

- About 14,249 people were murdered nationwide in 2014. This is a 0.5% decrease from 2013 and a 3.2% decrease from 2010.
- Of the number of murders nationwide, 46.0% were in the South, 20.5% were in the Midwest, 20.5% were reported in the West, and 13.1% were reported in the Northeast.

Figure 10.1 provides a summary of the types of weapons used in these murders. Note that more than two thirds of the murders involved a firearm (67.9%), followed by knives or cutting instruments (13.1%).

There are instances when individuals, accused of murder, provide some type of defense to justify their criminal actions. For instance, self-defense is most often used as a defense in homicide cases. The defendant must show some evidence of the following to make such a claim:

- Unlawful force was threatened against him or her.
- Danger of harm was imminent.
- He or she was not the aggressor.
- He or she fully believed that danger existed.
- Force was necessary to avert the danger.
- The type and amount of force used was necessary.

The jury is then required to determine whether the defendant's perception

of the need of self-defense, or the degree of force used, was reasonable.<sup>34</sup> Another defense is the insanity defense. Throughout American history, the insanity defense has varied. We discuss this in more detail in Chapter 7. A well-known case using a diminished-capacity defense occurred in 1978, when Dan White shot and killed San Francisco mayor George Moscone and San Francisco supervisor Harvey Milk. His diminished-capacity defense was termed the "Twinkie Defense" by the media. It was based on psychological testimony revealing that Dan White's junk-food diet exacerbated a chemical imbalance in his brain. Thus, he was not deemed legally responsible for these deaths.<sup>35</sup>

To clarify key aspects of differential association, we apply this perspective to the crime of murder. Trent had a troubled family life and difficulties in school. He did not easily establish and maintain close relationships with his family or friends. When Trent was 12 years old, he was befriended by a couple of boys in his neighborhood. He would spend a great deal of time with these boys, and these boys were part of a local gang. In this gang, Trent learned how to shoplift, burglarize homes and businesses, and sell drugs. He also learned how to use a gun. Soon he began to incorporate beliefs such as, one has to "take what one wants" rather than "work hard and wait for the rewards." This attitude illustrates an excess of definitions favorable to violating the law over definitions unfavorable to violating the law.

When Trent was 16 years old, he and some of his fellow gang members spotted a man driving a very

expensive car. They decided to carjack the automobile at any cost. They waited until the man was at a red light and pulled their car alongside his. Given his previous internalization of the techniques and motivations provided by fellow gang members as well as their encouragement just prior to the incident, Trent got out through the passenger-side door and told the man to get out of his car. The man refused, so Trent shot him once in the head. Trent then dragged the man out of the car and slid into the driver's seat and drove away. A number of eyewitnesses immediately called 911. Two days later, Trent was arrested and charged with murder.

Incorporating Sutherland's differential association, we can argue that Trent learned to engage in criminal activity through his friends. This learning process also involved Trent being exposed to definitions and attitudes favorable toward crime, which ultimately resulted in Trent committing murder because he wanted an automobile "at any cost."

## THINK ABOUT IT

By incorporating Sutherland's differential association, consider the following:

1. What influenced Trent to engage in criminal activity?
2. Was he more likely to be exposed to definitions favorable, or unfavorable, to crime?
3. What could have deterred Trent to engage in criminal activity?