Homicide

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Learning Outcomes

After reading this chapter, you should be able to

- Explain the availability heuristic and its impact on understanding homicide.

- Differentiate between the categories of homicide.

- Differentiate between serial, mass, and spree murderers.

- Describe the types of family violence that could end in homicide.

- Analyze the demographics of homicide.

- Analyze the extent to which homicide offenders may recidivate.

Introductory Case Study: Jessica Colpitts

In Orofina, Idaho, in May 2017, Samantha Fignani suffered a fatal gunshot wound in her home. She was just 23 years old. Her family, including her two young daughters, were devastated and hoped for swift justice. The police took only 2 days to locate Fignani's killer, a woman named Jessica Colpitts. According to police, Colpitts became enraged when her boyfriend, Joseph Walker, admitted that he had been romantically involved with Fignani behind Colpitts's back.

The police had an eyewitness to the shooting, along with jail telephone call recordings of conversations between Walker and Colpitts about Walker's affair with Fignani. Not too long after the jail telephone call, Colpitts enlisted the assistance of her friend, Cassie Madsen, to confront Fignani about the affair. Colpitts's car was spotted on video driving toward Fignani's home. Madsen denied knowing that Colpitts would actually kill Fignani during the confrontation. Colpitts had never been violent before and had never expressed a desire to harm anyone.

However, Colpitts fatally shot Fignani with a shotgun and then laughed as she and Madsen fled the scene. At trial, Madsen testified that she was stunned that anyone could be so cold as to laugh about having just shot someone to death in front of the victim's children. Colpitts's defense attorneys tried to convince the jury that Madsen was the killer because there had been a fallout between Madsen and Fignani over drugs. (Fignani was dealing methamphetamine and would no longer sell to Madsen.) However, the jury rejected that argument and voted unanimously to convict Jessica Colpitts of first-degree murder for killing Samantha Fignani.

As you read this chapter, consider the following questions regarding this case:

1. *Why is homicide considered one of the most fascinating—and arguably the most challenging—issues in the psychological study of crime?*
2. *Do you think that Colpitts's socioeconomic status and other situational factors led to her committing murder?*
3. *A love triangle ending in murder might sound familiar. Do you think that homicides are prevalent in today's culture?*

8.1 Introduction

Homicide may seem as though it is highly prevalent in our culture. True crime episodes of *Dateline* and *48 Hours*, other documentaries focused on homicide cases, and a number of fictional television shows and movies that glamorize murder and murderers seem to support the belief that homicide is a frequently occurring crime. However, the data does not support that notion. It's important to understand the psychological foundation of our perceptions of homicide frequency and the individuals who commit such violent acts, as well as the types of homicides and associated variables.

Though it may seem that individuals who commit homicide must be mentally ill, you may recall from Chapter 2 that most individuals who suffer from serious mental illness are significantly more likely to be victimized than they are to perpetrate a crime. Perpetrators of homicide, for the most part, tend to appear outwardly normal. Recall Jessica Colpitts's case from the beginning of the chapter. It seems that she was fueled by jealousy and perhaps an inability to control her impulses, despite a lack of any prior evidence that she was capable of such violence. In some other cases, murderers epitomize psychopaths in that they are cool, calm, and calculated. Perhaps you are wondering how it is possible that seemingly normal individuals are capable of perpetrating such brutal acts of violence, including taking another's life. This is a question for which there may be no precise or satisfactory response; however, this chapter will examine some common features of individuals who kill.

The reality is that most homicide victims are killed by people who are known to them, and in many cases the murderous violence was shockingly unpredictable. It may be rather unsettling to grasp that we cannot always predict with precision who will become homicidal or when homicidal behavior will occur, but we will examine the tendencies and variables that may lead up to these criminal acts.

8.2 Availability Heuristic

Given that there is so much news coverage of murder and homicide, it may lead us to assume that murders are frequently occurring events. The truth is that homicides are rare. In 2017, there were approximately 17,200 homicides in the United States. This may sound like a lot of victims—and it is—but when considering this number out of the 1.2 million total violent crimes reported by law enforcement agencies to the FBI's Uniform Crime Reporting (UCR) program, it is a small proportion of the violent crime category. Specifically, only 1.4% of all violent crimes in 2017 were homicides (FBI, 2018). This rate represents a slight decrease of approximately 0.7% from 2016 but also shows a significant increase of approximately 17% from 2013, when there were an estimated 14,200 homicides in the United States. This means that homicides have increased over time.

Interestingly, where you live may determine whether you perceive that homicide is a frequently occurring crime. This is based on a social psychology concept called the *availability heuristic*. The **availability heuristic** refers to the likelihood that individuals overestimate the prevalence of certain events based on how easily these events come to mind. For example, the UCR shows that nearly half of all murders in the United States in 2017 were committed in the South (see Table 8.1). Therefore, in southern states, the news media frequently reports stories of homicides, given that the majority of murders occur in that part of the country. The availability heuristic predicts that individuals who live in the South will be more prone to overestimate the prevalence of homicides than individuals in the Northeast, where the homicide rate is much lower.

Table 8.1: Offense and population percentage distribution by U.S. region, 2017

Region	U.S. total*	Northeast	Midwest	South	West
Population	100.0	17.3	20.9	38.0	23.8
Violent crime	100.0	13.4	20.2	40.8	25.5
Murder and nonnegligent manslaughter	100.0	11.3	22.6	45.9	20.2
Rape	100.0	12.4	24.6	37.0	26.0
Robbery	100.0	15.3	19.1	38.0	27.7
Aggravated assault	100.0	12.9	19.9	42.5	24.7
Property crime	100.0	11.4	19.6	41.9	27.0
Burglary	100.0	9.1	19.6	44.9	26.3
Larceny-theft	100.0	12.6	19.8	42.1	25.5
Motor vehicle theft	100.0	7.3	17.8	35.5	39.4

*Because of rounding, the percentages may not add up to 100.0.

Note. Sufficient data are not available to estimate totals for arson. Therefore, no arson data are published in this table.

*Source: "Table 3: Crime in the United States," by the Federal Bureau of Investigation, 2018 (***https://ucr.fbi.gov/crime-in-the-u.s/
2017/crime-in-the-u.s.-2017/tables/table-3/table-3.xls#overview** (https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-
2017/tables/table-3/table-3.xls#overview) *).*

8.3 Categories, Definitions, and Statistics of Homicide

The concept of murder is commonly understood, but *Black's Law Dictionary* (Garner, 2014) has a substantive and technical definition of murder that includes a clear psychological component —the ability to form intent to commit murder. In criminal law, intent refers to the subjective state of mind in which the perpetrator makes "a decision to bring about a prohibited consequence" (*R. v. Mohan*, 1994). Specifically, the definition includes language referring to the perpetrator's mental state, such as "of sound mind and discretion," and "deliberate action" (Garner, 2014, p. 1170) to describe the perpetrator's goal of causing life-ending harm to the victim. The existence of these psychological and behavioral elements are components of determining whether the murder constitutes **criminal homicide**, murder that contains the element of intent to cause the death of another and is considered neither excusable nor justifiable, such as in Jessica Colpitts's case.

The legal system further classifies criminal homicide into subtypes of murder, generally broken down into "degrees," such as first-, second-, and third-degree murder (or manslaughter). These subtypes are related to the perpetrator's mental state and are influenced by the perceived heinousness of the murder. The classification system used by authorities to categorize types of homicides and perpetrators is in place for the purpose of record keeping and reporting. This facilitates ease of research in terms of analyzing whether there is something fundamentally different from a behavioral and psychological perspective between individuals who, for example, commit first- or third-degree murder or between serial killers and mass murderers.

First-Degree Murder

First-degree murder, also known as premeditated murder, refers to the unlawful killing of another that must have the intentional element of malice aforethought (Garner, 2014). **Malice aforethought** refers to the intent to cause significant harm to another. **Premeditation** refers to planning, but it does not necessarily require a significant amount of time to form a plan. Premeditation can occur in an instant, according to the law in most states. The seriousness of first-degree murder is such that the punishment may be as serious as the death penalty or life in prison, depending on the jurisdiction in which the murder took place. In the case study at the beginning of the chapter, Jessica Colpitts was found guilty of first-degree murder in the death of Samantha Fignani. The jury found that Colpitts willfully, and with malice aforethought, intended to cause Fignani harm by ending her life with the shotgun she brought to Fignani's home when Colpitts confronted her about the affair.

One type of first-degree murder is *felony homicide*. **Felony homicide**, or a homicide that occurs during the commission of another felony, occurs as a form of instrumental aggression. You will recall from Chapter 6 that instrumental aggression is "cool" aggression and occurs as a means to an end. In felony homicide, the central goal of the perpetrator is typically to obtain criminally some reward, such as cash, objects, or other desired goods possessed by another person. The violent behavior is a means to obtain that goal. In the context of law, felony homicide is generally conceptualized as premeditated, first-degree murder.

Second-Degree Murder

Second-degree murder is commonly thought of as "depraved heart/mind" murder. The legal definition used in most states for second-degree murder reveals the mental state underlying and driving the deadly form of human behavior with the use of words such as "depraved mind," "depraved heart," and "reckless disregard" for the life of another. Though very serious because it is an *intentional* killing, it lacks the first-degree murder element of *premeditation* (Garner, 2014). Second-degree murder is punishable by life in prison in many jurisdictions, but the judge may opt to sentence the perpetrator to a term of years instead of a life sentence.

One type of second-degree murder is *altercation homicide*. **Altercation homicide** occurs as a result of hostile aggression. Recall from Chapter 6 that hostile aggression is "hot" aggression— that is, an impulsive reaction motivated by anger in response to the actual or perceived aggressive behavior of the provocateur. The underlying motivation behind hostile aggression is to cause harm, including homicide. In the context of the law, altercation homicide can best be conceptualized as "heat of passion," second-degree murder.

See *Case Study: Josiah Hadley* to read about how homicide charges take into consideration the psychological functioning leading up to and at the time of the crime.

Case Study: Josiah Hadley

Griselle Martinez was just 22 years old when she was killed by her boyfriend, 24-year-old Josiah Hadley. Martinez and Hadley were out with friends when they began arguing. The couple returned home, and as the evening wore on, the argument escalated to a physical altercation. A friend who was at their apartment when the physical altercation took place told police that he saw Hadley over Martinez's body, punching her. Hadley and his friends rushed Martinez to the hospital, where she died.

Hadley, his parents, and Martinez's family were grief stricken. This was not something they ever imagined was possible, given that Hadley was described by everyone who knew him as a kind, caring, deeply religious, and responsible young man. Nevertheless, at trial the jury found that Hadley killed Martinez with a depraved mind (i.e., showing no regard for human life; second-degree murder). The jury believed that as the argument continued for hours, Hadley became angry and lost his ability to control his own behavior.

Third-Degree Murder

Third-degree murder, more commonly known as **manslaughter**, is defined as an unintentional yet criminal homicide that lacks malice and premeditation (Garner, 2014). Manslaughter is a very serious crime because human life is lost as the direct result of the

unlawful behavior of another. However, in manslaughter the perpetrator has significantly less culpability than in first- or second-degree murder.

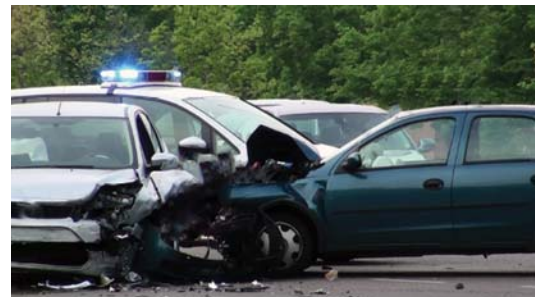Manslaughter has two major categories: *voluntary manslaughter* and *involuntary manslaughter*.

Voluntary Manslaughter

Voluntary manslaughter is a "heat of passion" murder that lacks intent to commit murder (Garner, 2014). The most commonly used example of voluntary manslaughter is that of a spouse who arrives home unexpectedly to find the other spouse having an affair and "in the heat of passion" murders the spouse and/or the paramour.

The "heat of passion" may also be present in non–love triangle cases, such as that of Diana Lalchan, who shot her controlling and abusive husband, Christopher, in the back of the head during a verbal argument. Diana feared that her husband was planning to kill her based on the years of abuse she suffered. The state's position was—and the jury agreed—that this was not a case of self-defense. Christopher was not physically harming Diana at the time of the shooting, and thus there was no imminent danger to her at that time. However, the years of abuse influenced Diana's perception that she was in danger, causing her to shoot Christopher. The jury agreed that Diana had been abused by Christopher previously, yet they judged her reaction at the time of his death as "extreme." The jury found Diana guilty of *voluntary* manslaughter. That is, they found that in the "heat of the moment," Diana killed her husband to protect herself without malicious intent to cause him harm.

Involuntary Manslaughter

Involuntary manslaughter is an accidental murder that occurs during the commission of an illegal act (Garner, 2014). To understand involuntary manslaughter, let's explore the case of Michigan state trooper Mark Bessner, whose actions led to the death of teenager Damon Grimes. Bessner, in the passenger seat of his patrol vehicle while another officer was driving, was in pursuit of Grimes, who was riding on an all-terrain vehicle (ATV). Bessner shot Grimes with a Taser, leading Grimes to crash the vehicle and subsequently die. The state asserted that Bessner shot Grimes knowing that the Taser would render Grimes unable to maintain control of the ATV, thus potentially leading to serious bodily harm, including death. The

LIVINUS/iStock/Getty Images Plus

Involuntary manslaughter, such as killing someone during a car accident, is an example of an accidental murder.

jury was able to consider that Bessner had previously improperly used his Taser on a handcuffed man in another case, which was a serious violation of police department policy. Bessner had been disciplined by the police department for that incident.

In this case, the jury found that Bessner did not *intend* to kill Grimes but that his habit of using his Taser unlawfully led directly to the death of Grimes. They rendered a verdict of guilty of involuntary manslaughter.

Determining Mental State

The key element that distinguishes between the four major legal categories of murder we have covered so far is the perpetrator's psychological or mental state at the time just prior to, during, and sometimes even after the commission of a homicide. It is important to understand that in the criminal justice system, each victim is considered a distinct and separate count of murder, regardless of the type of murder the state charges. In other words, regardless of the total number of victims a perpetrator murders, each of those victims is treated as an individual crime. Thus, if the perpetrator's mental state varies such that malice, premeditation, and intent are different for each victim, then the type of murder charge will reflect that.

For example, in a convenience store robbery in which the perpetrator kills a bystander and the clerk, each victim would be treated as a separate murder count, and thus there would be two murder charges. The perpetrator may face a first-degree murder charge for planning to rob the store and kill the clerk but perhaps a second-degree murder charge for killing the bystander if the perpetrator did not plan to kill the second person at the scene.

Justifiable Homicide

Not all murders are deemed criminal. **Justifiable homicide**, described as killing someone out of necessity, occurs because the victim perceives that he or she must defend him- or herself from certain death.

Consider the case of Ethan Gratton, who shot and killed his friend in self-defense after the friend and another man assaulted Gratton during an argument. The men punched Gratton so hard that he lost a tooth and suffered a concussion and a broken nose. In the middle of the attack, Gratton pulled his gun from his pocket and shot both men, killing his friend. The other man survived. The state prosecuted Gratton because it believed he formed the *intent* to kill. That is, the state's position was that Gratton premeditated his friend's death. The jury disagreed and acquitted Gratton at trial. Although the friend died by Gratton's hand, the jury found that Gratton was justified in shooting the men in order to defend himself from further injury, including his own death.

8.4 Serial Killers, Mass Murderers, and Spree Killers

Additional murder classifications based on features of the crime scene or scenes have been identified. These are *serial killers* and *mass murderers.* Serial killers and mass murderers are generally charged with a single count of first-degree murder for each individual victim. The number of first-degree murder cases the defendant faces depends on how many victims there were in total. The distinguishing characteristic between a mass murderer and a serial killer is the elapsed time between murders.

Additionally, it is worth noting that while less than 2% of all violent crimes are homicides, serial murder is extremely rare, accounting for less than 1% of all homicides (FBI, 2008).

Serial Killer

The FBI classifies a **serial killer** as a single perpetrator who murders three or more people on separate occasions. The temporal separation between murders is often referred to as a *cooling-off period*. For a historical example of a serial killer, see *Case Study: Clementine Barnabet*.

Case Study: Clementine Barnabet

In January 1911 Louisiana authorities were notified of a horrific discovery that included three obvious homicides. There was a couple and their young son lying in bed together. Police reports stated that it was an incredibly gruesome scene in which the family of three had suffered massive head injuries, leaving them barely recognizable. Also found at the scene was a bucket full of blood and a bloody ax. Newspaper reporters called the crime the most brutal they had ever seen, but it was not the last. Ax murders continued throughout 1911 and 1912 in parts of Louisiana and neighboring Texas. Police investigated several different men for the murders and eventually arrested Raymond Barnabet, who was a local sharecropper with a criminal record for relatively minor crimes.

Raymond Barnabet, by all accounts, was not a good man. He was controlling, possessive, and abusive toward his wife and two children, Clementine and Zepherin. Clementine, approximately 17 years old, was happy to talk to police about a night that her father arrived home wearing blood-soaked clothing. She told them that Raymond had threatened to kill her if she revealed this information to anyone. At trial, both Clementine and her brother testified against their father.

However, while Raymond was in jail and his case was working its way through the legal system, another ax murder took place. Once again, the murder claimed the lives of an entire family, but because Raymond was in jail, he was effectively ruled out as the culprit. Police were already suspicious of Clementine because they had found blood on women's clothing that was hanging in Clementine's room when they arrested her father.

Clementine asserted that her father had wiped the blood on her clothing, but police investigators could not verify that Clementine had an alibi for the evening of the most recent ax murder.

Police arrested Clementine and discovered through her confession that she had killed 35 people over approximately a one-and-a-half-year period. According to police, Clementine killed these families because she believed that doing so would give her supernatural powers. The media suggested that the murders were part of a voodoo ritual that Clementine and "many others," who were never identified, were involved in. They also suggested that Clementine was a high priestess in a religious cult called the Church of Sacrifice. (The existence of such a church has never been confirmed.) However, it is possible that this part of the story was fabrication based on the racial and class biases of that era, given that Clementine was an African American woman in the Deep South during a time in history when African Americans' rights were limited through use of curfews, segregation, and other restrictions under the doctrine that deemed African Americans "separate but equal." The media may have been creating stories that took advantage of Clementine.

In Clementine's case, she murdered entire families (multiple victims) at each crime scene, and she was classified as a serial killer because there was a *temporal* separation between each set of murders. That is, Clementine murdered, then some time passed, then she murdered again, and so on until she was arrested.

Mass Murderer

Mass murder occurs when there are multiple victims (at least four) in a single location, with no subsequent murder events because the murderer is typically captured or killed before he or she can do any additional harm (FBI, 2008). Perhaps the most salient type of mass murderer in recent history is that of the mass shooter.

The deadliest mass shooting in the United States to date is the Las Vegas massacre on October 1, 2017, that claimed 58 lives. The shooter, Stephen Paddock, killed himself on the scene. The Pulse Nightclub shooting perpetrated by Omar Mateen in Orlando, Florida, on June 12, 2016, claimed 49 lives and is the second most deadly mass murder in U.S. history to date.

Las Vegas Metropolitan Police Department/Associated Press

The interior of Stephen Paddock's room at Mandalay Bay Hotel in Las Vegas, Nevada, where Paddock fired on attendees of a nearby music festival.

However, mass murderers do not always kill dozens of people in public places. See *Case Study: John List* for another example of who can be considered a mass murderer.

Case Study: John List

In 1971 New Jersey accountant John List shot and killed his family of five, including his wife, a teenage daughter, two teenage sons, and his own mother. It was weeks before neighbors became concerned that they had not seen anyone entering or leaving the home and reported it to police. When police entered the home, they heard loud organ music playing over the home's intercom system. In addition to discovering the five victims in the home, police also discovered a five-page letter that List wrote to his pastor stating that he perpetrated the murders because he "had seen too much evil in the world" and wanted to save the souls of his family members.

Between the murders and the police entering the home, List changed his identity to avoid being found. He changed his name to Robert Clark and started a new life in Virginia, where he lived quietly for approximately 18 years. In 1989 the FBI broadcast List's case on a television show called *America's Most Wanted*, asking for the public's assistance in locating John List. A woman in Virginia called the tip line and reported that her neighbor, Robert Clark, looked remarkably similar to the age-progressed image shown to viewers.

Thanks to the tip, the FBI finally captured List, who was working as an accountant, had remarried, and was active in his local church. At trial, the jury found List guilty of five counts of murder, and he received five separate life sentences, one for each of the victims. List later stated that he killed his family instead of himself because he feared that suicide would prevent him from going to Heaven, where he was hoping to be reunited with the family members he murdered.

Although List fatally shot his victims and this is the mode of death in many all-too-familiar mass murder cases, he carried out the crime in the privacy of his own home instead of a public venue. Nevertheless, List fits the FBI definition of mass murderer because he killed five people in a single location with no cooling-off period between the murders. Moreover, there is no evidence that List committed any subsequent murders at any other location.

Spree Killer

Though the FBI murder classification system no longer uses the term *spree killer*, the media sometimes still refers to these types of killers, which is why we're discussing it here. **Spree killer** was defined as someone who murders multiple people over a short time period but in different geographic locations with no cooling-off period between murders. However, the FBI

received much criticism about the arbitrary definition of a cooling-off period (FBI, 2008). Therefore, the FBI stopped using the term in 2005, deciding that spree killers were actually serial killers whose murders may occur with little to no break between them.

To help explain why there was the third category in the first place, the example of Dwight Lamon Jones may be helpful. In 2018 Jones went on a murderous rampage, killing six victims in three Arizona cities over a 5-day period before killing himself. All the victims were professionals who were either directly or indirectly involved in Jones's divorce proceedings years earlier. It is important to note that, even though prior to 2005 he would have been considered a spree killer, in the context of the current FBI murder classification typology, Jones's category is *serial* killer because his homicides took place over a short time period.

8.5 Family Violence

According to the UCR, in most of the 15,129 murders that were solved in the United States in 2017, the perpetrators were known to the victim either as an acquaintance or family member, with only 9.7% of the cases being committed by a stranger (FBI, 2018). This indicates that family and intimate partner violence are a leading cause of death by homicide. Figure 8.1 shows homicide victims by relationship to the perpetrator.

Figure 8.1: Homicide victims by their relationship

In this figure, the bar graphs and pie chart visually represent the relationships of the 15,129 murder victims to their offenders in 2017.
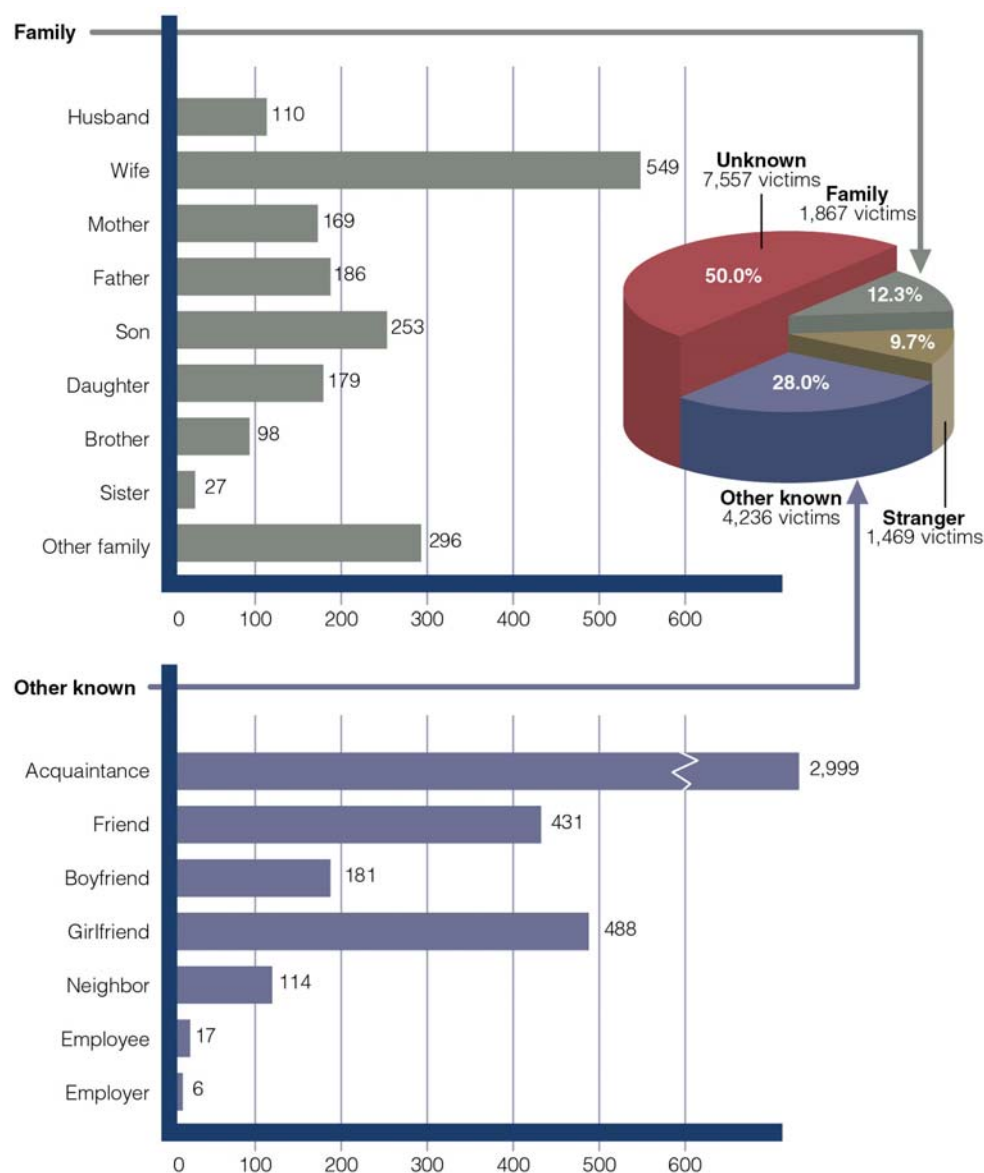
*From "UCR Supplemental Homicide Data 2017," by the Federal Bureau of Investigation, n.d. (***https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-2017/topic-pages/expanded-ho***

Family violence is the umbrella term for any type of family violence in which there are a small but significant number of family members who are emotionally or physically abused or killed at the hands of another member of the family. These can include *intimate partner violence, familicide, filicide,* and *parricide.*

It is difficult to get accurate data on the prevalence of the latter three types of homicides, perhaps because they are so rare and are not necessarily distinguished from other types of family violence when the data are collected and recorded.

Effects of Sexual/Physical Abuse on Children

Child Welfare administrator Gabriela Baeza discusses sexual and physical abuse, and how many males become abusers as a result of childhood abuse.
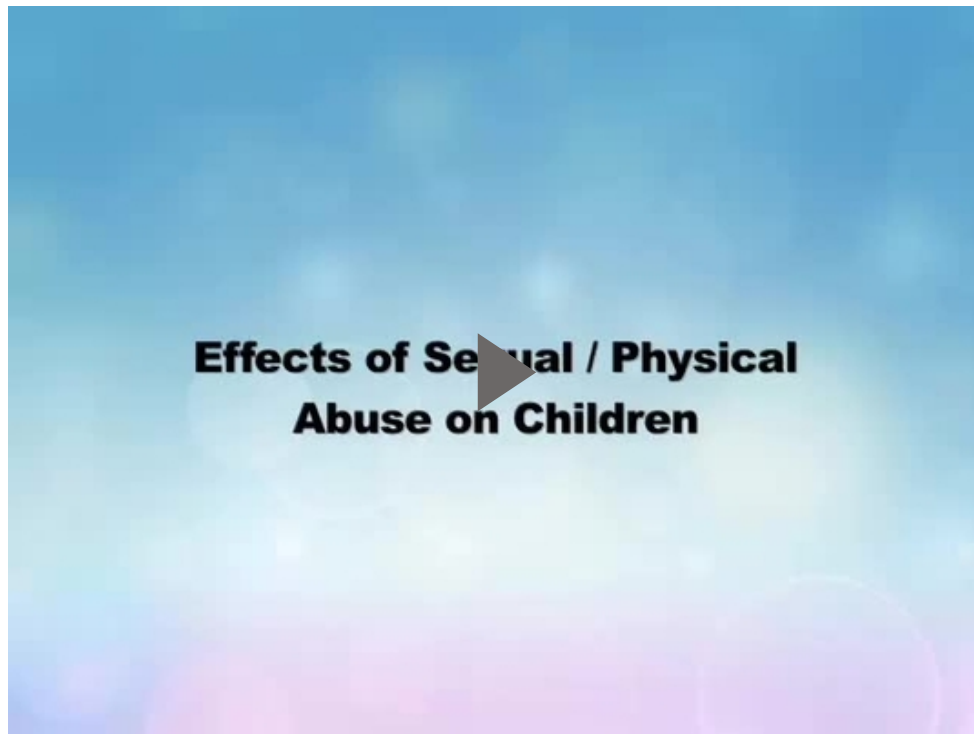
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Critical Thinking Questions

- How might a child "unlearn" abusive behavior?
- To what extent does the media and popular culture reinforce abusive behavior?

Intimate Partner Violence

According to the National Coalition Against Domestic Violence (NCADV; 2019), approximately 10 million people annually experience intimate partner violence. **Intimate partner violence** (previously known as *domestic violence*) is the deliberate intimidation of a romantic partner—current or former—that can include physical, sexual, or other violence and abusive behavior as a means of gaining or asserting dominance and control over the person (NCADV, 2019). *Intimate partner violence* is an all-inclusive term meant to update the term *domestic violence* to include same-sex partners and others who may or may not be married or residing in the same household. This abuse is frequently systematic with varying degrees of severity. That is, for some victims the abuse is psychological and emotional, never resulting in physical injury. For others the abuse is physical, leading to injury and possibly even death.

AntonioGuillem/iStock/Getty Images Plus

Physical or sexual intimidation of a romantic partner is known as *intimate partner violence*. Left unchecked, this can lead to intimate partner homicide.

The NCADV (2019) reports that, on average, 1 in 3 female murder victims are killed by an intimate partner, in contrast to 1 in 20 male victims who are killed by an intimate partner. Nearly half of all female homicide victims are killed by a current intimate partner or a former partner, with approximately 10% of these homicide victims experiencing violence at the hands of their murderer in the 30 days prior to being killed (Petrosky et al., 2017). However, intimate partners were not the only individuals murdered in at least some of these homicide cases. Approximately 20% of all murder victims were friends, family, and/or acquaintances of domestic violence victims and were murdered because they were somehow related to or intervened on behalf of the victim (NCADV, 2019).

See *Case Study: Robert McCoy* to read about a case in which intimate partner violence led to multiple homicides.

Case Study: Robert McCoy

Yolanda McCoy separated from her controlling and abusive husband, Robert McCoy, in 2008. One day as she arrived home from work, her estranged husband was waiting for her inside her new residence. He put a knife to her throat and held Yolanda and their 1-year-old child hostage. Yolanda was eventually able to contact the police, but before they arrived, Robert fled the scene.

Fearing for her life, Yolanda took her teenage son from a previous relationship to her parents' home in a neighboring city because she believed he would be safe there. Yolanda then moved to a nearby city with her 1-year-old with the hope that the police would soon capture Robert and he would go to jail. However, despite their best efforts, the police had been unsuccessful in locating him.

Approximately 2 weeks after holding Yolanda hostage, Robert, armed with a gun and furious that he could not find Yolanda, went to her parents' home and demanded that they tell him Yolanda's whereabouts. Yolanda's mother immediately called 911, and she was heard on the recording saying, "She's not here, Robert. Robert, Yolanda is not here." A voice believed to be Robert's was shouting in the background, and then there were gunshots fired. Yolanda's mother, stepfather, and teenage son, Gregory, were all killed execution style. Witnesses saw Robert running from the home, and the police later recovered his abandoned car near the scene.

Eventually, Robert was captured, tried, and sentenced to Louisiana's death row to serve three death sentences, one for each of the three murders he is alleged to have committed.

Familicide

Familicide is a murder-suicide in which the murderer is a family member who kills multiple family members and then kills him- or herself. To understand this type of family violence, let's explore the case of Terry Strawn.

Strawn was named Hillsborough County, Florida, Officer of the Year in 2009. He worked effectively as a police officer for many years before his retirement in 2016. However, family financial issues caused him to return to the sheriff's department as a school resource officer. Strawn's goal was to help improve school security in the wake of the mass shooting at another Florida school in 2018.

On the morning of December 19, 2018, Strawn broadcast over his police radio, admitting to killing his wife, daughter, and granddaughter and revealing the locations of their bodies. He went on to say that he loved the sheriff's department but was despondent and intended to take his own life at a high school that was near the locations of the three murders he committed earlier that day. His colleagues arrived at the high school, but despite their best efforts to stop him, Strawn killed himself. Further investigation showed that the family had filed for bankruptcy protection a few years earlier and may have been having significant financial issues.

Regardless of the underlying reasons, Strawn committed familicide—he murdered his family and then killed himself.

Parricide

Parricide is the killing of one's parents. Recall Figure 8.1, which shows that in 2017, 169 homicide victims were the mother of the perpetrator and 186 were the father of the perpetrator (FBI, 2018).

To put these data into context, for the year 2017, less than 1% (about 0.02%; 355 cases) of total homicides in the United States were perpetrated by children on a parent. It may seem that these

low numbers do not accurately reflect the reality of the situation, due to the fact that when cases like these occur, they are covered extensively by the media. We tend to hear about these cases more frequently and in more detail than with many other homicide cases, and they become salient to us because of the level of shock and distinctiveness from other types of homicides.

Consider the case of Andrea Balcer, who was just 17 years old when she killed her parents in Winthrop, Maine. Andrea was struggling with psychological stress because she believed that her parents would be unsupportive of her desire to transition from male to female. According to Andrea, she "snapped" and killed both of her parents but spared her brother, Christopher, who later advocated against Andrea for a harsh sentence, citing her lack of remorse. The state charged Andrea as an adult in part due to the brutality of the crime, which included Andrea stabbing her mother in the back repeatedly as her mother was giving her a hug.

Robert F. Bukaty/AP/Associated Press

Andrea Balcer delivers a statement in 2018 before being sentenced to 40 years for killing her parents 2 years prior.

To avoid trial and a possible life sentence for each murder, Andrea accepted a plea bargain for a term of 40 years in prison. The judge rejected her mental health mitigation, stating that many individuals struggling with lack of support from family and community when they experience psychological stress surrounding gender identity do not use this as an excuse to kill. In parricide cases, there is often a teenage perpetrator who believes that if his or her parents were dead, he or she could go on to live a life free of parental oppression.

Filicide

Filicide involves cases in which parents kill their children. In 2017 approximately 432 homicide victims were children who were murdered by their parents (about 0.03%). Figure 8.1 also shows that sons were killed by a parent in 253 cases and daughters were killed by a parent in 179 cases.

Consider the case of Julie Schenecker. For most of her life, Schenecker had suffered from bipolar disorder possibly with psychotic features (see Chapter 2 for more information on this disorder). However, no one believed she would ever harm her children. While her husband, Parker, was in the army stationed overseas, Julie drove her 13-year-old son, Beau, to soccer practice, and she fatally shot him while in the car for "talking back." After killing Beau, Schenecker turned the car around to go back home. When she arrived, she went inside and fatally shot her 16-year-old daughter, Calyx. When the children's grandmother became concerned that she could not reach Schenecker or the kids, she had police do a welfare check at the home.

The police discovered Beau's body still in the SUV where he was killed, and they discovered Calyx covered with a sheet on her bed. Police also discovered a journal of Schenecker's in which she wrote about planning to kill the children. At trial, the jury rejected Schenecker's insanity

defense, citing the premeditated plan to kill the children. (An insanity defense is one in which the defendant asserts in court that he or she could not appreciate the criminal nature of his or her actions at the time of the crime or did not understand the difference between right and wrong, as a direct result of mental defect.) Schenecker was sentenced to life in prison.

Assessing Balcer's and Schenecker's Mental States

In Balcer's and Schenecker's cases, there were indications that each was suffering from either psychological stress or a mental disorder. However, in the criminal justice system, mental state is considered within the context of whether there was intent to kill, premeditation, and/or malice.

In Maine, where Balcer was sentenced, the law includes only one statute that criminalizes almost all types of murder. The statute includes the previously discussed components of first- and second-degree murder, as well as manslaughter. Presumably, the defendant is sentenced based on what facts in evidence show the perpetrator's mental state at the time of the crime. In the Balcer case, she plead guilty to two counts of murder, one for each of her parents. She was sentenced to 40 years for each homicide.

In Florida, where Schenecker was sentenced, there is a separate statute for each type of criminal homicide discussed earlier in this chapter. Although there was evidence presented at trial that Schenecker's criminal behavior was likely attributable to psychiatric dysfunction, as evidenced by her taking psychotropic medications to treat bipolar disorder, the jury found her guilty of first-degree murder. They decided that Schenecker's mental state at the time of the crime included the premeditated attempt to murder her children with malice aforethought. Due to Florida's criminal justice system mandate that anyone found guilty of first-degree murder must serve a life sentence without parole, the jury's verdict left the judge no option other than to sentence Schenecker to two life sentences without the possibility of parole.

8.6 Demographics of Homicide

There are a number of demographic variables correlated with homicidal behavior, including race, age, gender, and socioeconomic status. Overall, it is important to consider how demographic, biopsychosocial, and other situational factors impact crime and its prevention.

Race

Perhaps the most controversial of the demographic variables associated with homicide is that of race, ethnicity, and culture. This variable is controversial because criminal justice data show consistently that African Americans are overrepresented as defendants in the criminal justice system. As of July 1, 2018, the U.S. African American population was estimated at 13.1% (U.S. Census Bureau, 2019). According to the UCR homicide data on race, 54.2% of perpetrators were African American, a startling figure considering that less than 15% of the U.S. population is African American (FBI, 2018). Clinical psychology research informs us that there are no significant differences in the behavioral and mental health functioning of individuals based on race. A lack of behavioral and psychological differences suggests that the racial inequities may be due to explicit and implicit racial biases (Goel, Rao, & Shroff, 2016; Hetey & Eberhardt, 2014; Kay et al., 2009).

Hetey and Eberhardt (2018) examined factors related to racial disparities in the criminal justice system. The primary goal of the research was to identify areas of psychology research that may mitigate the effects of inherent racial bias in the criminal justice system. One popular intervention is to widely disseminate information on racial inequality in the criminal justice system to the masses. However, social psychology researchers have found that educating White people about observable racial bias in the criminal justice system caused them to be more punitive instead of less punitive when the defendant was Black (Hetey & Eberhardt, 2014; Peffley & Hurwitz, 2007).

Hetey and Eberhardt (2018) proposed that additional research be undertaken on three key interventions in an effort to effectively communicate information about racial disparities and develop interventions that will reduce or eliminate negative stereotype activation. These proposed areas of research are (a) the best ways to offer context when presenting statistics on racial disparity; (b) how to effectively challenge negative implicit associations based on race (e.g., reduce or eliminate implicit bias); and (c) how to highlight the roles that institutions, as opposed to individuals, have in facilitating and perpetuating racial disparities in the criminal justice system.

Age

Although the scope of this chapter focuses on adult homicide perpetrators (juvenile perpetrators are discussed in Chapter 7), it is important to note that even adult homicide offenders tend to be young. When examining homicide cases in which a perpetrator has been identified, approximately 54% of homicide perpetrators are aged 20 to 34, with more than three quarters of this group falling under age 29 (FBI, 2018).

Gender

The overwhelming majority (88.1%) of homicide offenders are male (FBI, 2018). However, there are differences between male and female homicide perpetrators based on who they tend to kill. Data show that more than half of female homicide offenders murder an intimate partner or family member, whereas about 75% of male offenders are significantly more likely to kill an acquaintance or a stranger (Fox & Fridel, 2017).

A potential gap in the gender variable reporting is that data are collected and reported based on male–female gender categories even though an increasing number of individuals identify as gender nonconforming or transgender. There is no specific information to determine to which gender category transgender perpetrators (or victims) are assigned. Therefore, caution must be used when interpreting and drawing gender-based conclusions, as these may be inaccurate.

An example of this conundrum is in the previously discussed case of Andrea Balcer. Despite the fact that Balcer identifies as a female, her legal name is Andrew, and she has not undergone sex reassignment surgery (which is currently required in the state of Maine to change gender on a birth certificate). Therefore, the Maine Department of Corrections has placed Balcer in a male prison facility under her legal name of Andrew Taney Balcer and has listed her gender as male (State of Maine Department of Corrections, 2019).

Socioeconomic Status

Though socioeconomic status is discussed in more depth in Chapter 4, it bears mentioning here that poverty is a key risk factor in predicting criminal behavior, including homicide. Although social class and poverty are not adequate predictors of future criminal behavior on their own, when combined with additional variables—such as access to weapons and repeat exposure to violence—they are typically cited as an underlying risk factor for homicidal behavior.

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Studies indicate that the more individuals are exposed to violence, the greater the odds are that they will commit violent crimes. This, combined with low socioeconomic status, is a risk factor for criminal behavior.

Many children who grow up in high-crime and high-violence areas will not go on to commit homicide. However, research suggests that the greater the exposure to violence and crime, the greater the likelihood of engaging in criminal behavior, including homicide. This is attributable to a lack of financial, medical, and social resources.

Access to Weapons

Although access to weapons and the use of a weapon by homicide perpetrators is not a demographic variable, weapon accessibility is a strong predictor of violent behavior, including

homicide. In 2017 approximately 73% of homicides were committed using a firearm, the majority of which were handguns (FBI, 2018). This number has increased from 2013, in which a firearm was the weapon used in approximately 69% of homicides. The next most frequently used weapon in homicides in 2017—though significantly less than firearms—was knives/cutting instruments, at 11%.

Another sobering statistic is that for children age 18 and under, gunshot wounds are the leading cause of death by homicide (N = 680; FBI, 2018). More than half of these homicides were perpetrated on victims ages 13 to 16. For young adults ages 18 to 22, the total number of homicides by gunshot wound is more than double that of the 18 and under group (N = 1,551 vs. N = 680).

Given the increase in mass murder via gun violence in the past several years, there is much public debate about gun control. The public discourse tends to suggest that if there are no guns, there will be no violent crime or violent crime will be greatly reduced. It is important to understand that neither guns nor any other type of weapons *cause* homicides. However, the data show a strong association between accessibility to weapons and homicides. That is, it may be that the availability of firearms and the laws that entitle people to carry firearms contribute to deaths by gunshot wound.

8.7 Criminal Recidivism Among Homicide Offenders

Perhaps the strongest influence on criminal homicide behavior is the power of the situation. That is, even with someone who has no discernible biological or developmental risk factors that may lead us to believe he or she is capable of killing, the way a situation is structured can be a predictor of homicidal behavior. Important considerations are whether the perpetrator is under the influence of alcohol or recreational drugs, whether he or she is provoked or despondent, or any number of other situational factors that have a strong and direct impact on his or her behavior.

Although it could be helpful to be able to predict with precision what combination of situational, biological, and developmental factors may lead to homicide, the best that criminal psychology researchers can do is evaluate past cases for indicators of similar characteristics among killers and their homicides. A historical gap in the research is that most homicidal behavior research focuses on serial killers and mass murderers, with very little research on the characteristics of individual killers. However, researchers in New Jersey examined individual killers in relation to recidivism (the tendency of an individual to relapse into criminal behavior) and what drove them to kill in the first place, providing us with a novel typology of what drives someone to kill.

Roberts, Zgoba, and Shahidullah (2007) conducted a study of more than 300 perpetrators of homicide who had been released from New Jersey state prisons from 1990 to 2000. The researchers tracked these individuals for 5 years to measure their recidivism rates. They hypothesized that homicide perpetrators who had no criminal history prior to their murder charge would be the least likely to return to prison. Their findings identified four major homicide perpetrator types.

1. perpetrators who killed someone during a family violence incident (family violence homicide offenders)
2. perpetrators who killed during the commission of another felony such as armed robbery (felony homicide offenders)
3. perpetrators who killed someone during the course of an automobile accident (typically DUI related; accidental homicide offenders)
4. perpetrators who killed as a result of provocation (altercation-precipitated homicide offenders)

Overall, none of the offenders committed another homicide. However, many of these individuals committed other crimes, including violent or drug-related offenses. The highest recidivism rates were observed in the felony homicide group, followed by the group of homicide perpetrators who were provoked by an altercation. Only 10% of the family violence homicide offenders recidivated due to a new violent or drug-related offense.

These categories are helpful for understanding what some precipitating factors may be for homicidal behavior, along with whether these individuals are likely to kill again.

Summary and Conclusion

Regardless of the variables that lead to homicide, this deadly form of violence is one that shocks and fascinates the public conscience. Though it may seem that homicides occur frequently, the data show that homicides are rare, depending on where in the United States one resides. Recall the availability heuristic, which refers to the likelihood that individuals overestimate the prevalence of certain events based on how easily these events come to mind.

It's important to remember that there are different types of criminal homicide. For example, the chapter covered several subcategories of murder, including first- and second-degree murder. While any type of homicide is serious, first-degree murder cases are commonly considered among the most serious and heinous crimes.

People who have murdered more than one victim are also classified into different categories based on the patterns of their murders. A mass murderer kills four or more people at one location during one continuous time period, while spree killers murder two or more victims at more than one location. Finally, serial killers murder three or more victims, and each victim is murdered on separate occasions.

The chapter also discussed family violence, which includes intimate partner violence, familicide, parricide, and filicide. Though these types of homicides are rare, it is important to understand the context in which they occur.

Although demographic and other psychosocial variables are merely correlational when measured in conjunction with homicides, the chapter discussed race, age, gender, socioeconomic status, and access to weapons in an effort to identify variables that may lead to violence and homicide.

Although television, movies, and true crime stories fascinate and provide interesting entertainment, it is important to remember that homicide is a major trauma to the loved ones of victims. Therefore, criminologists, psychologists, law enforcement, and other interested stakeholders continue to examine homicidal behavior in an effort to devise interventions to prevent and significantly reduce homicides.

Critical Thinking Questions

1. Why aren't all homicides deemed criminal?
2. Discuss the issue of racial bias as it relates to the association between race and homicide.
3. Discuss the accessibility of firearms as a predictor of homicide. Which demographic group is the most likely to die of gunshot wounds in the United States?
4. Think about the region in which you live. Does the media frequently run news stories about homicides, or are these types of stories infrequent? Consider the availability heuristic.

Key Terms

altercation homicide
A type of homicide that occurs as a result of the perpetrator feeling intense anger and provocation. Considered "heat of passion," second-degree murder.

availability heuristic
The likelihood that individuals overestimate the prevalence of certain events based on how easily these events come to mind.

criminal homicide
A murder that contains the element of intention to cause the death of another and is considered neither excusable nor justifiable.

familicide
A murder-suicide in which the murderer is a family member who kills multiple family members and then kills him- or herself.

family violence
An umbrella term used to describe any type of family violence in which there are a small but significant number of family members who are emotionally or physically abused or killed at the hands of another member of the family, such as in intimate partner violence, familicide, filicide, and parricide.

felony homicide
A homicide that occurs during the commission of another felony, which is typically a crime to obtain some reward such as cash, objects, or other desired goods possessed by another person. Considered first-degree murder.

filicide
A type of homicide in which a parent murders his or her child or children.

first-degree murder
The unlawful killing of another that must have the intentional elements of malice aforethought and premeditation.

intimate partner violence
The deliberate intimidation of a romantic partner—current or former—that can include physical, sexual, or other violence and abusive behavior as a means of gaining or asserting dominance and control over the person. Previously known as *domestic violence*.

involuntary manslaughter
An accidental murder that occurs during the commission of an illegal act. Considered a category of third-degree murder.

justifiable homicide

The act of killing someone out of necessity. Occurs because the victim perceives he or she must defend him- or herself from certain death.

malice aforethought
The intent to cause significant harm to another.

manslaughter
See *third-degree murder*.

mass murder
A type of murder that occurs when there are multiple victims (at least four) in a single location with no subsequent murder events.

parricide
A type of homicide in which a child murders his or her parent(s).

premeditation
The planning of a homicide. Does not necessarily require a significant amount of time to form a plan.

second-degree murder
An act of intentional killing that lacks the first-degree murder element of premeditation. Commonly thought of as "depraved heart/mind" murder.

serial killer
A single perpetrator who murders three or more people on separate occasions.

spree killer
A term no longer used by the FBI, but when used by the media, it is defined as someone who murders multiple people over a short time period in different geographic locations with no cooling-off period between murders.

third-degree murder
Commonly known as manslaughter; an unintentional yet criminal homicide that lacks malice and premeditation. Its two major categories are voluntary and involuntary manslaughter.

voluntary manslaughter
A "heat of passion" murder that lacks intent to commit murder. Considered a category of third-degree murder.

of the perpetrator feeling intense anger

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