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1 Introduction

1.1 INTRODUCTION

Serious violence\(^1\) is a worldwide phenomenon that leads to a variety of distressing outcomes. In some cases, serious violence even results in a lethal outcome. Overall, the theoretical literature roughly offers two broad explanations for why serious violence sometimes ends lethally and sometimes non-lethally. The first explanation focuses on the *personal characteristics* of offenders and victims – and in particular their criminal propensity or impulsivity (e.g., Gottfredson & Hirschi, 1990). The second explanation focuses on the *immediate situational factors* under which serious violent incidents arise, that is: characteristics of the event and actions of offenders, victims and third parties (e.g., Cohen & Felson, 1979; Luckenbill, 1977).

Surprisingly, although these two frequently proposed theoretical explanations are very plausible, neither has been subjected to much empirical scrutiny. Also, the two explanations have often not been simultaneously studied within a single study. Furthermore, the prior attempts that have been made typically suffer from key limitations, for example that violent events with and without a lethal outcome are studied separately.

This thesis seeks to build on existing theoretical and empirical insights and to make empirical progress. The overall aim is to broaden current knowledge on why some serious violent events end lethally while others do not. It does so by relating both offenders’ and victims’ criminal history – as an indicator for personal characteristics – and immediate situational factors to the outcome of violence.

The following two central research questions are addressed:

I To what extent are personal characteristics of offenders and victims related to a lethal versus non-lethal outcome of serious violent incidents?

II To what extent are immediate situational factors related to a lethal versus non-lethal outcome of serious violent incidents?

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\(^1\) When we refer to serious violence, we mean interpersonal violence.
Because of the unique data available to this study, these central research questions can be examined closely and jointly. The uniqueness of the data consists in the fact that they contain: (a) serious violent events with both lethal and non-lethal outcomes, (b) information about personal characteristics of offenders and victims, including criminal history as an indicator of criminal propensity or impulsivity; and (c) detailed data on immediate situational factors, including the setting in which the events occurred, the behavior of offenders, victims and third parties, and also the sequence of actions. The data used here pertain to serious violent incidents in the Netherlands and stem from multiple data sources: the Dutch Homicide Monitor, the European Homicide Monitor, Dutch prosecution data, criminal record data and court files.

This thesis compares incidents of lethal violence involving completed homicides (i.e., murder or manslaughter) with incidents of non-lethal violence comprising cases of attempted homicides (i.e., attempted murder or manslaughter), both in the Netherlands. This adds another unique feature to this thesis: traditionally, completed and attempted homicides are not directly compared, often due to the view that the difference between attempted and completed homicide is based on chance. As DiCataldo and Everett (2008) formulated, some researchers assume or argue that “often the only difference between a completed homicide and an uncompleted one is due to such random occurrences as the lethality of a gunshot or the proximity and quality of a medical care available for the victim” (p. 171). Therefore, not all researchers are in favor of making a distinction between completed and attempted homicide, and some even treat them as one and the same occurrences (e.g., Heide, 2003; Putkonen, Collander, Honkasalo, & Lönnqvist, 1998; Putkonen, 2003). However, while this may be true for some cases, others question this claim and suggest that it would be valuable for research to compare attempted versus completed homicide more thoroughly, pointing out that systematic differences exist between completed and attempted homicide, including the criminal history characteristics of involved offenders such as the age of the first offense (e.g., Bjørkly & Waage, 2005; Smit, De Jong, & Bijleveld, 2012). Thus, there is some debate among scholars on the importance of comparing cases that have been labeled as completed and attempted homicide. To shed light on this issue, this thesis therefore systematically compares cases of completed homicide (i.e., lethal events) with attempted homicide (i.e., non-lethal events). Since empirical work in this area is limited, this study’s findings could contribute to a more informed debate concerning the significance and relevance of comparing attempted and completed homicide cases.

The remaining section of the introduction offers a brief discussion of: (a) the theoretical background of this study, (b) previous research in this area, (c) the violent events that are to be compared in the current study, (d) the data used in this thesis, and (e) the relevance and the outline of this thesis.
1.2 THEORETICAL BACKGROUND

In the theoretical literature, two main characteristics are frequently propounded as explanatory factors for why serious violence ends either lethally or non-lethally: on the one hand, the personal characteristics of the individuals involved, and on the other hand, the immediate situational characteristics in which events occur. Overall, these theoretical classifications typically correspond to the broader classification of what has become known as the distinction between “criminality” (i.e., an individual’s criminal propensity) and “crime” (i.e., the event) (see also: Birbeck & Lafree, 1993; Hirschi & Gottfredson, 1986, p. 58).

1.2.1 Theoretical background on personal characteristics

In the criminological literature, several theoretical frameworks suggest that personal characteristics affect violent outcomes. For example, there are criminological theories that point to the importance of what has been termed criminal propensity (e.g., see Farrington’s integrated cognitive antisocial potential (ICAP) theory, 2005). Within this framework, particular attention is given to the importance of (low) self-control (e.g., Gottfredson & Hirschi, 1990). In addition, in psychological personality theories various personal traits have furthermore consistently been associated with (violent) criminal behavior, in particular temperament or impulsivity (see e.g., Moffit’s taxonomy model, 1993; for an overview see also Miller & Lyam, 2001).

Overall, the above-mentioned theories share a similar presumption: that the more the offender and/or victim possess characteristics that point to a higher criminal propensity/lower self-control, or a higher impulsivity, the greater the likelihood of a lethal outcome.

Gottfredson and Hirschi’s General Theory of Crime (1990) has become one of the most influential criminological theories focusing on individuals’ criminal propensity as a means to explain crime. As the title of their book indicates, the authors aim to offer a general theory that can explain a wide range of criminal behaviors, including serious violence such as homicide. Self-control theory, in its effort to explain why some individuals have a higher likelihood than others to be involved in lethal violence or other forms of crime, centers attention on differences in individuals’ personal characteristics, including one’s level of self-control. Core features of low self-control are impulsivity, the inability to consider the consequences of one’s acts, low frustration-tolerance, a physical rather than verbal orientation, and risk-seeking behavior (Gottfredson & Hirschi, 1990). According to this theory, low self-control is linked to several risky behaviors, including criminal behavior.

Two propositions of the self-control theory are especially relevant for this thesis. First, the theory claims that people with low self-control not only have
a higher propensity to commit crimes in general (also referred to as criminal propensity), but that they are also more likely to commit lethal violence than others (Gottfredson & Hirschi, 1990). Second, those with low self-control are not only more vulnerable to be criminally victimized, but, according to some scholars, are also more vulnerable to fall victim to serious violence, including lethal violence (Gottfredson & Hirschi, 1990; Piquero, MacDonald, Dobrin, Daigle, & Cullen, 2005; Schreck, 1999). Thus, according to this perspective, low self-control explains why some people have a higher likelihood of criminal behavior and victimization than others (Gottfredson & Hirschi, 1990; Schreck, 1999).

Based on this theoretical background, this thesis considers offenders’ and victims’ criminal history to be an important manifestation of a person’s individual characteristics, including a person’s criminal propensity (Chapter 4, 5, 7). Hence, this thesis relates offenders’ and victims’ criminal history to the outcome of violence. In general, this thesis hypothesizes that perpetrators of lethal violence are more likely to have a more severe criminal history than perpetrators of non-lethal violence (Chapter 4 and 7). The present thesis furthermore hypothesizes that victims of lethal violence are more likely to have a criminal history, to have committed more prior crimes, and to have committed (more) prior violent crimes than victims of non-lethal violence (Chapter 5 and 7).

1.2.2 Theoretical background on characteristics of the violent event

Distinct criminological theories suggest that – besides individual personal factors – characteristics of the event may also affect the outcome of violence, including whether or not the outcome is lethal. This approach typically focuses on the influence of the characteristics of the immediate situation, including (a) event characteristics such as time, location, alcohol use, and the presence or absence of third parties, (b) actions of the offenders, victims and third parties, and (c) the sequence of actions.

A prominent example of this perspective is the routine activity theory (Cohen & Felson, 1979), which stresses the key importance of situational influences for crime to occur, simultaneously paying attention to offenders, victims and third parties (Felson, 1993; Weaver et al., 2004). Routine activity theory has centered on the assumption that crime happens when (a) a motivated offender, (b) a suitable victim, and (c) absence of capable guardians converge in time and space. When applying insights derived from routine activity theory to violence it may be stated in general that, for violence to occur, not only the setting matters, but that it is also necessary for victims, offenders and (incapable) third parties to come together.

The situated transaction theory of sociologist David Luckenbill (1977) more specifically provides insight into the dynamic interactions between actors to
explain a lethal outcome of conflict situations. Concretely, the central premise of Luckenbill’s theory is that lethal violence can be explained by the dynamic interaction process that takes place during the incident between offender, victim, and possibly third parties: a ‘situated transaction’. In explaining why lethal violence occurs, Luckenbill refers to terms such as ‘character contest’, signifying the importance of regaining honor, respect and face: in interaction with other persons one wants to prove who has the strongest character (Goffman, 1967; Luckenbill, 1977). Luckenbill was one of the first to elaborately describe the development process of violent events towards a lethal outcome, in which he explicates a number of sequential stages, starting with an ‘opening move’ and ending with the stage in which death is the outcome. As he explains these stages, he points out (a) that a lethal outcome is often a joint product of offender, victim and third parties, mainly depending on the particular ways in which people behave or respond to each other in a concrete situation, and (b) that who ultimately ends up as victim or perpetrator is not always clear beforehand.

For a more detailed understanding of the role of immediate situational factors in the escalation towards violence which may end lethally, this thesis combines and integrates notions of routine activity and situated transaction theory (Chapter 6 and 7). In particular, this thesis employs routine activity theory as a basic framework to get a grip on event characteristics, including time, location, alcohol use, and the presence or absence of third parties. However, routine activity theory provides little insight into the interaction process between the offender, victim and third parties (Meier, Kennedy, & Sacco, 2001). This thesis therefore incorporates notions of situated transaction theory, postulating that the behavior of the offender, victim and third parties are crucial for how events culminate (Felson & Steadman, 1983; Wolfgang, 1958; see Chapter 6 to 8). In line with Felson (1993), this thesis assumes that the motivation of the offender is not necessarily constant but is shaped especially by the interaction between offenders and victims (Felson, 1993; see Chapter 6 and 7). By integrating the two frameworks, it may be expected that – depending on how actors behave during the event – some victims may be considered a more suitable target (Chapter 6 to 8). Additionally, whether third parties are present during the event may also matter for the outcome of violence: they could serve as potential guardians deterring the offender from killing the victim. As such, it may be expected that their presence and/or behavior can affect whether violent events end lethally or non-lethally (Chapter 6 to 8).

1.3 PREVIOUS RESEARCH

Although the above-mentioned hypotheses still remain empirically underresearched, several studies have been done on serious violent events and how offenders’ and victims’ personal characteristics (i.e., one’s criminal history)
and immediate situational factors affect their outcomes. Overall, this empirical literature can be divided roughly into three types: (1) research on homicide or violence with a lethal outcome, (2) research on the role of offenders’ and victims’ personal characteristics in lethal and non-lethal violent events, and (3) research on the role of immediate situational factors in lethal and non-lethal violent events. The section below briefly discusses the main relevant empirical studies in this area, in which a distinction is made between international and (scarcer) Dutch studies. Subsequently, this section addresses several major limitations of previous studies, followed by the relevance of this study.

1.3.1 Previous (Dutch) research on homicide

The area of research on homicide in the Netherlands covers studies from various scientific disciplines including sociological, criminological, psychological, and forensic or psychiatric disciplines. Despite such diversity, Dutch research on homicide typically tends to focus on three broad research domains: (a) its perpetrators, (b) patterns or trends of homicide incidents over several years, or (c) certain specific subtypes of lethal violence, such as domestic homicide. However, relatively limited systematic research has been conducted on homicide, certainly in comparison to the United States (Liem, 2010a). It is important to note that the Netherlands has no long history of systematically monitoring homicide in contrast to countries such as United States, England and Wales and Australia (Liem, 2010a). Hence, until a decade ago, a complete and reliable overview of homicide incidents was not available in the Netherlands (Leistra & Nieuwbeerta, 2003; Liem, 2010a; Nieuwbeerta & Leistra, 2007; see also Chapter 2).

To change this unfavorable situation and enhance scientific knowledge, a nation-wide Dutch homicide database was created a decade ago, called the Dutch Homicide Monitor (Leistra & Nieuwbeerta, 2003; Nieuwbeerta & Leistra, 2007; see also Chapter 2). Currently, the Dutch Homicide Monitor serves as a crucial foundation for Dutch homicide researchers, because it contains data on all homicides committed in the Netherlands over two decades. Therefore, despite its relatively short existence, the Dutch Homicide Monitor has revived and expanded contemporary Dutch scientific research on homicide. Thus far, studies relying on data from the Dutch Homicide Monitor have typically centered on three broad issues: (a) the incidence, trends or characteristics of Dutch homicides, (b) particular types of homicides, especially those in the family or intimate sphere, and (c) the sentencing and criminal recidivism of homicide offenders (e.g., see Baay, Liem, & Nieuwbeerta, 2012; Johnson, Van Wingerden, & Nieuwbeerta, 2010; Leistra & Nieuwbeerta, 2003; Liem, 2010a; Liem, Van Wilsem, Smit, & Nieuwbeerta, 2012; Liem et al., 2013; Nieuwbeerta & Leistra, 2007; Smit & Nieuwbeerta, 2007; Van Os, Ganpat, & Nieuwbeerta, 2010). Nevertheless, despite the noticeable growth in homicide research in the
Netherlands over recent years, many avenues of homicide have yet to be fully explored, in particular the criminal history of homicide offenders and the role of victims and third parties during homicidal events.

1.3.2 Previous research on personal characteristics

*Previous research on offenders’ criminal history*

A great deal of international research has been done on the individual characteristics of offenders, particularly their criminal history. For many years now, the examination of offenders’ criminal history has been an important issue in international criminological studies, as criminal history is widely considered to be one of the strongest predictors for future offending behavior (e.g., Bonta, Law, & Hanson, 1998). One important common finding emerging from previous research is that a relationship between criminal history and offending behavior is found for less serious as well as for serious violent offending behavior (e.g., Capaldi & Patterson, 1996; Dobash, Dobash, Cavanagh, & Medina-Ariza, 2007; Farrington, Loeber, & Berg, 2012; Loeber, Lacourse, & Homish, 2005; Loeber et al., 2005b; Soothill, Francis, Ackerley, & Fligelstone, 2002). For example, empirical evidence shows that particular aspects of a person’s criminal history are especially related to (serious) violent offending, and that the majority of offenders committing lethal or non-lethal violence have a criminal history – including for violence (e.g., Capaldi & Patterson, 1996; Dobash et al., 2007a; Farrington et al., 2012; Loeber et al., 2005a; Loeber et al., 2005b; Soothill et al., 2002). Also, certain specific serious (violent) crimes in criminal history seem to increase the likelihood of committing lethal violence (Farrington et al., 2012; Loeber et al., 2005b; Soothill et al., 2002).

Despite the recognized importance of examining offenders’ criminal history, international studies generally (a) have not extensively examined the criminal history of *serious violent offenders*, or (b) have tended to focus on the perpetrators of lethal or non-lethal violence in isolation, rather than comparing the criminal history of these groups of offenders. There are a few prominent exceptions, however. For example, two United Kingdom studies (Dobash et al., 2007a; Soothill et al., 2002) not only found that the bulk of both groups of offenders had a criminal history, but they also found opposing results on whether a prior violent history was more prevalent among perpetrators of lethal violence than among perpetrators of non-lethal violence.

One of the scarce examples of Dutch studies focusing on the criminal history of perpetrators of lethal and non-lethal violence is the study conducted by Smit, Bijleveld, Brouwers, Loeber and Nieuwbeerta (2003). Smit et al. compared the criminal history of Dutch perpetrators of murder and manslaughter with three groups of Dutch offenders: (a) attempted homicide offenders, (b) perpetrators of attempted aggravated assault, and (c) perpetrators
of aggravated assault. Their study exposed important differences in the criminal history of perpetrators of lethal and non-lethal violence in terms of: (a) the number and types of prior crimes, (b) the prevalence of a prior violent history, and (c) the offender’s age at the time of the first offense. Specifically, perpetrators of (attempted) homicide had committed more prior crimes than offenders convicted for (attempted) aggravated assault. Especially distinctive for perpetrators of lethal violence was a lower prevalence of a prior violent history, and an older age at first offense than perpetrators of non-lethal violence.

Previous research on victims’ criminal history

Not only has offenders’ criminal history been linked to serious violence but, similarly, a criminal history has also been closely related to serious violent victimization. Marvin Wolfgang’s pioneering work on homicide *Patterns in Criminal Homicide* (1958) was among the first to demonstrate that having a criminal record, including for violence, not only applied to a substantial part of homicide offenders, but that this also held for their victims. More recent evidence highlights the existence of a crucial relationship between offending and victimization: offenders are more likely to become crime victims, and in turn, crime victims are more likely to become offenders (see a recent review: Jennings, Piquero, & Reingle, 2012). In fact, individuals who commit crimes are found to be most at risk of being victimized by serious violence (e.g., Dobrin, 2001; Ezell & Tanner-Smith, 2009).

Remarkably, and despite these insights, the criminal history of victims involved in lethal and non-lethal violence has rarely been examined and compared within the same study. The very few (mostly descriptive) attempts that have been made indicate that most of these victims had a prior record, and that a prior criminal record was far more common among victims of non-lethal violence than among victims of lethal violence (Klassen & Vassar, 2002; Milwaukee Homicide Review Commission, 2012).

To our knowledge, there is no Dutch study to date that has specifically compared the criminal history of victims involved in violent events with a lethal and non-lethal outcome. Some insights can be derived from a recent study by Dirkzwager, Nieuwbeerta and Blokland (2012), which compared the mortality rate of Dutch offenders with the Dutch general population. Findings from this study confirmed that persons who commit crimes are more at risk of falling victim to serious violence including murder and manslaughter than those who do not.
1.3.3 Previous research on immediate situational factors

Several international studies, particularly from the United States, have drawn attention to a number of critical factors in the immediate situation that contribute to whether or not an event result in lethal violence. For example, a key study by Weaver et al. (2004) found that when violent events took place during daytime or at home, the likelihood of a lethal outcome increased, indicating that it matters where and when incidents take place. Furthermore, numerous studies have reported an association between alcohol use by offenders and violence, including lethal violence (e.g., see review by Darke, 2010). Apart from this, research has identified alcohol use by victims as an important factor that differentiates lethal from non-lethal violent outcomes: victims of lethal violence are significantly more likely than victims of non-lethal violence to be under the influence of alcohol during the event (Felson & Steadman, 1983). Several studies have also shown that most lethal and non-lethal violent events occur in the presence of a third party (Felson & Steadman, 1983; Luckenbill, 1977; Planty, 2002; Wilkinson, 1999). Empirical evidence has further uncovered that the presence of third parties can affect the severity of conflict situations in such a way that their presence can have an escalating or de-escalating effect in conflict situations (e.g., Apel, Dugan, & Powers, 2013; Decker, 1995; Luckenbill, 1977; Phillips & Cooney 2005).

How actors behave during a violent incident has also been recognized as an important contributing factor to the outcome of violent events, as has the type of weapon used, especially firearms and knives (Apel et al., 2013; Felson & Messner, 1996; Kleck & McElrath, 1991; Weaver et al., 2004). Although a growing body of literature on serious violence has focused on offenders' weapon use, some evidence shows that victims' weapon use can also affect the severity of conflicts (Felson & Steadman, 1983; Phillips, Matusko, & Toma-sovic, 2007).

While the majority of international studies focus on offenders’ behavior, research demonstrates the importance of considering the behavior of others present in violent encounters. For example, in his seminal work on homicide, Wolfgang (1957, 1958) introduced the term victim precipitation, showing – with empirical evidence – that victims can contribute to their own death by being the first to show a firearm or a knife, or the first to use physical violence. One of the few international studies comparing victims’ behavior during lethal versus non-lethal violent events made clear that lethal victims were more likely to have been aggressive during the incident than non-lethal victims (Felson & Steadman, 1983). Furthermore, Wolfgang (1957) also argued that the difference between an offender and a victim is often unclear and can be reversed: an initial victim can become an offender, and the other way round. Wolfgang was critical of the commonly held notion that the victim is always the weaker and the passive party, while the offender is considered to be the stronger and aggressive party. Wolfgang’s study showed instead that it is important to
critically examine how the person that ends up as victim possibly contributed to the escalation towards a lethal outcome.

Earlier international research indicates that the same applies to third parties. Their behavior can also affect the course of a conflict in important ways: third parties can settle or mediate in a conflict situation, or instead aggravate or take part in the conflict (e.g., Parks, Osgood, Felson, Wells, & Graham, 2013; Phillips & Cooney, 2005). Research has even pointed out that third parties can escalate violence to lethal levels, or prevent a violent conflict from ending lethally (Decker, 1995).

Another critical situational characteristic identified by previous international research concerns the dynamic sequence of interactions. This stream of research has recognized that the actions of involved actors are not so much static as dynamic, indicating that the outcome of conflicts has much to do with participants’ actions and reactions during the course of the event (e.g., Dobash & Dobash, 1984; Kennedy & Forde, 1999; Luckenbill, 1977). For example, empirical evidence has demonstrated that violent events, including lethal events, usually follow a routinized systematic pattern in terms of how these events unfold from the beginning to the end, in which the offender, victim and third parties jointly shape the outcome of the event (e.g., Felson & Steadman, 1983; Luckenbill, 1977).

Only a few Dutch studies have specifically focused on the role of immediate situational factors in serious violent events (e.g., see Beke, De Haan, & Terlouw, 2001; Bernasco, Lindegaard, & Jacques, 2013; Dü mig & Van Dijk, 1975; Van Wilsem & Stobbe, 2006). Overall, although the available studies in this area mainly focused on describing factors pertaining to the offenders (e.g., offenders’ weapon use), and generally only concentrated on non-lethal violence, they have made clear that: (1) the behavior of the offender, victim and third parties matters, (2) some victims and offenders were under the influence of alcohol or used a weapon during the event, and (3) third parties were often present and/or intervened during the event.

1.3.4 Limitations of previous research

As the above overview of prior research shows, previous research has several limitations that this thesis attempts to overcome. First of all, most criminological studies in the field of violence focus on either lethal violence or non-lethal violence. Very few studies have compared these types of violent events within the same study, and it has been done just once before in the Netherlands (Smit et al., 2003). As yet, there is little research comparing personal characteristics of offenders and victims involved in lethal and non-lethal violent events (again, in the Netherlands only one: Smit et al., 2003). Nor has there been much research into the role of immediate situational factors in lethal versus non-lethal violent events (which has not yet been explored systematical-
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ly in the Netherlands). Furthermore, hardly any research has been done so far that simultaneously analyzes the role of offenders’ and victims’ personal characteristics and immediate situational factors in lethal and non-lethal violent events (and never in the Netherlands).

The international and Dutch studies that did attempt the above furthermore exhibit a key shortcoming: typically, neither the role of victims’ personal characteristics nor the behavior of victims and third parties were comprehensively examined in lethal and non-lethal violent events. A prominent reason for this is that previous research has concentrated mainly on aspects relating to the offenders.

This thesis therefore expands on previous studies by explicitly comparing violent events that ended lethally with those that ended non-lethally in terms of offenders’ and victims’ personal characteristics and immediate situational factors. Concretely, it seeks to advance previous research by: (a) comparing cases of attempted homicide with cases of completed homicide, (b) using a more dynamic approach including the role of victims and third parties in serious violent events rather than focusing on offenders only, and (c) actually combining offenders’ and victims’ personal characteristics and immediate situational factors to study their role in serious violent events.

1.4 This Study: Comparing Lethal and Non-Lethal Violence

To conduct the current study, serious violent events with a lethal and non-lethal outcome are explicitly compared. The research therefore focuses on two groups of serious violent events: lethal events, involving Dutch cases of murder or manslaughter, and non-lethal events, concerning Dutch cases of attempted murder or manslaughter. The section below explicates more thoroughly which groups are compared (and which are not) for the purposes of this study.

As the focus is on the outcome of violence – that is, lethal or non-lethal –, no distinction is made between murder and manslaughter. The Dutch Criminal Code determines that both murder and manslaughter require an intent to kill. A legal difference between murder and manslaughter is that murder requires premeditation. So, while in the Netherlands there is an important legal distinction between murder (intentional killing with premeditation, in accordance with Articles 289 and 291) and manslaughter (intentional killing without premeditation, in accordance with Articles 287, 288, 290), this distinction is not relevant to, and hence will not be made in, the current study. We may add that, contrary to what is commonly assumed, in practice the legal distinction between murder and manslaughter is not always easy to make, and can sometimes hinge on just a few minutes or even seconds. In fact, there is a discussion in the legal field concerning how ‘premeditation’ should be understood (e.g., whether or not to consider more objective indications in the inter-
interpretation of premeditation). Although this is an intriguing legal discussion, given the focus on the outcome of violent events it falls outside the scope of this criminological thesis.

Another reason to use data on violent offenses that require an intent to kill derives from the ongoing scholarly debate concerning the relationship between weapons and lethal violence and the role of the offender’s intention. In brief, scholars disagree on whether a lethal intention contributes to a real or to a spurious relationship between guns and violent outcomes. The main point of contention is whether ‘guns kill people’ or whether ‘people kill people’. The first is typically referred to as the ‘weapon instrumentality effect’, while the latter highlights the lethal intention of the offender. On the one hand, researchers claim that the type of weapon has an independent influence on the outcome of a conflict (e.g., Wells & Horney, 2002), and that in comparison to other weapons, especially guns increase the likelihood of lethal violence (e.g., see also Apel et al., 2013; Kleck & McElrath, 1991; Weaver et al., 2004; Wells & Horney, 2002; Zimring, 1968). Others argue, on the other hand, that the relationship between guns and lethal violence is spurious and is likely to be caused by the lethal intention of the offender (e.g., Kleck, 1991; Wolfgang, 1958). Offenders with lethal intentions are seen as more likely to kill their victims, regardless of the type of weapon that is used (Wolfgang, 1958). As the debate is still open, this thesis has only made use of a sample of serious violent events where all offenders have an intent to kill rather than to injure, thereby excluding cases such as aggravated assault that ended lethally or not. By doing so, it is reasonable to assume that the offender’s intention does not strongly intervene in the relationship between guns and violent outcomes.

So, in this study homicide is considered the most serious violent crime, precisely because there is an intent to kill someone. Other lethal cases such as accidental or non-intentional deaths were excluded from the sample, given the absence of an intent to kill. Euthanasia, assistance to suicide, and abortion were also excluded, because – under the guidance of a competent physician and under very specific circumstances – the law permits these actions. Moreover, since these acts typically pertain to medical procedures, this thesis treats them as a wholly different category of events.

In this study, within the violent crimes with intent to kill, i.e. murder and manslaughter, we do distinguish between attempted (non-lethal) and completed (lethal) homicide. The Dutch Criminal Code distinguishes several types of violent crimes that can end lethally or non-lethally. Some violent offenses

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2 See also: High Court of the Netherlands (Hoge Raad) 28 December 2012, NJ 2012, 518; High Court of the Netherlands (Hoge Raad) 19 June 2012, NJ 2012, 519.

3 Examples of such deaths include (aggravated) assault leading to death, negligent homicide, robbery leading to death or arson leading to death; Articles 300-301(3); Articles 302-303(2); Article 307, Article 312(3) or 157(3) of the Dutch Criminal Code.

4 Articles 293, 294 and 296.
require an intent to cause bodily harm while others require at least an intent to kill someone. As explained below, the sample used in this thesis consists only of Dutch violent crimes that require a lethal intention; that is, of cases of violence that are categorized as attempted and completed homicide.

To compare serious violent incidents that ended lethally with those that ended non-lethally, the sample included serious violent cases that resemble completed homicide cases as much as possible in their seriousness and elements of the offense, but whose outcome, for some reason, was non-lethal. In other words, the choice was made to compare cases that were categorized as completed homicide with attempted homicide cases. The Dutch Criminal Code defines completed homicide as intentionally killing a person or persons with or without premeditation (Articles 287-291). Attempted homicide is defined as attempting to intentionally kill someone (with or without premeditation) and requires the beginning of the execution of the crime (Article 45 in combination with Articles 287-291). Thus, both are serious crimes requiring an intent to kill, with death as a possible but not necessary outcome. So, the legal definition of completed and attempted homicide suggests that the two types of crimes are quite similar, with the one prominent difference that in one case it succeeds, while – for some reason – in the other case it did not. Although the legal definition draws a clear line here, it does not rule out that – in complex social reality – systematic differences may exist between attempted versus completed homicide cases, when it comes to offenders and victims’ criminal history and immediate situational factors.

1.5 Data

As said, the principal questions guiding this thesis concern the extent to which personal characteristics of offenders and victims and immediate situational factors are related to a lethal versus non-lethal outcome of serious violent incidents. Before examining these questions, a general description of all Dutch homicide incidents is provided as a background for the reader (see Chapter 2), with some comparison to a number of other European countries (see Chapter 3). As a source of this background and of empirical answers to the research questions, this study draws on several datasets: (a) the European Homicide Monitor, (b) the Dutch Homicide Monitor (c) Dutch Public Prosecution Office data, and (d) the SIH dataset. All these four datasets will be elaborated below.

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5 Unfortunately, for cases of attempted homicide in the Netherlands, such a background chapter could not be provided because of the unavailability of a Dutch national database that contains combined information about the event, offender and victim.

6 A comprehensive consent procedure preceded the data collection.
Chapter 1

1.5.1 European data on lethal violence: the European Homicide Monitor

In Chapter 3, this thesis draws on a unique European database – the *European Homicide Monitor* – to offer a cross-national comparison of homicide characteristics in Finland, Sweden and the Netherlands (Ganpat et al., 2011; Liem et al., 2013). It is the first joint database on lethal violence, thus offering comparability between European countries. Currently, the dataset contains national homicide data from these three European countries over the period 2003-2006. The Monitor includes all homicides in the country that became known to the police or to other legal authorities. Homicide data from the Netherlands that are included in the European Homicide Monitor were derived from the Dutch Homicide Monitor, which is introduced below.

1.5.2 Dutch data on lethal violence: the Dutch Homicide Monitor supplemented with data on the criminal history of offenders and victims

The *Dutch Homicide Monitor* was used as a basis for selecting *lethal cases*. The Dutch Homicide Monitor uniquely provides the most reliable nationwide overview of homicide characteristics available in the Netherlands (Leistra & Nieuwbeerta, 2003; Nieuwbeerta & Leistra 2007; see Chapter 2). Maintained by Leiden University and the Netherlands Institute for the Study of Crime and Law Enforcement (*NSCR*), it is an ongoing monitor that includes all homicides in the Netherlands that took place in the period 1992-2009. Following the definition from the Dutch Criminal Code, the Monitor includes homicides involving murder and manslaughter. A major advantage of the Monitor is not only that it contains information on the event, offender and victim, but it is also based on seven sources that partially overlap, including newspaper articles, police reports, and prosecution data from the computerized inventory of the Public Prosecutor’s Office (for more information, see Leistra & Nieuwbeerta, 2003; Nieuwbeerta & Leistra 2007).

Although valuable as a starting point, the Monitor provides limited information on immediate situational factors and victims’ criminal history in particular. Therefore, especially for the purpose of this study, data from the Dutch Homicide Monitor were supplemented with criminal record data of involved offenders and victims, which will be elaborated below.

1.5.3 Dutch data on non-lethal violence: Dutch Public Prosecution Office data complemented with criminal history data of offenders and victims

As opposed to lethal cases, so far no national database on *non-lethal violence* is available in the Netherlands that contains combined information about the event, offender and victim. Still, despite this lacuna, this present study went
to great lengths to obtain information on criminal history and immediate situational factors. To obtain this information, Dutch prosecution data were used as a basis for selecting non-lethal violent cases. These data stem from the computerized inventory of the Dutch Public Prosecutor’s Office, covering information on all known individuals who had been prosecuted for committing an attempted murder or attempted manslaughter in the Netherlands, registered in the period 2005-2009. Dutch prosecution data include rich information on the judicial procedures of the criminal case in first instance, but lack detailed information on the immediate situational factors and offenders’ and victims’ criminal history.

Therefore, similar to the Dutch Homicide Monitor, Dutch prosecution data were supplemented with data involving criminal records of offenders and victims, as described in more detail in the next section. Subsequently, to compare the criminal history of offenders and victims involved in lethal events with offenders and victims involved in non-lethal violent events, the compiled data on lethal and non-lethal violence were eventually combined into one dataset.

Dutch criminal records of offenders involved in lethal and non-lethal violence

To relate offenders’ personal characteristics to the outcome of violence (Chapter 4), criminal record data of serious violent offenders were used. These data stem from the Criminal Record Register of the Dutch Ministry of Security and Justice and contain information on officially registered criminal records of all individuals who have been prosecuted in the Netherlands from the age of 12. Specifically, in Chapter 4, the criminal history of all offenders convicted for lethal violence (i.e., murder or manslaughter; period 1993-2009) are compared with a selected population of offenders convicted for non-lethal violence (i.e., attempted murder or manslaughter; period 2005-2009). As such, the use of these data provides a rare opportunity to explore the criminal history of lethal and non-lethal violent offenders. To our knowledge, this is the first empirical study based on such large-scale and nationwide data to explicitly compare the criminal history of offenders using these two samples of serious violent offenders.

Dutch criminal records of victims involved in lethal and non-lethal violence

Similarly, to investigate the relation between victims’ personal characteristics and the outcome of violence (Chapter 5), this study uses criminal record data derived from the Criminal Record Register of the Dutch Ministry of Security.

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7 Given that completed homicide is relatively rare, in this thesis the time frame for completed homicide has been extended (i.e., covering more years) to provide sufficient cases for statistical analysis.
and Justice. However, since personal details are required when requesting criminal records, this posed the first obstacle: prosecution data do not contain any data on victims of non-lethal violence, let alone personal details. Eventually, this obstacle was overcome by examining court files of serious violent events first (see below). As a result, and in contrast to the data pertaining to offenders (Chapter 4), the present thesis was only able to examine the criminal records of victims involved in a selection of serious violent cases which met all of the following inclusion criteria: (1) the case was registered in the court district of The Hague or Rotterdam (i.e., these are two of the largest Dutch court districts and two regions that are among the most urbanized and violent regions in the Netherlands (Statistics Netherlands, 2013), (2) the offender had been convicted for homicide or attempted homicide, (3) the event involved a single offender and a single victim, and (4) victims and offenders were at least 12 years of age at the time of the event. By doing so, these data offer a rare opportunity to compare the criminal history of victims of lethal versus non-lethal violence.

1.5.4 Detailed Dutch data on lethal and non-lethal violence: SIH dataset

For the examination of the role of immediate situational factors (Chapter 6 to 8), this thesis made use of unique data derived from the Scoring Instrument (attempted) Homicide (SIH) study (Ganpat, 2012). Specifically for this thesis, the SIH-study was developed by the author to acquire very detailed data concerning immediate situational factors in lethal versus non-lethal violent events. Here, used was made of a scoring instrument which was especially created to collect the data systematically. These data were gathered through an in-depth examination of court files concerning Dutch cases of serious violence which met the following inclusion criteria: (1) the case was registered in the court district of The Hague or Rotterdam, (2) the offender had been convicted for homicide or attempted homicide, (3) the event involved one offender and one victim, (4) victim and offender were at least 12 years of age the time of the event, and (5) the court file was present at the court districts at the time of the data collection.

To investigate the role of immediate situational factors, court files are highly valuable as they provide very detailed information about what happened during violent events. Also, and essential to this study, Dutch court files usually contain information on offenders, victims and third parties. These data offer a unique possibility to move beyond the offender and to use a more dynamic approach by also considering the role of victims and third parties in lethal and non-lethal violent events. Such detailed information is crucial to obtaining a more complete picture of the factors that contribute to violent outcomes.
In reconstructing in detail what happened during these conflicts, the SIH-study compared and complemented information using all kinds of documents included in the court files, such as toxicological reports, eyewitness reports, outcomes of neighborhood investigations, trace evidence, autopsy or coroner’s reports and psychological reports.

To study the role of offenders’ and victims’ personal characteristics and immediate situational factors (Chapter 7), this thesis compiled a unique dataset containing data from court files and criminal record data. To achieve this, all violent cases used in the above-mentioned SIH-study were selected. Criminal records of all offenders and victims involved in these violent events were then merged into the SIH dataset. The SIH dataset was also used to investigate in more detail the sequence of actions (Chapter 8), zooming in on cases involving (a) violent arguments or altercations between two males (i.e., male-to-male), and (b) intimate partner violence (i.e., male-to-female).

1.6 RELEVANCE OF THIS STUDY

The scientific relevance of this thesis lies in its contribution to the current state of knowledge on why the outcome of a violent event is sometimes lethal and sometimes non-lethal, and how offenders’ and victims’ personal characteristics and situational factors play a role therein. Such insights are so far largely lacking in the extant literature on serious violence. By specifically comparing lethal with non-lethal violent incidents with a scope that goes beyond the traditional focus on offenders, this study yields further insight into the differences in outcome. The aim is not only to examine whether and to what extent the lethality of violent events is influenced by both types of risk factors (personal and situational factors), and which of the two types is more important to explaining lethal outcomes. This study furthermore seeks to guide future theoretical discussions and empirical studies that seek to understand more fully why certain violent events end lethally and others do not. Finally, this thesis aims to contribute to the discussion about the distinction between attempted and completed homicide cases. More concretely, the approach taken will provide more evidence-based insight into the question whether or not systematic differences exist between attempted versus completed homicide cases.

The societal relevance of this study lies in the insight in preventing lethal crimes. During the last decade, the prevention of and fight against violence have featured prominently on the Dutch political agenda. One of the main goals of the Dutch government’s safety program, Towards a safer society, is to reduce levels of crime. Specifically in the area of violence, one central aim is to reduce the level of violent victimization in the Netherlands within several years (Ministry of Justice et al., 2005). A better understanding of why certain violent events end lethally and others do not, and identifying specific factors
influencing the likelihood of a lethal outcome, can be an important step towards this goal.

For society, it is of utmost importance to investigate the factors that contribute to serious violence, because incidents of serious violence – particularly those in which one human being is killed by another – are events with severe consequences for victims, their surviving relatives and society at large. To contribute to a safer society, it is therefore crucial to investigate the role of offenders’ and victims’ personal characteristics and situational factors in the outcome of violence, because these insights can potentially help guide efforts to reduce and prevent violent events from ending lethally. More concretely, if the factors that are particularly conducive to lethal violence are better understood, this may enable interventions in some of the problem areas, for example by changing the situation. Potentially, the findings may contribute to efforts to raise awareness and educate the public about how to behave when encountering or witnessing serious violence, and so to help reduce the most serious crime in society.

1.7 OUTLINE OF THIS THESIS

As mentioned earlier, this thesis is guided by two overarching research questions: (1) To what extent are personal characteristics of offenders and victims related to a lethal versus non-lethal outcome of serious violent incidents?; and (2) To what extent are immediate situational factors related to a lethal versus non-lethal outcome of serious violent incidents? From these major questions, five specific research questions are derived which will be studied in the separate chapters. Each of the chapters uses a different selection of the data and focuses on different matters (see Table 1.1). Listed below are the characteristics of each of these chapters, as presented in Table 1.1.
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### Additional Information:
- **Year**: 1992-2009 for data analysis
- **Geographical Area**: The Netherlands, Finland, and Sweden
- **Comparing**: Characteristics of homicides in Finland, the Netherlands, and Sweden
- **Analyses**: Descriptive statistics, Logistic regression
Before dealing with the main research questions, the first two chapters give the reader a background context of lethal violence. Chapter 2 provides a general overview of homicide characteristics in the Netherlands, based on nationwide data from the Dutch Homicide Monitor, which contains all homicides in the Netherlands that took place in the period 1992-2009. This chapter addresses the question of the characteristics of Dutch homicide cases committed over two decades. Then, as background and for the sake of providing some international context, Chapter 3 offers one of the first cross-national comparisons of homicide characteristics in Finland, Sweden and the Netherlands, such as concerning the type of weapon used, subtypes of homicide, and alcohol use by offenders and victims. This chapter is based on data from the European Homicide Monitor (i.e., the first European homicide database) and addresses the question of the characteristics of homicide cases in Finland, Sweden and the Netherlands.

Chapter 4 and 5 then center on the first overarching question: To what extent are personal characteristics of offenders and victims related to a lethal versus non-lethal outcome of serious violent incidents. Chapter 4 focuses on the role of personal characteristics of serious violent offenders. For this aim, the research presented here examined the extent to which criminal history is differently related to the outcome of violent events. So far, most research in criminology has not closely investigated the criminal history of serious violent offenders. Studies that do focus on serious violent offenders have mostly not compared the criminal history of those involved in lethal versus non-lethal violence. On the basis of Dutch criminal record data, this chapter makes comparisons between offenders involved in lethal and non-lethal violence.

Chapter 5 concentrates on the role of personal characteristics of victims involved in serious violence. This chapter, again, is based on Dutch criminal records and addresses the question of the extent to which the criminal history of victims influences the likelihood of lethal versus non-lethal outcomes of violent events. Here previous research is expanded not only by concentrating on the victims of serious violence rather than on the offenders, but also by comparing lethal victims with non-lethal victims of serious violence on personal characteristics.

In the next three chapters, the focus shifts towards the second overarching research question: To what extent are immediate situational factors related to a lethal versus non-lethal outcome of serious violent incidents? Chapter 6 deals with the role of several immediate situational factors in serious violent events, such as alcohol use or weapon use by the offender and victim, and the presence and behavior of third parties. More precisely, based on data from Dutch court files, this chapter thoroughly investigates the question of the extent to which (a) event characteristics and (b) the behavior of offenders, victims, and third parties influence the likelihood that serious violent events will end lethally. The research presented here makes significant progress by comparing lethal and non-lethal violent events with respect to a number of immediate
situational factors, in which the more traditional focus on offenders is challenged by also considering the role of victims and third parties.

Chapter 7 examines the extent to which offenders’ and victims’ personal characteristics as well as immediate situational factors are related to the lethality of violent events. To this end, this chapter eventually combines criminal record data and data from court files. By doing so, this chapter moves beyond previous research that mostly has not systematically examined the extent to which these characteristics combined contribute to serious violence.

The last empirical chapter – Chapter 8 – uses data obtained from court files to investigate in more detail the sequence of actions during violent events that end either lethally or non-lethally. The sequence of actions during lethal and non-lethal violent events is commonly neglected in violence research. In examining the sequence, this chapter zooms in on male-to-male violence and intimate partner violence to consider whether the subtypes of conflict and third parties also matter.

Finally, Chapter 9 provides a summary of the major findings of this study and provides an answer to the research questions. In closing, and on the basis of the results of this study, several implications are discussed for future theoretical and empirical studies, as well as for policy.