

Applying Theory to Crime: **MURDER**

In this section, we provide an example of a person (named Trent) who committed murder, largely due to influences from social interactions with his peers, who were fellow gang members. This illustrates an example of Sutherland's differential association theory, which will be discussed further below. But before we get to the actual example, it is important to understand murder or criminal homicide as well as some current statistics on this criminal act.

According to common law, as well as traditionally in the United States, the crime of murder is

defined as the "unlawful killing of a human being by another human being with malice aforethought."³⁰ However,

proving malice aforethought is sometimes difficult, because, under the modern interpretation, it is not necessary to prove either malice as it is commonly defined, nor forethought. Therefore, it is preferable not to rely upon this misleading expression for an understanding of murder.³¹

According to the Federal Bureau of Investigation (FBI) Uniform Crime Reports (UCR), murder and nonnegligent manslaughter are defined as the "willful (nonnegligent) killing of one human being by another."³² The UCR Program does not include such incidents as deaths caused by negligence, suicide, or accident; justifiable homicides; or attempts to murder or assaults to murder, which are counted as aggravated assaults.³³ Based on the 2014 report, the FBI summarized the following key findings concerning murder:

FIGURE 10.1

Murder by Weapon in 2014

