	88	4	21	8
Intervent.	11	11	87	2	33	15
Unknown	7	9	75	16	27	3

Analysis of aggravated assault using current victim surveys is probably misleading. First, it is difficult to know how survey-reported assaults are related to the universe of all assault victimization and how the effect of sampling affects the designation of an individual as a victim or offender. Second, a large and unknown percentage of all assaults are series victimizations by NCS definition and are neither included in NCS publications, nor are they normally available in machine-readable form for academic use.

V. PATTERNS OF VICTIM-OFFENDER DYNAMICS AND OUTCOME IN RAPE

Growing awareness and concern for the victims of rape has resulted in the creation of new programs to aid rape victims psychologically, physically, and in their confrontation with the crime processing system. One result of this increasing concern may be a shift in the probability that a rape victim will notify the police of her assault. A second result has been an increasing number of studies of the offense of rape, its victims and its offenders.

One of the earliest and most controversial studies was Amir's study of Philadelphia based upon police records.²⁹ Several later studies based upon police records failed to confirm Amir's findings.³⁰ However,

²⁹ M. AMIR, *supra* note 8.

³⁰ See, e.g., Chappell & Singer, *Rape in New York City: A Study of Material in the Police Files and Its Meaning*, and Chappell, Geis, Schafer & Siegel, *A Comparative Study of Forcible Rape Offenses Known to the Police in Boston and Los Angeles*, in *FORCIBLE RAPE: THE CRIME, THE VICTIM AND THE OFFENDER* (D. Chappell, R. Geis & G. Geis eds. 1977).

Chappell concluded that police records of rape differed so greatly from one American city to another that comparisons across cities were virtually impossible. In Amir's study of Philadelphia, 43% of offenders were total strangers to their victims. In a study of Los Angeles, 56% were strangers. In another of New York City, 72% were strangers. Finally, in a study of Boston, 91% were strangers.³¹ It may be that these relationships do vary greatly between cities. Just as likely, however, is that police recording practices are not uniform.

While studies based upon police records probably reflect differences in police practice as much as differences in the nature of rape, the use of the NCS allows for a greater uniformity of reporting and more concern for the victim's perspective. Griffin and Griffin have analyzed rape from this perspective.³² They believe survey data may also have problems, most notably underreporting of crimes which would reflect poorly on the victim's own actions. Still, they conclude that victim-offender interaction has an important effect on the probability of physical injury. Using the NCS for 1973 and 1974, they found the offender's threat to be a more important determinant of injury ($\text{Gamma}=.56$) and completion ($\text{Gamma}=.50$) than resistance ($\text{Gamma}=.36$ and $.31$, respectively).³³ Just as in my analysis of robbery, threat, resistance, injury and completion interrelate. As in robbery, armed threat is not likely to result in injury. Griffin and Griffin believe that their findings suggest that women may be well advised to resist their assailants with all means at their disposal. They find that most victims (86%) will not sustain serious physical injury whatever the resistance method employed.³⁴

TABLE 5

PERCENTAGE OF RAPES IN WHICH THE VICTIM CLAIMS TO
HAVE NOTIFIED THE POLICE, NATIONAL CRIME
SURVEY, 1976

	Completion	Attempt
Resistance	61% (23)	53% (66)
No Resistance	71% (7)	27% (11)

In Table 5, the analysis presented for robbery in Table 2 is replicated for 1976 NCS rape victims. For these victims, completion, resist-

³¹ See *FORCIBLE RAPE: THE CRIME, THE VICTIM AND THE OFFENDER*, *supra* note 30, at 239, 259 (all four studies' results are presented).

³² B. Griffin & C. Griffin, *Targeting and Aiding the Population at Risk* (paper presented at the Sw. Pol. Sci. Ass'n, Houston, Texas, 1978).

³³ *Id.* at 18.

³⁴ *Id.* at 19.

ance, and police notification are also related. Attempted crimes are less likely to result in notification than completed crimes, and crimes in which there was resistance were more likely to be attempts than those which were completed. The percentage of rapes in which the victim reported resisting was far higher in 1976 (83%) than in Griffin and Griffin's analysis of 1973-74 (56%). This may indicate a real and significant change in women's behavior or a change in their description of crime. In both surveys, a far higher percentage of rapes were attempts (72%) than were robberies. Almost all robberies without resistance are completed regardless of what sample is analyzed.

VI. THE VICTIM IN THE CRIME PROCESSING SYSTEM

Very little research has studied the effect of the victim on the crime processing system. Black has analyzed the relationship between the victim's desires and character and the police decisions to arrest a suspect.³⁵ Using data gathered while observing police in three cities, he concluded that the victim's desires did make a difference. In about 40% of the cases, the complainant did not clearly state a preference for further action. In those cases where a preference was stated, 75% of the preferences were for police action. However, if the complainant wanted no formal police action, the police always complied. When formal action was requested, the police acted in 84% of the felonies and 64% of the misdemeanors. Black saw this as an example of the conflict of universalism and particularism in the criminal justice system. This problem he believed was unsolvable except in a society in which all citizens agreed on laws and enforcement.³⁶

While little can be known of the victim's desire in most homicides, the decision to prosecute clearly hinges on the nature of victim-offender interaction. Killings defined as justified are not prosecuted. However, the definition of justification varies tremendously between jurisdictions. In Lundsgaarde's study of Houston, 12% of all homicides were defined as justifiable.³⁷ In my research in Chicago in 1976, 3% were defined as justified.³⁸ It would appear that the definition of justification is far broader in Texas than in Illinois.

Recently, Williams has completed a study of the victim's role in the prosecution of violent crimes using the PROMIS File for Washington, D.C., in 1973.³⁹ She found that victim provocation as defined by the

³⁵ Black, *supra* note 2, at 1095-96.

³⁶ *Id.* at 1106.

³⁷ H. LUNDSGAARDE, *MURDER IN SPACE CITY* 237 (1977).

³⁸ Unpublished data compiled by the author.

³⁹ K. WILLIAMS, *THE ROLE OF THE VICTIM IN THE PROSECUTION OF VIOLENT CRIMES* (Inst. for Law & Soc. Pol'y 1978).

prosecutor did affect the prosecutor's decisions. A personal crime which included victim provocation or participation was half as likely to be prosecuted as one which did not.

The analysis indicates that provocation or participation of the victim did have an effect on the initial screening decision of the prosecutor but not on the subsequent case processing decision. . . . [W]ith respect to the prosecutor's decision to dismiss a case after charges were filed and decision of guilt made at trial, provocation was not a significant factor in any analysis.⁴⁰

As Williams notes, these relationships are not unexpected. The prosecutor will choose for further action those cases which he believes he is most likely to win. Cases in which there is victim provocation or participation are believed to have little chance for success.

Williams found that the relationship between victim and offender as perceived by the prosecutor affected prosecution decisions for every type of violent crime. She also found that many of the prosecutor's decisions to drop a case resulted from the court's perception of complaining witness problems in which victim and offender knew each other. However, she noted that much of this perceived noncooperation was based on stereotypes or court errors rather than the witnesses' behavior.

Thus, limited research on victim-offender dynamics and the criminal processing system indicates: First, victim desires and behavior are often taken into account by the police. Second, crimes in which there is evidence of victim participation or provocation are not likely to be prosecuted. Third, the relationship of victim and offender affects the prosecutor's decisions.

VII. A RESEARCH STRATEGY

This article has argued that the study of victimization must begin with the world view of the victim. The particular concerns of the victim and the macro and microenvironments that surround the victim are different from those of the police and the courts. Although these environments are interrelated, future research on victims of crime must have more concern for the victim's perception of the criminal event than was found in earlier research.

By concentrating on victimization rather than on victims, much victimological research has been both trivial and expensive. The NCS, by concentrating on the creation of police-independent, crime incident estimates has eliminated much consideration of the nature of the phenomena of victimization except for demographic correlates. Once these few demographic correlates are analyzed, little else can be derived from

⁴⁰ *Id.* at 15.

the victim survey. Furthermore, the noncrime variables included in the NCS are mostly ascribed characteristics (such as age, race, and sex) which are by definition not manipulable through public policy. While the NCS can give reasonably good overall estimates of victimization, it is relatively useless in understanding the criminal event and its impact.

The NCS has been too concerned with estimation of crime rates and the immediate economic and physical cost of crime and less concerned with the background of these crimes, their outcome, and impact. The need for estimation has led to data collection that could result in research with little explanatory power.

On the other hand, studies of victims of crime based upon police records, either as the framework for interview samples or as a representation of the reality of victimization, are also defective. The crimes which become police records are not a random sample of all crimes. They are a record of crimes in which police action was taken. Thus, many crimes which were only attempts and many which the police were too busy to handle are excluded from analysis. Police records are not collected for criminological research. They are collected to fulfill the efficiency goals of the department. As such, they represent a micro and macroenvironment separate from that of the victim. Research on victims of crime has been largely barren, partly because either analysis was limited to a few ascribed characteristics rather than the crime event, or because the sampling frame was inappropriate for the study of victims of crime.

The study of victims of crime must include not only the crime event, but also its impact on the crime's outcome and the criminal justice system. It should include the study of the environment of crime, the relationship of victim and offender, and their interaction. The criminal event should also be related to the crime processing system through its affect on the police, prosecutor, and court as they exist in their own micro and macroenvironment.

In constructing a series of studies of victimization and the criminal event from the victim's viewpoint, it should be noted that the study is not only of the incidence of victimization, but also of primary crime prevention. Most crime is prevented by its potential victims, not by the police. The study of victims of crime is a study either of the failure or impossibility of crime prevention. The study of victim-offender dynamics in the crime event is the study of the actors' attempts to manage a dangerous situation. Therefore, future research on victims should be a series of interrelated studies including the following.

A. A STUDY OF THE PROBABILITY OF VICTIMIZATION

This study would be similar to the NCS but with far greater elaboration of behavioral and situational characteristics of victims and nonvictims. In constructing this survey, far greater cognizance should be taken of the value of the in-person interview for defining the respondent's macroenvironment. Characteristics of the neighborhood, security precautions taken, and home occupancy could be measured.⁴¹ Recent studies in the United States and the Netherlands⁴² have emphasized the importance of personal actions and security precautions as predictors of victimization. Thus in this first study, the sampling framework of the NCS would remain intact; however, additional information would be gathered which would make better use of the in-person interviewing to describe the environmental and behavioral characteristics of victims and nonvictims.

B. A DETAILED STUDY OF THE CRIMINAL EVENT

The NCS has always been a very elaborate screening device for detecting low incidence phenomena. The costs of screening are far greater than the cost of interviewing victims. The second study would be based on the NCS screen and would include all victims of very low incidence phenomena, such as rape, and a sample of victims of higher incidence phenomena, such as burglary or larceny. Questionnaires would be designed separately for a description of the microenvironment and victim-offender dynamics of each type of crime. There would be separate and distinct questionnaires for rape, assault, burglary, and so on. In crimes of personal violence, victim-offender dynamics are more important than in property crimes. Thus, interaction would be a far more important component of the questionnaires for personal crimes than for property crimes. While each of the samples would be representative of one sort of crime, the total of all samples could not be used to depict crimes as does the current NCS.

C. A BRIDGE STUDY OF THE NOTIFICATION PROCESS

Included in each of the questionnaires proposed for study two would be a far more specific and elaborate description of the notification than is currently available. As previously discussed, notification is the line between the criminal processing environment and the crime's environment. Yet, the structure of the NCS notification questions make this

⁴¹ See Cohen & Felson, *Social Change and Crime Rate Trends: A Routine Activity Approach*, 44 AM. SOC. REV. 588 (1979).

⁴² J. VAN DIJK & C. STEINMETZ, *DE CRIMINALITEITS OVERLAST VAN DE NEDERLANDSE BURGERS IN DE PERIODE 1973-78*, 29-32 (WODC Ministerie v Justitie 1980).

bridge more like a short but dark tunnel. Each form of questionnaire in Study B will be designed specifically to study the notification process of that crime.

After the 1966 victimization studies, questions on the criminal processing system from the victim's point of view were mostly abandoned. The victim may have little concept of the workings of the criminal processing system and its environments. The appearance of this system to the victim may give insight into the citizen's concept on evaluation and support of the police. Thus, questions should be included in Study B which would describe the crime processing system from the victim's viewpoint—requests to sign complaints, police interviews, and court processing. These should not be considered as a fully accurate representation of the crime processing system, but only a description of that system from the victim's viewpoint.

Also included in Study C would be the notification bridge between the macroenvironment of the crime and the criminal process. This bridge is a crucial link, yet little is understood about it. Once the police are notified they are expected to act. A study similar to that of Black and Reiss,⁴³ but with a greater concentration on victim input might allow a description of the bridge process. However, the cost of a study based on observation of all police squad activities might be very high. The Reiss study required observation of police activities, very few of which were related to serious crimes.

Thus the study of the bridge function from the police viewpoint might be possible only through the reconstruction of those decisions using dispatch records as a sampling frame. This would of course eliminate crime for which there was no dispatch record or for which no formal police action was taken, but a street officer was involved.

D. THE VICTIM IN THE CRIME PROCESSING SYSTEM

Once a crime enters the crime processing system, the victim becomes only a minor actor. Williams has shown the possibility of analyzing the victim's role as it is perceived by the system through the use of PROMIS.⁴⁴ Other studies have confirmed this possibility.⁴⁵ The victim is only one of many factors affecting the outcome of the crime as it moves from police action through investigation, arrest, prosecution, and conviction. It would be far more realistic to include an increased con-

⁴³ Reiss, *Public Perceptions and Recollections About Crime, Law Enforcement and Criminal Justice*, in 1 STUDIES IN CRIME AND LAW ENFORCEMENT IN MAJOR METROPOLITAN AREAS (Pres. Comm'n on Law Enforcement & Admin. of Just., Field Surveys III, 1967).

⁴⁴ K. WILLIAMS, *supra* note 39.

⁴⁵ See, e.g., J. EISENSTEIN & H. JACOB, *FELONY JUSTICE: AN ORGANIZATIONAL ANALYSIS OF CRIMINAL COURTS* (1977).

cern with the role and character of the victim as an appendix to research and analysis of criminal processing decisions than to field special studies.

Thus, Study D is not an independent study but a call for additional concern for the victim in studying the crime processing system.

CONCLUSION

The study of victims of crime is most importantly the study of the failure of crime prevention by citizenry and by the police and secondarily the study of the active participation and precipitation of criminal events by their victims. Early victimological research concentrated on the active participation of victims of crime in their own misfortune. The development of victimization surveys shifted the emphasis of research away from the crime event to description of the overall incidence of victimization and the incidence of victimization as defined for demographic subgroups of the population. The focus of victimization research should shift from measuring the incidence of victimization to defining the environment in which victimization occurs, from measuring victim precipitation to describing the dynamics of interaction within the crime event.

All crimes are events surrounded by a unique combination of micro and macroenvironment and history. This article has summarized some of the research on victim-offender dynamics within these unique structures. These dynamics may affect the outcome of criminal violence in robbery, rape, and assault.

A series of four studies has been proposed to describe the role of the victim by two methods. First, in the micro and macroenvironment of the criminal event, an augmented victimization survey and crime-specific studies of victims should be used. Second, in the environment of criminal processing a study of the notification bridge from crime to criminal process and greater concern for the role of victims in research criminal processing should be employed.

Part of the failure of victimology has been its failure to conceptualize the role of the victim or to develop a unified body of research on the victim's point of view. This article has proposed a method to unify research and description of the victim of crime.