

Fifth Edition

VICTIMOLOGY

LEGAL, PSYCHOLOGICAL, AND SOCIAL PERSPECTIVES

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To Paul Harvey Wallace, coauthor, friend, and fellow Marine. And to Elena Azaola for her tireless and dedicated work on behalf of the many victims and to promote human rights in North American countries.





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PREFACE

The primary goal of the victims' rights movement needs to be to elevate victims' rights to the same status as the rights of the accused

-HARVEY WALLACE, 2005

NEW TO THIS EDITION

The field of victimology is evolving rapidly with new theories and research appearing regularly making it difficult to cover the discipline in one volume. To address this issue and to allow readers to delve deaper into individual topics, new **Research Boxes** have been added to this edition with information regarding online sources for further study.

Also new to the Fifth Edition

- The inclusion of a glossary
- Discussion on Mandatory Victim Restitution Act
- Discussion on the Victims' Rights Law Center
- Discussion on the fundamental concepts in criminal procedure
- Discussion on how advocates work with victims
- Discussion on situated transaction homicide theory
- · Discussion on the issue of increasing criminal homicide rates
- New discussion on female genital mutilation
- Discussion on why the crime of rape is so underreported

INTRODUCTION

Welcome to the fifth edition of *Victimology*. Victimology is a relatively new discipline. The volume of research on this discipline has increased considerably since the introduction of the first edition. In this, the fifth edition, I have attempted to explain the general concepts of victimology with particular attention paid to the causes and consequences of victimization. The text is designed as a one-volume comprehensive discussion on the discipline of victimology.

Harvey Wallace was the sole author of the first edition of *Victimology*. Because of health problems when he was revising the textbook for the second edition, he asked for my assistance. We both assumed that his health problems were temporary. Little did we know that it would be one of the last projects that we would work on together. Harvey and I were friends and fellow Marines. We coauthored 10 books over a 16-year time span. Harvey died shortly after completing the second edition. Before his death, he was teaching in the Victim Services Summer Institute presented by California State University, Fresno.

My first involvement with victim issues came in 1981 when the State Bar of Texas appointed a committee on victim issues. I was fortunate to be appointed to that committee, which was chaired by Dean John Douglas. During 1983–1984, when I served as the Director of Programs for the National College of District Attorneys, the DAs college began holding classes for career prosecutors on victim issues. For the college, victim issues were advocated by Norman S. Early, Jr., the then district attorney for the Second Judicial District in Denver, Colorado; Spencer Lawton, the then district attorney in Chatham County, Georgia (Savannah); and Michael Turpin, the then Attorney General of Oklahoma. In 1984, when I took over as









Director of the Justice Center, California State University, Fresno, I authorized funds to hold a training course on victim services. The only reason that I authorized the funds was that I was being pressured to do so by Professor Steven Walker. It was easier to agree than to disagree with Stephen. Years later as a faculty member at Washburn University, I attended a conference in Kansas City on victim services. It was at this conference that the American Society of Victimology was founded and I joined as a life member. Unfortunately, the society has not been very active in recent years.

The study of victimology is in its infancy. However, the plight of victims of crime has been discussed for centuries. In our early history, victims were an integral part of the criminal process. We then moved away from that model, and the state became the representative of the victim. Finally, we are again moving toward acknowledging the rights of victims of crime. This shift has caused scholars to reexamine the victim—offender relationship in more detail.

Victimology as a discipline is an outgrowth of law, sociology, psychology, and criminology and as such has its distractors as well as its advocates. It will continue to grow and take on more substance with the passage of years. Any attempt to list those topics that are critical to the study of victimology is bound to generate controversy. Most textbooks on the market today include sections dealing with family violence issues. That may be because we have more information regarding the victim—offender interaction in these areas or because many scholars believe these are critical issues in the study of victimology. We have included a number of these same topics in this textbook.

We have also attempted to take a global perspective on the study of victimology. Chapter 1 introduces the reader to the discipline of victimology, a brief history of it and victimological theories. Chapter 2 presents an overview of the justice system. Chapter 3 discusses the measurement of crime and its effects. The consequences of victimization are discussed in Chapter 4. Chapter 5 examines the empowerment of victims. Next, homicide victims are discussed in Chapter 6, followed by a discussion in Chapter 7 on sexual victimization. Intimate partner abuse, child abuse, and elder abuse are discussed in Chapters 8, 9, and 10. Chapter 11 looks at hate crimes, and in Chapter 12, special victim populations are discussed.

Chapter 13 explores tort actions. The constitutional and civil rights of victims are discussed in Chapter 14. Chapter 15 explores compensation and restitution for victims. The legal issues involved with victim impact statements are covered in Chapter 16. The final chapter examines the international aspects of victimology, and the textbook concludes with discussions on the discipline.

This is not to say that we have covered all these topics adequately. First Harvey and now I have attempted to present an overview of some complex and controversial subjects and to supply the reader with resources in the form of references and readings that allow for more in-depth study and research of these areas. Omission of some topics, such as robbery, burglary, kidnapping, and others, does not mean that they are unimportant. Victims of these crimes would argue that they have suffered just as much as other victims. Space limitations, however, preclude discussion of every crime and its implications for victims. The crimes that are discussed, along with the broader topics such as the consequences of victimization and victims' rights, can be generalized to varying degrees to apply to all victims.

Just as we are becoming more interested in the study of family violence, so are increasingly more universities offering classes on victim issues. These classes will become more popular as students, the general public, and the various professionals who deal with victims become aware of their availability. It is a young discipline that continues to grow, and it is exciting to be present to watch that growth. Someday, maybe the victim will have as many rights as a defendant in a criminal case.

INSTRUCTOR SUPPLEMENTS

Instructor's Manual with Test Bank. Includes content outlines for classroom discussion, teaching suggestions, and answers to selected end-of-chapter questions from the text. This also contains a Word document version of the test bank.

TestGen. This computerized test generation system gives you maximum flexibility in creating and administering tests on paper, electronically, or online. It provides state-of-the-art features for viewing and editing test bank questions, dragging a selected question into a test you are creating,







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eBooks. This text is also available in multiple eBook formats. These are an exciting new choice for students looking to save money. As an alternative to purchasing the printed textbook, students can purchase an electronic version of the same content. With an eTextbook, students can search the text, make notes online, print out reading assignments that incorporate lecture notes, and bookmark important passages for later review. For more information, visit your favorite online eBook reseller or visit www.mypearsonstore.com.

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On behalf of Harvey Wallace and me, I would like to express our appreciation to a number of individuals for their support, guidance, and advice during the time it has taken to complete this project. First and foremost, I would like to thank the editor, Gary Bauer, who provided support for this project. I would also like to thank Anju Baskar, project manager, for her assistance in creating the final product. Christine Edmunds, Anne Seymour, Ellen Alexander, Skip Sigmon, Trudy Gregorie, Janice Lord, Dan Eddy, Dean G. Kilpatrick, Jane Burnley, and other friends associated with various victim organizations provided their advice and guidance regarding a number of issues. Mario Gaboury, University of New Haven, and Steve Walker, California State University, Fresno, provided us with invaluable suggestions and corrections that helped improve this textbook. A special thanks to a friend and a tireless worker for victim rights, Stephanie Frogge, University of Texas at Austin. Thanks to the following reviewers: Brian Follett, College of Central Florida; Sheryl VanHome, Eastern University; Brown, Kathleen, University of Pennsylvania; Muscat, Bernadette T., California State University, Fresno; Tolbert, Tracy F., California State University, Long Beach; Zimmerman, Gregory, University at Albany, SUNY; Deborah Barrett, Rowan-Cabarrus Community College; and Patrick Harvey, Slippery Rock University So many of Harvey's friends, colleagues, and students have helped me with this revision, I cannot begin to name them all. Some have been there to offer words of encouragement and support: Tom Dull, Otto Schweizer, and Arthur Wint are those good friends. Many professionals, colleagues, and academics have offered advice or suggested changes that have resulted in a better product: Thomas Underwood for his suggestions about discussing more theories and Steve Walker for his update on the history of victimology are just two of those professionals. Of special note is John Dussich, who made substantial suggestions regarding the textbook. John went through every page and updated or corrected the first edition. Most of those changes were incorporated into the second and third editions. Most important, there have been a number of students who have helped me in a variety of ways. Many graduate students, including Lindsey Fausett and Stephanie Fratto, were of great assistance in gathering various research materials for this textbook. Shiho Yamam, another graduate student, was also of invaluable assistance. She conducted much of the early research and was always there to assist in any manner. Finally, the many students who used this textbook in classes across the nation have contributed to its content with suggestions, questions, and comments. The nice thing about publishing with Pearson is working with professionals such as Gary Bauer, Lynda Cramer, Elisa Rogers, Johanna Burke, Jennifer Sargunar, and Vern Anthony.

During the revision of the text for the 5th edition, I discussed with John Dussich on some of the issues and his insight and suggestions are appreciated.







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