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Who's to Blame?: Criminal Justice and Victim Services
Students' Assignments of Criminal Responsibility by Gender

**Kristine J. Hart
Richard B. Ellis
and
John Paul**

ABSTRACT

The current ideology of the United States justice system leans toward more rights for victims and harsher penalties for offenders. This does not necessarily mean, however, that the justice system and associated professionals treat all victims in a manner that follows these views. How victims are treated depends, in part, on how blameworthy each are perceived to be. So stated, this study explores the attitudes of future professionals with regard to the labeling of criminal responsibility. Specifically, we examine criminal justice and victim services students' assignments of blame by offender and victim gender.

INTRODUCTION

In general, the question of who is responsible for a crime when it occurs is quite easy to answer: blame lies with the individual or individuals who committed the offense. In reality however, it is quite common for the victim to be accorded some level of attribution for the crime (Ryan, 1971; Pugh, 1983; Anderson, 2004). Further, the tendency to assign criminal responsibility to the victim occurs in all segments of our society regardless of race, gender, social class or occupation (Hamilton, 1979). It should, therefore, not be surprising that this behavior can also be found within our justice system and justice system practitioners (Feldman-Summers and Lindner, 1976; Louw, 1999). With this in mind, we explore the attitudes of future criminal justice professionals with regard to the labeling of criminal responsibility. Specifically, we examine criminal justice and victim services student assignments of blame by offender and victim gender.

LITERATURE REVIEW

It is generally accepted that individuals have a tendency to perceive victims of crime in somewhat negative terms (Ryan, 1971; Howard, 1984; Anderson and Swainson, 2001; Anderson, 2004). A variety of explanations have been offered for this reaction. Among everyday accounts is the need to perceive the world as just, that is, a place where misfortune occurs only to those who deserve it (Lerner, 1980). Further, in times of trauma, persons may need to find meaning and predictability in unforeseen negative events by blaming the victim. This is to say, individuals “make sense” of the situation by conceiving a scenario in which the victim should have done something to avoid being victimized (Kleinke and Meyer, 1990).

Indeed, primary academic writings have identified the victim as the sole initiator of his or her victimization. For example, Wolfgang (1958) coined the phrase “victim precipitation” to describe, “those situations in which the victim’s direct, immediate, and positive action leads to

his own death” (as cited in Robin, 1977:149). Amir (1971:259) similarly writes, “in a way, the victim is always the cause of the crime [because] every crime needs a victim or his extension-- that is, something which belongs to him.”

Of these victims precipitated actions there is significant social psychological evidence to argue that victim’s attributes matter more than their actions in the assignment of blame. Factors such as the victim's social class (Ryan, 1971), ethnicity (Williams, 1978; Frederick, 1987), community image of respectability (Luginbuhl & Mullin, 1981), and physical attractiveness (Tieger, 1981, Deitz, Littman & Bentley, 1984) impact the assignment of crime culpability. In fact, the status characteristic that contributes most to victim blame is gender, particularly female gender (Howard, 1984; Anderson and Swainson, 2001; Anderson, 2004).

With regard to the victimization of women, individual and situational characteristics external to the offender often name the woman as responsible. The female victim’s corporal appeal (Hibey, 1975; Deitz, Littman, and Bentley, 1984), sexual proclivities (L'Armand & Pepitone, 1982; Cann, Calhoun & Selby, 1979), level of intoxication (Richardson & Campbell, 1982; Stormo & Lang, 1997) and style of dress (Edmonds & Cahoon, 1986; Workman & Freeburg, 1999) have all been found to influence negative attributions in female victimization.

It may be further argued that generational, cultural, and academic norms have helped to inspire negative female victim perception. For example, Belknap (1996) notes that institutional beliefs in traditional gender role stereotyping served to influence rape statute laws well into the twentieth century. He states, “women who worked outside the home, or whose race had a history of sexual exploitation, were [considered] outside the realm of ‘womanhood’ and its prerogative... and thus not legally capable of being raped” (Belknap, 1996:133).

The psychoanalytic school of thought also contributed to the way in which sexual violence cases were viewed and processed in the criminal justice system. Sigmund Freud, the

father of modern psychotherapy, had believed early in his career that sexual abuse was the cause of his female patients' neurotic symptoms. Later, however, Freud dismissed such testimony from his female patients as fantasy. In his essay on femininity, Freud concluded, "Reports of childhood assault were fantasies that the child contrived as a defense against her own genital pleasure" (Brownmiller, as cited in Ward, 1995:30). Many who followed Freud continued to blame the female and to describe rape victims as attention seeking. For example, Helene Deutsch (1944), a student of Freud, supported the presumption that rape is generally imaginary in nature and contended "even the most experienced judges are misled in trials of innocent men accused of rape by hysterical women" (p.256). While these views are no longer generally accepted among practitioners, they help explain the historical context of female victim blaming. Interestingly, the research on male victimization and blame attribution is rare (Howard, 1984; Daugherty and Esper, 1998, Anderson, 2004). The necessary comparison of male vs. female victims has not fully been conducted. Nor does the literature comprehensively reflect upon perception of victim blame across a range of crimes. Indeed, the bulk of prior research speaks to victim/offender blame within sexual assault scenarios. Finally, though research exists (Feldman-Summers and Lindner, 1976; Dane and Wrightsman, 1982; Sebba, 1996; Louw, 1999), there is the need for more study exploring the perceptions and behaviors of professionals who work with victims of crime.

With this in mind, the current research project seeks to negate these literature gaps by assessing: (1) the extent to which victim blaming attitudes persist in the next generation of professionals who will be working with victims of crime; (2) the attribution of blame by gender (both male and female) in victim/offender actions, as well as (3) the attribution of blame across pre-assigned armed robbery scenarios. Phrased more coherently, we examine whether the gender of the victim and offender in an armed robbery scenario will affect how responsible or

blameworthy each are perceived to be by future criminal justice and victim service professionals.

STUDY RATIONALE and HYPOTHESES

In this study we report participants' perceptions of victim/offender blame after their reading of a robbery scenario concerning either a male or female victim, and/or a male or female offender. Based on the review of the literature multiple hypotheses were formulated:

(1) As a whole, participants will assign more blame to the offender across all scenarios rather than the victim.

(2) Though participants will assign primary blame to the offender, the victim will not go without partial blame attribution.

(3) We hold that justice professionals (e.g., Victim Services and Law Enforcement majors) will assign varying degrees victim blame, and that these degrees of blame are influenced by gender. Specifically:

(A) Participants will rate a male victim being robbed by a male offender as being the least responsible for the crime and the male offender the most responsible.

(B) Participants will rate a male victim being robbed by a female offender as being the most responsible for the crime and the female offender the least.

(C) Participants will rate a female victim being robbed by a male offender as being the most responsible for the crime and the male offender the least.

(D) Participants will rate a female victim being robbed by a female offender as being the most responsible for the crime and the female offender the least.

METHODOLOGY

Participants

46 undergraduate students (6 males and 40 females) at a small Mid-western university took part in this study. Seventeen of the students were Criminal Justice majors with an emphasis in Law Enforcement, 18 were Criminal Justice majors with an emphasis in Corrections, and 11 were Human Services majors with an emphasis in Victim/Survivor Services. Five of the participants indicated that they were more than two years away from graduation while 13

indicated that they were currently employed in a position that related to their field of study. Participants ranged in age from 19 to 56 with an average age of 27.

Procedure

A packet containing a letter of introduction along with the purpose and procedure for the study were mailed with a research questionnaire, a randomly assigned version of the crime scenario and a postage paid return envelope to 120 potential subjects. 24 declared Victim/Survivor Service majors (the total listed enrollment for this major) were selected, while 48 majors with an emphasis in Law Enforcement and 48 majors with an emphasis in Corrections were randomly chosen to receive the packet.

Questionnaire

A set of five, 5-point, Likert-scale questions and two open-ended follow-up questions were developed by the primary researcher to assess participant's perceptions of victim/offender blame. Within the questions of scale, participants were asked to rate how responsible each individual was for the negative encounter that took place. Following this, participants were asked to qualitatively address to what extent they believed the victim could have done something to prevent the crime from having occurred and to what extent they believed the victim should have done something to stop the offender from committing a successful robbery once the crime was in progress (see appendix for questionnaire).

Scenarios

Four versions of a scenario were developed to assess the level of responsibility participants would assign to the victim of a crime and the offender and whether that would vary based on the gender of the victim and offender. All subjects read a scenario where the victim stopped at a 24-hour convenience store after working the 3:00 to 11:00 p.m. shift to buy milk and a newspaper before going home. The victim chose to park in a space on the poorly lit side of the

building, as opposed to the well lit side, got out of the car, locked the doors and went inside to purchase the aforementioned items. Soon thereafter, completely preoccupied with thoughts of getting home, the victim returned to the car and began searching for the key to unlock the car door. The victim caught a glimpse of someone approaching from the other side of the lot. With little time to react, this person came up beside the victim, produced a large switchblade and demanded the victim's wallet/purse and car keys. The victim did this and the offender fled in the car. The victim, who was unharmed, immediately went into the convenience store and called the police to report the crime.

The only variable that was manipulated in each of the scenarios was the gender of the victim and offender. Therefore, one-fourth of the subjects in each major category received a scenario where the victim was male (John) and the offender was male; one-fourth where the victim was male and the offender was female; one-fourth where the victim was female (Susan) and the offender was male; and one-fourth where the victim was female and the offender was female.

Analysis

The data collected for this study were analyzed using simple descriptive statistics along with qualitative assessments of participant's statements of victim/offender culpability.

RESULTS

Of the 120 packets that were sent out to potential participants, 46 were completed and returned. There was a 46% (11/24) return rate among Victim/Survivor Services majors, a 35% (17/48) return rate for Law Enforcement majors and a 38% (18/48) return rate for Corrections majors. Thirty copies of each scenario were evenly and randomly distributed across each of the majors. Of the 46 that were returned, 16 (35%) were scenario A where a man was being robbed by a man; 9 (20%) were scenario B where a man was being robbed by a woman; 13 (28%) were

scenario C where a woman was being robbed by a woman; and 8 (17%) were scenario D where a woman was being robbed by a woman. The following results were based on these completed surveys.

Victim Responsibility vs. Offender Responsibility

The first hypothesis addressed by this study assumed that as a whole, participants would assign more blame to the offender across all scenarios than the victim. A calculation of the means for both victim (2.30) and offender revealed, as predicted, that participants were significantly more likely to assign responsibility for the crime to the offender rather than the victim.

Table 1: Offender and Victim Means of Responsibility for Crime

	Offender	Victim
Means (1.00 least responsible to 5.00 most responsible)	2.30	4.67

When looked at individually, it is of interest to note that of two subjects assigned the same amount of blame to the victim and offender, while one assigned more responsibility to the victim. Two were Victim/Survivor Services majors while one was a Corrections major. Broken down further, the Corrections major believed that both the victim and the offender bore complete responsibility for what happened; one Victim/Survivor Services major believed that both the victim and the offender were somewhat responsible for what happened; and the other Victim/Survivor Services major believed that while the offender was only slightly responsible, that the victim was somewhat responsible. This finding is somewhat surprising given that it might have been expected that the major that educates professionals for a field that advocates for victims would consistently view the victim as being less responsible for the crime than the

offender.

The second hypothesis asserted that, despite assigning the offender more responsibility for the occurrence of the crime, the victim would not be viewed as blameless by subjects. Indeed, this turned out to be accurate. By major, Victim Services students placed the least amount of blame on the victim, while Law Enforcement and Corrections students placed greater levels of blame on the victim.

Interestingly, less than half of the participants within each major were willing to assign no blame at all to the victim. Forty-five percent of Victim/Survivor Services majors, 41% of Law Enforcement majors, and 44% of Corrections majors assigned no responsibility for the crime to the victim, while the rest of their colleagues assigned at least slight blame to the victim.

Table 2: Percentage of Victim Responsibility by Major

	Victim was:				
Major	Not at all responsible	Only slightly responsible	Somewhat responsible	Mostly responsible	Completely responsible
Victim Services	45 %	27%	27%	0%	0%
Law Enforcement	41%	35%	23%	0%	0%
Corrections	44%	27%	22%	0%	5%

Victim vs. Offender Responsibility by Gender

The next set of hypotheses anticipated that the participants’ attributions of responsibility for the crime would vary based on the gender of the victim and offender. Specifically, we argued:

(A) Participants will rate a male victim being robbed by a male offender as being the least responsible for the crime and the male offender the most responsible.

(B) Participants will rate a male victim being robbed by a female offender as being the most responsible for the crime and the female offender the least.

(C) Participants will rate a female victim being robbed by a male offender as being the most responsible for the crime and the male offender the least.

(D) Participants will rate a female victim being robbed by a female offender as being the most responsible for the crime and the female offender the least.

We found that the data, when tabulated, confirmed hypothesis A. In total numbers, male victims were perceived as being less responsible for the crime vs. male offenders. However, when breaking down the results into percentages of blame and adding across categories (see table 3), we found that 62% of participants believed the male was responsible, to some degree, in his victimization.

Further, a more detailed examination of the responsibility ratings given by each scenario hints at an intriguing trend. For example, the 62% level of blame those male victims receive in scenario A goes against the anticipated result that the male victim is the least responsible for the crime. In fact this indicates that just the opposite may be true. We find that the male victim is perceived to be the most responsible regarding his own victimization among every scenario. In scenario B, even though the female attacker is given 100% blame; the male is still perceived to contribute significantly (55%) in his own attack.

Additionally, though hypotheses C and D were rejected on the surface, an intriguing trend emerged here as well. In scenario C, participants voiced a 46% opinion that the female victim was in no way responsible for the crime against her. However this left 54% of participants saying that the female victim was responsible, in varying degrees, for the crime committed against her. In a related situation, the female victim in scenario D was attributed a 50% to 50% mark in having no responsibility vs. some responsibility in the crime against her.

In summary, though the attacker was accredited 100% blame in all scenarios and all but

one hypothesis was made void, we nonetheless find that male victims are attributed significant levels of blame for the crime committed against them. Similarly, we find that women are attributed greater or equal positions on responsibility for the crime vs. no responsibility for the crime.

Table 3: Percentage of Victim/Offender Responsibility in Scenarios A-D

	Victim/Offender was:					
	Not at all responsible	Only slightly responsible	Somewhat responsible	Mostly responsible	Completely responsible	Total % of Responsibility (Constructed by adding across only slightly responsible to completely responsible)
Scenario A: Man robbed by Man	38%- Victim 0%- Offender	31%- Victim → 6%- Offender →	31%- Victim → 0%- Offender →	0%- Victim → 6%- Offender →	0%- Victim → 88%- Offender →	= 62% victim = 100% offender
Scenario B: Man robbed by Woman	44%- Victim 0%- Offender	33%- Victim → 0%- Offender →	22%- Victim → 11%- Offender →	0%- Victim → 22%- Offender →	0%- Victim → 67%- Offender →	= 55% victim = 100% offender
Scenario C: Woman robbed by Man	46%- Victim 0%- Offender	31%- Victim → 0%- Offender →	15%- Victim → 0%- Offender →	0%- Victim → 8%- Offender →	8%- Victim → 92%- Offender →	= 54% victim = 100% offender
Scenario D: Woman	50%- Victim 0%- Offender	25%- Victim →	25%- Victim →	0%- Victim →	0%- Victim →	= 50% victim

robbed by Woman		0%- Offender →	0%- Offender →	25%- Offender →	75%- Offender →	= 100% offender
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Open Ended Remarks: Could or Should Have the Victim Done Anything Different?

In both the scenarios involving John (the male victim), subjects were, for the most part, consistent in their beliefs about what he could have done to prevent the robbery from occurring regardless of the gender of the robber. Common responses included parking in front of the store/in a well-lit place/in a different spot; having keys out and ready; and paying attention to his surroundings. Less common responses, all occurring in the scenario where John is robbed by a man, included carrying a gun; waiting to do shopping/shopping during the day; getting in the car/locking the door after entering the car/using panic button on the car; and having someone walk him to his car.

In comparison, Susan received similar responses regarding what she could have done regardless of the gender of the robber, including parking in front of the store/in a well-lit place/where other people can see her; having keys out and ready; paying attention to her surroundings/not being preoccupied; carrying mace and waiting to shop in the morning/at a decent time/at a different time. Overall, there were little differences in the responses given based on the gender of the victim or offender, with the exception that it was much more common for participants to indicate that Susan should have waited to shop in the morning/at a decent time/at a different time than was the expectation for John.

With regard to what the victim should have done to curtail the robbery once it was in progress, gendered actions became the only discernable feature of difference. Participants were more likely to answer that John and Susan had done the right thing by cooperating with the robber. However when examining alternative answers, the majority of participants indicated that

John should have initiated more “combative” responses and Susan more “communicative” forms when dealing with the robber.

For example, one Victim/Survivor Services respondent believed John should have tried to yell, throw the milk at the robber and run back into the store. It should also be noted that there was one Law Enforcement major who indicated that John was correct not to do anything because of the dangerous nature of the situation, but clarified this position with the caveat that if the victim would had been armed, then fighting back would be appropriate. Other actions included getting to a phone to call the police and making a mental note of the robber’s features so that he would be able to identify the offender later.

In the scenarios involving Susan as the victim, participants for the most part, agreed that she should not have done anything during the attack. However, in those responses that indicated otherwise, several wrote that Susan should have tried to reason with the robber. One respondent argued that Susan, should, in a quiet tone, speak to her assailant while attempting to back into the convenience store. Another thought she should have tried talking or reasoning with the robber, but acknowledged that it might not be wise to do so as it might bring a harsh reaction from the offender. Other actions included running away and some did advocate the use of physical action. Two participants wrote respectively that Susan should have yelled, hit or kicked the robber; while another thought she should have screamed to draw attention to what was happening and stabbed him in the eyes with her keys.

DISCUSSION and CONCLUSION

The purpose of this study was to assess whether the gender of the victim and offender in an armed robbery scenario would affect how responsible or blameworthy each are perceived to be by future criminal justice and victim services professionals. In summary, we hold that victim services and criminal justice students, across multiple crime scenarios, assign more blame to the

offender than the victim. This is not to say however that the offender is attributed total responsibility. Indeed, we find that the victim is accorded significant levels of attribution in their maltreatment and that gender appreciably impacts this perception. Specifically, we find that male victims are attributed the highest levels of blame for the crime committed against them, while women are attributed equal or greater positions on the question of having no responsibility for the crime or having some responsibility for the crime.

Further, we generally find that participants believe victims could have taken actions to prevent the crime, while most believed in robber compliance (giving the robber what they want) once the crime was under way. This said we nonetheless gain an impression from alternative responses that males should fight with their opponents while females should flee or try to talk their way out of harm.

The totality of findings both support and call into question traditional literature conclusions. First, in accordance with the research in this area, we find that victims of crime are perceived in somewhat negative terms (Ryan, 1971; Howard, 1984; Anderson and Swainson, 2001; Anderson, 2004). Indeed, less than half of the participants in this study were willing to assign total responsibility to the offender.

Theoretically, this may be explained within a framework of “A Just World” (Lerner, 1980; Anderson, 2004). In this orientation, negative victim perception is seen to occur when an observer overcompensates for a need to place an unfair act in a context that makes sense to them.

As Anderson (2004:2) writes:

One has a motivational need to believe that the world is just and fair place and that behavioral outcomes are deserved (“people get what they deserve and deserve what they get”), thus maintaining a sense of control and efficacy over the environment. To believe that unfortunate things happen to people without any apparent reason would prove chaotic and would subsequently threaten one’s sense of self-control.

Thus, to blame the victim is to create a sense of order and a belief that the world is understandable and actions happen for a reason. Such beliefs however, especially for justice professionals, truly deserve identification and discussion. For example, how much force to use in restraining a suspect, or how one might treat a drug dealer who was shot versus a child who was gunned down leaves room for the possibility of unequal treatment based on the responsibility assigned to those associated with the crime?

Second, we find that gender does influence reactions to victims. The literature has historically named gender a major factor in victim blaming (Howard, 1983; Anderson and Swainson, 2001; Anderson, 2004). In fact, victimization has typically been perceived as a feminine experience. This is to say that women are more likely to be thought of as potential victims and thus more likely to be seen as the cause of their victimization. In this study, female victim attribution does occur. Indeed, we find that women are attributed greater or equal positions on responsibility for the crime committed against them versus no responsibility for the crime. We believe that traditional female sex and gender role stereotyping along with perceptions of “a just world” often make this so.

One finding that is inconsistent with the literature is this study’s suggestion that men are more likely to be blamed for the crime committed against them. We suppose this is due to participants perceiving (through gendered norms) woman as incapable of defending themselves, whereas, men on the other hand “should” be able to resist the attack and are thus more responsible for the crime committed against them.

While women are generally blamed for characteristics that conform to the female stereotype, e.g., trust, passivity, carelessness (Howard, 1984), this study argues that men are blamed for behaviors that contradict the male stereotype, e.g., failure to fight back, show of fear

and shame (Pollack, 1998). Put another way, when victimized, females are blamed for living up to traditional female gender stereotypes while men are blamed for not living up to their traditional gendered norms.

In the end we hold that victim blaming, both male and female, derive primarily from gender stereotypes. Furthermore we believe that victim services and criminal justice professionals would benefit from a broader discussion of the relationship between blaming and gender identification. At the very least, practitioners should be aware of the effects of perception on their overall service actions and their reactions to victims.

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APPENDIX.

Questionnaire Items Used to Measure Victim Perception

1. How responsible is the victim for what happened?

Not at all responsible	Only slightly responsible	Somewhat responsible	Mostly responsible	Completely responsible
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2. How responsible is the robber for what happened?

Not at all responsible	Only slightly responsible	Somewhat responsible	Mostly responsible	Completely responsible
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3. Could the victim have prevented the robbery from occurring?

No	Probably not	Maybe	Probably	Definitely
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* What, if anything, could the victim have done?

4. Should the victim have tried to do something to curtail the robbery once it was in progress?

No	Probably not	Maybe	Probably	Definitely
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* What, if anything, should the victim have done?

****Author information:**

Kristine J. Hart

Learning in the Community
Washburn University
1700 SW College University
Topeka, KS 66621
Phone: 785-670-2287
e-mail: kristine.hart@washburn.edu

Richard B. Ellis

Learning in the Community
Washburn University
1700 SW College University
Topeka, KS 66621
Phone: 785-670-2117
e-mail: rick.ellis@washburn.edu

John Paul

Department of Sociology and Anthropology
Washburn University
1700 SW College University
Topeka, KS 66621
Phone: 785-670-1609
e-mail: john.paul1@washburn.edu