2 THEORIES OF VICTIMIZATION

LEARNING OBJECTIVES

- Discuss the role of victims in the criminal justice system.
- Identify the rights that victims have in the criminal justice process.
- Assess the impact of victim blaming on reporting rates and help-seeking behaviors.
- Explain how gender contributes to the fear of victimization.
- Discuss the different theories on victimization.

This chapter is divided into three topics. The chapter begins with a review of the victim experience in the criminal justice system, highlighting the experience of help seeking by victims and the practice of victim blaming. The chapter then turns to a discussion of victimization and focuses on how fear about victimization is a gendered experience. The chapter concludes with a discussion of theories that seek to understand the victim experience and place it within the larger context of the criminal justice system and society in general.

VICTIMS AND THE CRIMINAL JUSTICE SYSTEM

Why do victims seek out the criminal justice system? Do they desire justice? What does *justice* mean for victims of crime? Is it retribution? Reparation? Something else? Victims play an important role in the criminal justice process—indeed, without a victim who is willing to give evidence, many cases would fail to progress through the system at all. However, many victims who seek out the criminal justice system for support following their victimization are often sadly disappointed in their experiences. In many cases, human victims of crime are reduced to a tool of the justice system or a piece of evidence in a criminal case. As a result, many of these victims express frustration over a system that seems to do little to represent their needs and concerns; victims can even be further traumatized based on their experiences with the criminal justice system.

As a result of increased pressure to support the needs of victims, many prosecutors' offices established victim-assistance programs during the mid-1970s to provide support to victims as their cases moved through the criminal justice process. In some jurisdictions, nonprofit

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domestic violence and rape crisis agencies also began to provide support for victims during this time (Perona et al., 2006; U.S. Department of Justice, 1998). Community agencies such as rape crisis centers developed in response to the perceived need for sexual assault prevention efforts, a desire for increased community awareness, and a wish to ameliorate the pain that the victims of crime often experience (Parsons & Bergin, 2010).

In response to a backlash against the rights of criminal defendants as guaranteed by the U.S. Constitution, citizens and legislatures increased their efforts to establish rights for victims in the criminal justice process, and several federal laws were passed. These laws increase the voice of victims throughout the process, ensure training for officials who deal with victims, and provide funding for therapeutic resources for victims. Some of these focus on victims of a specific crime. For example, the Violence Against Women Act provides support for criminal justice researchers studying issues related to intimate partner violence. You'll learn more about this important legislation in Chapter 3. Other federal legislation provides protections for all crime victims, such as the Crime Victims' Rights Act of 2004. Although attempts to pass an amendment to the U.S. Constitution on victims' rights have been unsuccessful, each of the 50 states includes references to the rights of victims in criminal cases. Table 2.1 illustrates some of the **core rights of victims** that are included in many state laws and constitutions.

Much of what we know about victims comes from official crime datasets or research studies on samples of victimized populations. A comparison between official crime data (arrest rates) and victimization data indicates that many victims do not report their crime to law enforcement, which affects society's understanding regarding the realities of crime. According to the Bureau of Justice's National Crime Victimization Survey, only about half of all victims surveyed reported their victimization to law enforcement (Hart & Rennison, 2003). Victims of serious violent crime are generally more likely to report these crimes compared to property offenses. Robbery was the crime most likely to be reported (66%), followed by aggravated assault (57%). Women are generally more likely to report crimes to law enforcement than men; however, cases of personal violence are significantly underreported among female victims (Patterson & Campbell, 2010). For example, the NCVS indicates that only 42% of rapes and sexual assaults are reported, and the Chicago Women's Health Risk Study showed that only 43% of women who experience violent acts from a current or former intimate partner contacted the police (Davies et al., 2007). Certainly, the relationship between the victim and offender is a strong predictor in reporting rates because women who are victimized by someone known to them are less likely to report than women who are victimized by a stranger (Resnick et al., 2000).

There are many reasons why victims might choose not to report their victimization to the police. Some victims feel embarrassed by the crime. Still others may decide not to report a crime to the police out of the belief that nothing could be done. In many cases, people do not report their crime because they believe that the crime was not serious enough to make a big deal over it, while others believe it is a personal matter.

However, a failure to report does not mean that victims do not seek out assistance for issues related to their victimization experience. Several studies on sexual assault and intimate partner violence indicate that victims often seek help from personal resources outside of law enforcement, such as family and friends, and many seek assistance through formal mental health services following a victimization experience (Kaukinen, 2004). Although many victims may be

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TABLE 2.1 ■ Core Rights of Victims

The core rights for victims of crime include

- the right to attend criminal justice proceedings;
- the right to apply for compensation;
- the right to be heard and participate in criminal justice proceedings;
- the right to be informed of proceedings and events in the criminal justice process, of legal rights and remedies, and of available services;
- the right to protection from intimidation and harassment;
- the right to restitution from the offender;
- the right to prompt return of personal property seized as evidence;
- the right to a speedy trial; and
- the right to enforcement of these rights.

Source: VictimLaw (n.d.).

PHOTO 2.1 Much of the victimization that women experience involves offenders known to them. In many cases, their relationship with an offender leads many victims to not report the crime to the police.

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reluctant to engage in formal help seeking, research suggests that victims who receive positive support from informal social networks, such as friends and family, are subsequently more likely to seek out formal services, such as law enforcement and therapeutic resources. In these cases, informal networks act as a support system for seeking professional help and for making an official crime report (Davies et al., 2007; Starzynski et al., 2007).

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The literature on barriers to help seeking indicates that fears of retaliation can affect a victim's decision to make a report to the police. This is particularly true for victims of intimate partner violence where research indicates that violence can indeed increase following police intervention (Dugan et al., 2003). The presence of children in domestic violence situations also affects reporting rates as many victims may incorrectly believe that they will lose their children as a result of intervention from social service agents.

SPOTLIGHT ON VICTIM RIGHTS IN MEXICO

Although there are laws protecting crime victims for each U.S. state and at the federal level, such is not the case in many other regions of the world. Victimization is often a stigmatizing experience, leading many crime victims to suffer in silence. This is further compounded by the fact that in many countries, crime victims do not have any legal rights and agencies to support the needs of victims are limited.

Consider the hundreds, if not thousands, of victims of femicide in the Mexican state of Chihuahua, near the U.S. border. Since the mid-1990s, young women have been murdered in and around these border towns, which have become synonymous with high levels of violence and narcotics trafficking. Their bodies are discovered days, weeks, and months following their disappearance and are typically abandoned in vacant lots in Ciudad Juárez and the surrounding areas; some women are never found. Many of these cases involve significant acts of sexual torture, including rape and the slashing of the breasts and genitals of the female victims (Newton, 2003). Many of these women had traveled to these border towns from their villages in search of work in the maquiladoras—factories that assemble or manufacture products, which are then returned to the United States duty free under the North American Free Trade Agreement.

In describing the murders of these women, several commentaries have pointed to a clash between the traditional roles for women, a machista (chauvinistic) culture, and the rise of women's independence as an explanation for the violence. According to a 2003 report by the Inter-American Commission on Human Rights (IACHR), the crimes against women in Ciudad Juárez have received international attention because of the extreme levels of violence in the murders and the belief that these killings may have been the result of a serial killer. However, their research indicates that these cases of femicide are not the result of a single serial killer but are part of a larger social issue related to a pattern of gender-based discrimination where the violence against women is not considered to be a serious issue. Given the relationship with gender in these cases, any official response to address these crimes must consider the larger social context of crimes against women and the accessibility of justice for women in these cases.

Although the Mexican government created a victims' services fund designed to provide monetary compensation to the families of the women and girls who have been murdered in Juárez, the program is poorly organized, and few families have been able to access the funds (Calderon Gamboa, 2007). Meanwhile, nonprofit organizations such as *Justicia para Nuestras Hijas* (Justice for Our Daughters) work to combat the myths and victim blaming surrounding these cases through public education. They also provide legal assistance and therapeutic support services for victims of crime. The organization also works to document these cases of femicide and lobby the government for support and legal change (Villagran, n.d).

The grassroots movement for victims in Mexico has continued to grow. Although groups are united in an effort to end violence in their communities, provide support for victims, and

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call attention to a failing justice system, there are significant debates within these efforts on how to accomplish these goals. In January 2013, the Mexican government passed the General Law of Victims. However, the law was heavily criticized and many groups did not feel that the law went far enough to meet the needs of victims. The law was first revised in May 2013 and incorporated a number of provisions for victims, including a national registry of victims, a governmental victim services agency, and a victim assistance fund (Villagran, n.d.). At the same time, the judicial system was working through several reforms to their process. In 2017, Mexico's Congress passed the General Law on Disappearances, which establishes a National Search System (*Sistema Nacional de Búsqueda)* as well as a Commission to support the efforts to search for missing individuals (WOLA, 2017). In the words of Ernesto Canales, the cofounder of RENACE, "what is needed is an integral reform of the system . . . we cannot think that by augmenting the rights of victims and leaving the current system in place we'll be protecting [victims]" (Villagran, n.d., p. 138). Although progress has been made in these areas, there is still significant work to be done.

Victim Blaming

Reporting practices and help-seeking behaviors by victims are also influenced by the potential for **victim blaming**. Victim blaming occurs when the responsibility for the crime is shifted to the victim.

Why do we blame the victim? The process of victim blaming is linked to a belief in a just world. The concept of a just world posits that people deserve whatever comes to them—bad things happen to bad people, and good things happen to good people (Lerner, 1980). Under these assumptions, if a bad thing happens to someone, then that person must be at fault because of who he or she is and what he or she does. A just world outlook gives a sense of peace to many individuals. Imagining a world where crime victims must have done something foolish, dangerous, or careless allows members of society to distinguish themselves from this identity of victimhood—"I would never do that, so therefore I must be safe from harm"—and allows individuals to shield themselves from feelings of vulnerability and powerlessness when it comes to potential acts of violence. There are several negative consequences stemming from this condition: (1) Victim blaming assumes that people are able to change the environment in which they live, (2) victim blaming assumes that only "innocent" victims are true victims, and (3) victim blaming creates a false sense of security about the risks of crime.

Given the nature of victimization patterns in society, few meet the criteria of a culturally ideal victim. For example, the battered woman is asked, "Why do you stay?"; the rape victim is asked, "What were you wearing?"; the assault victim is asked, "Why didn't you fight back?"; the burglary victim is asked, "Why didn't you lock the door?"; and the woman who puts herself in harm's way is asked, "What were you thinking?" Each of these scenarios shifts the blame away from the perpetrator and assigns responsibility to the victim. Victim blaming enables people to make sense of the victimization. In many cases, the process of victim blaming allows people to separate themselves from those who have been victimized—"I would never have put myself in that situation"—and this belief allows people to feel safe in the world.

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What are the implications of the **just world hypothesis** in the criminal justice system? Consider the crime of sexual assault. Under the just world hypothesis, victim blaming occurs in subtle ways in typical cases and may be more obvious in high-profile cases. For example, in the case against Bill Cosby, 60 women came forward to allege that he had sexually assaulted them throughout his career. During his trial (which focused on the cases of two women: Andrea Constand and Kelly Johnson), Cosby's defense team consistently tried to undermine the allegations by attacking the character of the women (Heldman, 2017). Similarly, Chanel Miller, who was sexually assaulted at Stanford University, was criticized for attending an off-campus party and for drinking. In articles about the case, online comments included "What was a college grad doing at a frat?" and "Why would any woman get so drunk? I have never allowed myself to get so drunk that I don't know what I am doing" (Miller, 2019, pp. 37, 46). Under the just world hypothesis, the victim begins to assume responsibility for the alleged assault in the eyes of the public. This can impact future reporting trends because victims may be less likely to report their victimizations after observing what happened in these cases. A belief in the just world hypothesis also leads to an increased support of rape myths, which are statements about the causes of rape that are generally untrue or false, but that assign blame to the victim, rather than hold the offender accountable. For example, in one study, college males who viewed newspaper articles in support of myths about rape were less likely to view nonconsensual sexual acts as criminal compared to females in general or males who read neutral news accounts of sexual assault (Franiuk et al., 2008).

Given that women tend to be disproportionately represented in many forms of victimization such as rape, sexual assault, and intimate partner violence, victim blaming can be disproportionately gendered and directed toward women (Eigenberg & Garland, 2008). Research on victim blaming finds that men are more likely to blame female victims in cases of rape and sexual assault (Kohsin Wang & Rowley, 2007). Victim blaming is also more prevalent among older individuals and those with lower levels of education or lower socioeconomic status (Gracia & Tomas, 2014). Victim characteristics can impact how much blame is attributed to the victim. For example, victims who violate traditional gender roles or who are intoxicated are more likely to experience victim blaming (Grubb & Turner, 2012). Attributions of responsibility are often levied against victims who do not physically fight back against their attacker (Spears & Spohn, 1996).

Racial and ethnic differences also impact the public blaming of victims. Although women of color are more likely to be victims of violent crimes, media accounts are more likely to focus on white victims of crime. When their cases are noted by the press, women of color are more likely to be portrayed negatively. They are more likely to be blamed for their victimization based on where they lived, what activities they engaged in, and who they spent time with. Meanwhile, cases involving white women were more likely to focus on the sensationalism of stranger danger and their tragic victimization (Slakoff & Brennan, 2017).

Victim blaming has also been linked to the low reporting rates of crime. Here, victims reach out to law enforcement, community agencies, and family or peer networks in search of support and assistance and are often met with blame and refusals to help. These experiences have a negative effect on the recovery of crime victims. The media can also perpetuate victim blaming, particularly in cases involving celebrities. For example, reporting on the alleged sexual assault by Kobe Bryant in 2003, the media used the term *accuser*, whereas accounts of sexual

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assault generally use the term *victim* (Franiuk et al., 2008). Another example is the high-profile assault of Janay Rice by her husband, Baltimore Ravens running back Ray Rice. In September 2014, a video of Mrs. Rice surfaced in which she was beaten unconscious by Mr. Rice. The NFL initially suspended Rice for two games for his behavior and the Ravens later terminated his contract. In addition to articles expressing outrage over the incident, there were also several articles that questioned what Janay did to provoke her then-fiancé (now husband). Still others asserted that Ray Rice may also be a victim. At a press conference on the incident, Janay stated that she regretted "the role that she played in that night" (Weymouth, 2014; Giris, 2014; Marcotte, 2014). In addition to the effects victim blaming has on the specific individuals, such high-profile cases can also impact reporting rates. "I talked to specific survivors [of sexual assault] that said, 'I don't want to report this because I saw what happened in the Kobe Bryant case'" (Lopez, 2007, para. 8).

Victim blaming is not limited to high-profile cases that make news headlines. Victims are often blamed by those closest to them, such as friends and family, who suggest that the victim "should have known better." Victim blaming can even be internalized when victims engage in self-doubt and feel shame for allowing themselves to become a victim (Kohsuro Wang & Rowley, 2007). Victim blaming can also inhibit how victims recover from their trauma (Campbell et al., 2001).

The concept of **secondary victimization** refers to victims of crime feeling re-traumatized by the official criminal justice system response to their victimization. Even when cases progress beyond the investigation stage, few have charges filed by prosecutors, and only rarely is a conviction secured. Indeed, the "ideal" case for the criminal justice system is one that represents stereotypical notions of what rape looks like rather than the realities of this crime. The practice of victim blaming through **rape myth acceptance** is an example of secondary victimization. Given the nature of the criminal justice process, the acceptance of rape myths by jurors can ultimately affect their decision-making process. Police and related justice professionals may also be guilty of victim blaming in cases of intimate partner violence, particularly when the victim returns to her abuser (DeJong et al., 2008). The experience of secondary victimization can have significant consequences for reporting; many victims have indicated they would not have reported the crime if they had known what was in store for them (Logan et al., 2005).

FEAR OF VICTIMIZATION

The majority of Americans have limited direct experience with the criminal justice system. Most are left with images of crime that are generated by the portrayal of victims and offenders in mass media outlets (Dowler, 2003). These images present a distorted view of the criminal justice system, given the media's policy that "if it bleeds, it leads." This results in the exaggeration of the amount of violent crime in society (Maguire, 1988; Potter & Kappeler, 2006; Surette, 2003). Research indicates that as individuals increase their consumption of local and national television news, their fears about crime increase, regardless of actual crime rates, gender, or a personal history of victimization (Chiricos, Padgett, & Gertz, 2000). In addition to the portrayal of crime in the news, stories of crime, criminals, and criminal justice have been a

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major staple of television entertainment programming. These images, too, present a distorted view of the reality of crime because they generally present crime as graphic, random, and violent (Gerbner & Gross, 1980).

Consider the following scenario:

> *Imagine yourself walking across a parking lot toward your car. It's late and the parking lot is poorly lit. You are alone. Standing near your car is a man who is watching you. Are you afraid?*

When this scenario is presented to groups, we find that men and women respond differently. When asked who is afraid, it is primarily women who raise their hands. Rarely do men respond to this situation with fear. Research also notes that girls are more likely than boys to indicate fears about victimization in situations that involve things such as poorly lit parking lots and sidewalks, overgrown shrubbery, and groups loitering in public spaces (Fisher & May, 2009). This simple illustration demonstrates the **fear of victimization** that women experience in their daily lives. As De Groof (2008) explains, "Fear of crime is, in other words, partly a result of feelings of personal discomfort and uncertainty, which are projected onto the threat of crime and victimization" (p. 281).

Why are girls more fearful in these types of situations? Much of this can be attributed to how girls are socialized differently than their male peers. From a young age, girls are often taught about fear because parents are more likely to demonstrate concern for the safety of their daughters, compared to their sons (De Groof, 2008). This fear results in a relative lack of freedom for girls, in addition to an increase in the parental supervision of girls. These practices, which are designed to protect young women, can significantly affect their confidence levels regarding the world around them. Additionally, this sense of fear can be transferred from the parent to the young female adult as a result of the gendered socialization that she has experienced throughout her life.

Gender plays a role in feelings of vulnerability, which can translate to fears about victimization. Research indicates that for women, the fear of crime is not necessarily related to the actual levels of crime that they personally experience. Overall, women are less likely to be victimized than men, yet they report overall higher levels of fear of crime than their male counterparts (Fattah & Sacco, 1989). These high levels of fear of victimization may be perpetuated by a fear of a specific crime: rape and sexual assault. Indeed, rape is the crime that generates the highest levels of fear for women. These levels of fear are somewhat validated by crime statistics because women make up the majority of victims for sexually based crimes (Warr, 1984, 1985). However, research indicates that this fear of sexual victimization extends beyond fear of rape to fear of all crimes, not just crimes of a sexual nature. The "shadow of sexual assault" thesis suggests that women experience a greater fear of crime in general because they believe that any crime could ultimately become a sexually based victimization (Fisher & Sloan, 2003). Yet even when women engage in measures to keep themselves safe, their fear of sexual assault appears to increase rather than decrease (Lane et al., 2009). This sense of vulnerability is portrayed by "movie of the week" outlets that showcase storylines of women being victimized by a strange man who lurks in dark alleys and behind bushes (Jones-Brown, 2007; Skolnick, 1966). Unfortunately, these popular

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culture references to criminal victimization generally (and rape and sexual assault specifically) paint a false picture of the realities of crime and victimization. Most women are victimized not by strangers, as these films would indicate, but instead by people known to them (Black et al., 2011). Indeed, research indicates that many women fail to see *acquaintance rape* as something that could impact them personally (Pryor & Hughes, 2013). Although the fear of sexual assault is a common theme in the literature, some scholars indicate that fears about crime can involve acts other than sexual assault. Cook and Fox (2012) found that fear of physical harm is a stronger predictor of fear about crime for women than the fear of sexual assault. Snedker (2012) found similar evidence because the majority of women in her study expressed fears of being robbed, not raped.

Fear of crime can also differ by race and ethnicity. As noted earlier, diverse populations are more likely to be victimized over the course of their lives compared to their white counterparts. Boateng and Adjekum-Boateng (2017) asked college students whether they experienced fear during activities such as walking across campus, fear of being attacked on campus, and whether they perceived campus as being more dangerous compared to off-campus environments. They discovered that students of color registered higher levels of fear compared to white students. Such fears were also intersectional, as white male students were the least fearful, compared to all women and men of color. Although fear of victimization for many women is related to the underlying fear of sexual assault, the concern of racially motivated victimization is a driving force for experiences of fear among diverse populations. For example, there has been a significant body of research highlighting how the events of 9/11 have increased fears of victimization for both bias-related crimes as well as general victimization within the Arab American community (Wu et al., 2017). During the COVID-19 pandemic, levels of harassment and violence increased as a result of the legitimization of xenophobia and racism by national leaders and the media. As a result, members of the Asian American community have experienced increased vulnerability and fears of victimization (Gover et al., 2020). We have also seen increased incidents of hate speech and acts of vandalism and violence against Asian-owned businesses (Tessler et al., 2020).

Although there is a significant body of research on how demographics such as gender and race can impact fear about crime, research is just beginning to look at how multiple marginalities can influence these fears. In a survey of hate crime victimization among the LGBTQ community, researchers noted that one-third (33.6%) of the study's participants had been victimized as a result of their sexuality. Indeed, LGBTQ individuals are likely to experience multiple victimizations over the course of their lifetime (Burks et al., 2015). Unlike research using samples of heterosexual men and women (which tend to find that women experience greater fears about crime than men), research by Otis (2007) found that LGBTQ men and women tend to have similar fears about crime and victimization. One explanation for this may be that gay men experience similar forms of marginalization and vulnerability as heterosexual women, particularly when it comes to fears about physical, emotional, and sexually based violence. Meanwhile, women who identify as lesbian may find these fears enhanced not just by their gender but through their sexual identity as well. Fear about crime among the LGBT population is also linked to prior experiences of victimization. The events of the Pulse nightclub shooting

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in Orlando in June 2016 highlight how LGBTQ-related violence leads to increased fears about crime. Their fears were not only for their own safety, but also a concern for others within their community (Jackson, 2017). Research suggests that these experiences of fear are not universal, as those who experience greater levels of privilege (identifying as gay/lesbian or male) noted lower levels of fear compared to individuals with more marginalized identities (queer and transgender; Stults et al., 2017).

The fear of crime and victimization has several negative consequences. Individuals who are fearful of crime, particularly violent or sexual crimes, are more likely to isolate themselves from society in general. This fear reflects not only the concern of potential victimization but also a fear of the potential loss of control that a victim experiences as a result of being victimized. Fear of crime can also be damaging to one's feelings of self-worth and self-esteem. Here, potential victims experience feelings of vulnerability and increased anxiety. Given the racial and gender differences in experiences of fear, this can have disproportionate effects for specific subsets of the population.

Fears of victimization are also reflected in societal actions (Clear & Frost, 2007). For example, public transit agencies may increase security measures by hiring security personnel and installing video cameras in stations, and improving service reliability (Yavuz & Welch, 2010). Fear also impacts policy in the criminal justice system. Agents of criminal justice can respond to a community's fear of crime by increasing police patrols, while district attorneys pursue tough-on-crime stances in their prosecution of criminal cases. Politicians respond to community concerns about violent crime by creating and implementing tough-on-crime legislation, such as "three strikes" sentencing laws, and targeting perceived crimes of danger, such as the war on drugs. Even though the public's concern about crime may be very real, it can also be inflamed by inaccurate data on crime rates or a misunderstanding about the community supervision of offenders and recidivism rates. Unfortunately, "public policy is influenced more by media misinformation and sensationalized high profile cases than by careful or thoughtful analysis" (Frost & Phillips, 2011, p. 88).

THEORIES ON VICTIMIZATION

In an effort to understand the victim experience, social science researchers began to investigate the characteristics of crime victims and the response by society to these victims. Criminology focuses predominantly on the study of crime as a social phenomenon and the nature of offenders, but the field of victimology places the victim at the center of the discussion. Early perspectives on victimology focused on how victims, either knowingly or unconsciously, can be at fault for their victimization, based on their personal life events and decision-making processes.

One of the early scholars in this field, Benjamin Mendelsohn (1956), developed a typology of victimization based on the relative responsibility of the victims for their own victimization (see Table 2.2). Embedded in his typology is the degree to which victims have the power to make decisions that can alter their likelihood of victimization. As a result of his work, victimology emerged as its own distinct field of study.

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TABLE 2.2 ■ Mendelsohn's Categories of Victims

Category	Definition	Example
Innocent victim	No responsibility for the crime attributed to victim	Institutionalized victims, the mentally ill, children, or those who are attacked while unconscious
Victim with minor guilt	Victim precipitates crime with carelessness/ ignorance	Victim lost in the "wrong part of town"
Voluntary victim	Victim and offender equally responsible for crime	Victim pays prostitute for sex; then prostitute robs victim ("rolling Johns")
Victim who is more guilty than the offender	Victim who provokes or induces another to commit crime	Burning bed syndrome: victim is killed by the domestic partner he abused for years
Victim who alone is guilty	Victim who is solely responsible for his or her own victimization	An attacker who is killed in self-defense; suicide bomber killed by detonation of explosives
Imaginary victim	Victim mistakenly believes he or she has been victimized	Mentally ill person who reports imagined victimization as real event

Source: Adapted from Sengstock (1976).

Mendelsohn's theory of victimology is based on six categories of victims. The first category is the innocent victim. This category is unique in Mendelsohn's typology because it is the only classification that does not have any responsibility for the crime attributed to the victim. As the name suggests, an innocent victim is someone who is victimized by a random and unprecipitated crime, such as a school shooting. Unlike the other categories in Mendelsohn's typology, the innocent victim is one with no responsibility for his victimization. In contrast, the other five categories assign a degree of blame or responsibility to the victim. Mendelsohn's second category is the victim with minor guilt. In this case, victimization occurs as a result of one's carelessness or ignorance. The victim with minor guilt is someone who, if she had given better thought or care to her safety, would not have been a victim of a crime. For instance, someone who was in the wrong place at the wrong time or one who places herself in dangerous areas where she is at risk for potential victimization is characterized as a victim with minor guilt. An example of this is a victim who is walking alone down the street in a high-crime area and is robbed. Mendelsohn's third category is a victim who is equally as guilty as the offender. This victim is someone who shares the responsibility of the crime with the offender by deliberately placing himself or herself in harm's way. An example of this classification is the individual who seeks out the services of a sex worker, only to contract a sexually transmitted infection as a result of their interaction. The

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fourth category is the victim who is deemed "more guilty" than the offender. This is a "victim" who provokes another to engage in criminal activity. An example of this category is an abuser killed by the intimate partner he abused. The fifth category is a victim who is solely responsible for the harm that comes to him or her. These individuals are considered to be the "most guilty" of victims as they engaged in an act that was likely to lead to injury. Examples of the most guilty victim include a suicide bomber who engages in an act that results in his or her death or a would-be attacker who is killed by another in an act of self-defense. Mendelsohn's final category is the imaginary victim. This is an individual who, as a result of some mental disease or defect, believes that he or she has been victimized by someone or something, when in reality this person has not been victimized.

While Mendelsohn focused on the influence of guilt and responsibility of victims, Hans von Hentig's (1948) typology of victims looked at how personal factors, such as biological, psychological, and social factors, influence risk of victimization. The categories in von Hentig's typology of victims include the young, the female, the old, the mentally defective and deranged, immigrants, minorities, dull normals, the depressed, the acquisitive, the wanton, the lonesome or heartbroken, the tormentor, and the blocked, exempted, or fighting.

Although von Hentig's theory helped develop an understanding of victims in general, his typology includes only a single category for females. However, experiences of female victimization can fit within each of von Hentig's other categories. For instance, young girls who run

PHOTO 2.2 Jennifer Smith, left, and Susie Allard, aunts of Jayme Closs, speak during a press conference on Wednesday, Oct. 24, 2018 at the Barron County Justice Center in Barron, Wisconsin to update the case of missing 13-year-old Jayme Closs. Allard holds Jayme's dog Molly.

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away from home are easy targets for pimps who "save" girls from the dangers of the streets and "protect" them from harm. The youth of these girls places them at a higher risk for violence and prostitution activities under the guise of protection. Although von Hentig's category of "mentally defective" was designed to capture the vulnerability of the mentally ill victim, he also referenced the intoxicated individual in this context. Under this category, women who engage in either consensual acts of intoxication or who are subjected to substances unknown to them can be at risk for alcohol- or drug-facilitated sexual assault. Likewise, consider von Hentig's category of "immigrants" and the way in which immigration status can also play a key role for women victims. Many abusers use a woman's illegal immigration status as a threat to ensure compliance. In these cases, women may be forced to endure violence in their lives or are induced into sexual slavery out of fear of deportation. Von Hentig also discusses how race and ethnicity can affect the victim experience, and significant research has demonstrated how these factors affect the criminal justice system at every stage.

SPOTLIGHT ON GENDER AND KIDNAPPING

Over the past decade, several stories of women who were kidnapped and held captive for decades hit the national news. One of these cases involves three women who were held in a dilapidated home in Cleveland, Ohio. Amanda Berry, Georgina "Gina" DeJesus, and Michelle Knight were kidnapped by Ariel Castro, a 52-year-old man who had emigrated to the United States as a child from Puerto Rico. Each of the women had accepted a ride from Castro, who then abducted them and forced them into his basement where he kept the girls physically restrained. Michelle Knight was his first victim and was 21 years old when she was taken on August 22, 2002. His next victim, Amanda Berry, disappeared on April 21, 2003, just before her 17th birthday. Finally, Gina DeJesus was abducted on April 2, 2004. She was only 14. All three girls endured significant physical and sexual assaults throughout their captivity. Michelle Knight reported that she suffered several miscarriages, and Amanda Berry gave birth to a daughter fathered by Castro, born on Christmas Day 2006 (BBC, 2013). After a decade in captivity, the women were rescued on May 6, 2013, after attracting the attention of a neighbor who helped them escape (Steer, 2013).

Prosecutors originally considered charging Castro with aggravated murder (in the cases of the forced miscarriages of Knight), but he ultimately pled guilty to 937 counts of kidnapping, rape, and other crimes such as child endangerment and gross sexual imposition (Krouse, 2013; Mahoney, 2013; Sheeran, 2013). Speaking at his sentencing hearing, Michelle Knight told Castro, "I spent 11 years in hell, where your hell is just beginning" (DeLuca, 2013). However, Castro served very little of his sentence before he hanged himself by a bedsheet in his cell. Some might argue that Castro's suicide cheated the justice system—"This man couldn't take, for even a month, a small portion of what he had dished out for more than a decade" (Mungin & Alsup, 2013).

Another story with similar circumstances was that of Jaycee Dugard. Dugard was kidnapped by husband and wife Phillip and Nancy Garrido when she was just 11 years old and was held for 18 years. Dugard was abducted walking home from a school bus stop in South Lake Tahoe. Phillip Garrido was a convicted sex offender who was on parole at the time of Jaycee's abduction. Much of her captivity was spent in makeshift tents or a shed behind Garrido's home. Even though parole agents visited the home 60 times, they never checked the sheds in the yard. Meanwhile, Phillip Garrido sexually assaulted Jaycee on a regular

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basis and she gave birth to two daughters during this time. In August 2009, a visit by Phillip and his daughters to U.C. Berkeley triggered an investigation by his parole officer. Ultimately, Dugard told investigators who she was, which lead to the arrest of the Garridos, who eventually pled guilty to the crimes of kidnapping and rape. Phillip was sentenced to 431 years to life and Nancy received 36 years to life. (Dooley et al., 2016; Egelko, 2016; Salonga, 2016).

In 2018, Jayme Closs was 13 years old when her parents were murdered in their Wisconsin home by Jake Patterson. Patterson had initially spotted Closs as she was boarding her bus for school. Even though he had never met Jayme or her parents, he made a plan to kidnap her. He took a shotgun from his father, changed his license plate, and went to the Closs home. He was deterred twice as there were people home, but on his third attempt, Patterson walked up to the front of the family home and killed James Closs when he opened the door. He murdered Denise Closs in front of her daughter and then forced the young girl into the trunk of his car. The entire event last four minutes. She was held captive for 88 days in a cabin located upstate approximately 70 miles from her home. During this time, Patterson would force Jayme under his twin bed and block her exit whenever he left the cabin. Three months after her abduction, she was able to escape the cabin and ran to a nearby road, where she identified herself to a neighbor who called 911. The police apprehended Patterson a short time later (Furber & Smith, 2019). He was convicted of the murders of James and Denise Closs and the kidnapping of Jayme and was sentenced to life without the possibility of parole plus 40 years (Holcombe, 2021).

Each of these events are examples of a rare phenomenon—stranger abductions. According to the National Center for Missing and Exploited Children (2016), there are more than 25,000 reports of missing children annually. In 2018, only 77 (less than 1%) of these cases involved stranger abductions. Between 2005 and 2014, there were 8,015 incidents of attempted abductions by strangers; 9,872 children were involved in these cases, all of whom were recovered safely. Sixty-seven percent of these cases involved female victims and 21% male victims (12% gender unknown). The vast majority of these cases involved male offenders (94%).

Routine Activities Theory

Although early theories of victimization provided a foundation to understand the victim experience, modern victimization theories expand on those concepts to investigate the role of society in victimization and to address how personal choices affect the victim experience. One of the most influential perspectives in modern victimology is Cohen and Felson's (1979) **routine activities theory**. Routine activities theory suggests that the likelihood of a criminal act (and, in turn, the likelihood of victimization) occurs with the convergence of three essential components: (1) someone who is interested in pursuing a criminal action (offender), (2) a potential victim (target) "available" to be victimized, and (3) the absence of someone or something (guardian) that would deter the offender from making contact with the available victim. The name of the theory is derived from a belief that victims and guardians exist within the normal, everyday patterns of life. Cohen and Felson posit that lifestyle changes during the second half of the 20th century created additional opportunities for the victim and offender to come into contact with each other as a result of changes to daily routines and activities. Cohen and Felson's theory was created to discuss the risk of victimization in property crimes. Here, if individuals were at work,

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or out enjoying events in the community, they were less likely to be at home to guard their property against potential victimization, and burglary was more likely to result.

Routine activities theory has been used to understand a variety of different forms of crime, particularly related to demographic differences in victimization. For example, research on routine activities theory demonstrates that minority women are more likely to experience victimization when riding public transportation, and neighborhood factors can affect the odds of women's victimization (Like-Haislip & Miofsky, 2011). Women are also more likely to experience robbery at grocery stores and parking lots/garages but are less likely to experience crimes such as simple assault in the same locations (Savard, 2018). Gender can also mediate the types of victimization risk. Men are more likely to experience increased risks of violent victimization because they go out at night, and women have an increased risk of theft based on increased shopping activities (Bunch et al., 2012). Students who identify as LGBTQ and engage in risky behaviors such as illicit drug use and binge drinking are also at an increased risk for sexual victimization and stalking, compared to cisgender males (Reyns & Scherer 2019). Non-monosexual women are also at increased risks of stalking, compared to both heterosexual women and gay men. Contrary to much of the literature on stalking, LGBTQ adults are most likely stalked by people who are part of their daily lives (roommates, co-workers, and neighbors) and not ex-intimates (Chan & Sheridan, 2019).

Routine activities theory has also been used to look at cybercrimes. Research by Navarro and Jasinski (2013) indicates that girls are at a greater risk for cyber-bullying than boys, even though boys engage in similar risky online behaviors. Among adolescents, the use of digital media such as social networking and texting can place youth at risk of cyber-dating abuse. For example, youth who engage in sexting with their boy/girlfriend are more likely to be involved in an abusive dating relationship. The risk of victimization increases with the amount of time that they spend online (Van Ouytsel et al., 2016). Among college-aged individuals there were no gender differences in victimization. However, females and non-whites engaged in more acts of cyber-aggression toward their partners compared to males and whites (Melander & Hughes, 2018).

Routine activities theory has been criticized by feminist criminologists, who disagree with the theory's original premise that men are more vulnerable to the risks of victimization than women. Indeed, the guardians that Cohen and Felson (1979) suggest protect victims from crime may instead be the ones most likely to victimize women, particularly in cases of intimate partner abuse and sexual assault. For example, research by Schwartz et al. (2001) indicates that women who engage in recreational substance use (such as alcohol or drugs) are considered to be a suitable target by men who are motivated to engage in certain offending patterns. Attempts by administrators to increase safety on college campuses by implementing protections, such as escort patrols, lighted paths, and emergency beacons (modern-day guardians), may have little effect on sexual assault rates on campus, given that many of these incidents take place behind closed doors in college dormitories and student apartments. In addition, self-protective factors (or self-guardians) may not be able to ward off a potential attacker, given that the overwhelming majority of sexual assaults on college campuses are perpetrated by someone known to the victim (Mustaine & Tewksbury, 2002). Perceptions of being a "good" girl can also lead women to believe they are at a reduced risk for victimization: "I'm not running around in tiny little

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dresses anymore" (Snedker, 2012, p. 86). During Snedker's interviews with women in New York City, another woman expressed a similar sentiment of recognizing potential risks of victimization based on her patterns of behavior: "I'm not going to do anything stupid. If I'm coming home really late drunk and I'm by myself, I might be more of a target" (p. 89). This scenario highlights the perception that a shift in routine activities can reduce the risk of victimization. Unfortunately, this adds to the myth that girls who dress provocatively or consume alcohol somehow deserve to be sexually assaulted, which shifts the blame to the victim and not the perpetrator.

Like routine activities theory, **lifestyle theory** seeks to relate the patterns of one's everyday activities to the potential for victimization. Whereas routine activities theory was initially designed to explain victimization from property crimes, lifestyle theory was developed to explore the risks of victimization from personal crimes. Research by Hindelang et al. (1978) suggests that people who engage in risky lifestyle choices place themselves at risk of victimization. One may increase the risk of criminal opportunity and victimization through both an increased exposure to criminal activity and an increased exposure to motivated offenders. However, crime is not the only lifestyle that can place people at risk for victimization; nonviolent deviant behaviors, mental health status, age, and substance use increase the risk of victimization. Gender also plays a role in how these factors influence victimization risk. For example, males who engage in binge drinking have an increased risk of victimization while females who abuse prescription drugs experience significantly higher odds of victimization than men (Zaykowski & Gunter, 2013).

Given the similarities between the foundations of lifestyle theory and routine activities theory, many researchers today combine the tenets of these two perspectives to investigate victimization risks in general. These perspectives have been used to explain the risks of sexual assault of women on college campuses. For example, young women in the university setting who engage in risky lifestyle decision-making processes (such as the use of alcohol) and have risky routine activity patterns (such as living alone or frequenting bars and clubs where men are present and alcohol is readily available) are at an increased risk of sexual victimization (Fisher et al., 2010). Although some research has noted that women who are victimized may be at increased risk for revictimization if they continue to engage in lifestyle and routine-related behaviors, college students who experience depression are also at increased risk for retraumatization (Culatta et al., 2020).

Feminist Pathways Perspective

Feminist pathways perspective research draws on the historical context of women's and girls' lives to relate how events (and traumas) affect their likelihood to engage in crime. Researchers have identified a cycle of violence for female offenders that often begins with their own victimization and ends with their involvement in offending behavior. The feminist pathways perspective is discussed at length in Chapter 4, but the topic deserves a brief introduction as we conclude our discussion on theories of victimization.

The feminist pathways approach may provide some of the best understanding about female offending. Research on women's and girls' pathways to offending provide substantial

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evidence for the link between victimization and offending because incarcerated girls are three to four times more likely to have been abused compared to their male counterparts (Belknap & Holsinger, 2006). A review of case files of delinquent girls in California indicates that 92% of delinquent girls in California reported having been subjected to at least one form of abuse, including emotional (88%), physical (81%), or sexual (56%) abuse (Acoca & Dedel, 1998b). Particularly for young female offenders, a history of abuse leads to a propensity to engage in certain types of delinquency, such as running away and school failures. The effects of sexual assault are also related to drug and alcohol addiction and mental health traumas, such as post-traumatic stress disorder and a negative self-identity (Raphael, 2005). In a **cycle of victimization and offending**, young girls often run away from home in an attempt to escape from an abusive situation. In many cases, girls were forced to return home by public agencies, such as the police, courts, and social services—agencies designed to "help" victims of abuse. Unfortunately, in their attempt to escape from an abusive situation, girls often fall into criminal behaviors as a mechanism of survival.

Indeed, there are several ways to think about the victimization of women and girls. As you move through the next three chapters in this text, consider how each of these theoretical perspectives impact the victim experience for women and how the criminal justice system responds to these cases. How would you improve the experience of women as victims? What would you recommend to agents of criminal justice, such as the police? Finally, what remedies exist to limit the victimization of women, and what can you as a member of society do to effect change in this realm?

SUMMARY

- Not all victims report their crimes to the police, but they may seek support from other sources.
- Victim assistance programs have emerged as a key response to the secondary victimization often experienced by victims who come forward to the criminal justice system.
- Victim blaming has been linked to low reporting rates.
- Women experience higher rates of fear of crime than males.
- Gendered socialization and vulnerability to specific crime types such as rape may explain the gendered fear of crime.
- Mendelsohn's typology of victimization distinguishes different categories of victims based on the responsibility of the victim and the degree to which victims have the power to make decisions that can alter their likelihood of victimization.
- Von Hentig's typology of victimization focuses on how personal factors, such as biological, social, and psychological characteristics, influence risk of victimization.
- The just world hypothesis, which holds that people get what they deserve, is a form of victim blaming.

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- Routine activities theory and lifestyle theory have been used to investigate the risk of sexual assault of women.
- The feminist pathways perspective suggests a cycle of criminal justice involvement for women whereby early victimization is sometimes a precursor to later criminal offending.

KEY TERMS

Core rights of victims (p. 26)
Cycle of victimization and offending (p. 41)
Fear of victimization (p. 32)
Feminist pathways perspective (p. 40)
Just world hypothesis (p. 30)
Lifestyle theory (p. 40)
Rape myth acceptance (p. 31)
Routine activities theory (p. 38)
Secondary victimization (p. 31)
Victim blaming (p. 29)

DISCUSSION QUESTIONS

1. How do early theories of victimization distinguish between different types of victims? How might the criminal justice system use these typologies in making decisions about which cases to pursue?
2. What types of help-seeking behaviors do female crime victims engage in? How are these practices related to the reporting of crimes to law enforcement?
3. What effects does the practice of victim blaming have on future potential crime victims and the criminal justice system?
4. In what ways do media outlets support or dispel rape myths and victim blaming? How is this related to help-seeking behavior, official reporting, and revictimization?
5. How is fear of crime a gendered experience? What factors contribute to the differences in male versus female fear of crime? Do official crime statistics support or dispel the basis for these fear differences?
6. How might feminist criminologists critique modern-day victimization theories, such as routine activities theory and lifestyle theory?
7. How have historical theories on female offending failed to understand the nature of female offending?
8. What contributions has feminist criminology made in understanding the relationship between gender and offending?

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CHAPTER ACTIVITIES

1. Many crimes go unreported to law enforcement. Have students spend some time discussing this critically, having them consider several underreported crimes and why they might not be reported. Consider having each group also deal with several intersecting variables that impact underreporting, such as age, race, class, nationality, citizenship, sexuality, and education. Have them present examples of their discussion to the class.
2. Have students develop a crime prevention program based on a theory covered in this chapter. Students can present their programs to the class. (Examples of some different crime prevention programs are found on the National Crime Prevention Council website: https://www.ncpc.org/.)
3. The media is full of examples of victim blaming, especially around prominent rape cases. Have students look through recent accounts in the news, pick a case, summarize the case, and share examples of victim blaming in the cases. This can be done in groups and then with the entire class.
4. To have students think more about "fear of victimization," ask them how many times during the day they feel fearful. Then, have them list the ways they keep themselves safe during the day. Make a list of what they say. Discuss the gender, race, and class implications of their contributions. A more developed assignment around this topic is located in the journal *Teaching Sociology*: Hollander, J. A. (2000, July). Fear journals: A strategy for teaching about the social consequences of gendered violence. *Teaching Sociology, 28*, 192–205.
5. Have students choose a theory addressed in this section. Have students break into groups according to their selected theories. The groups should discuss their selection and develop a program for victim assistance based in the foundation of their theory.

WEB RESOURCES

Bureau of Justice Statistics: http://bjs.ojp.usdoj.gov

Feminist Criminology: http://fcx.sagepub.com

The National Center for Victims of Crime: http://www.ncvc.org

Office for Victims of Crime: https://www.ovc.gov

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