

DISCUSSION

Prevalence of Crimes Committed Against Homeless Persons

Overall Findings. Overall findings indicated that two-thirds of the participants in the present study were victims of one or more crimes in 2001. However, homeless victimization remains grossly underresearched relative to victimization in the general domiciled population. The lack of investigative research in this area may be a function of the differences between these two populations. In the general domiciled population, victimization is often noted as a significant life event affecting psychological health (Lurigio, 1987; Resick, 1987). Conversely, while not inconsequential to homeless persons, victimization is often outweighed by the effects of less temporary and in many cases chronic devastations of the general experience of homelessness, such as chronic hunger, substance abuse, and mental disorders. Accordingly, victimization of domiciled persons is more likely to be researched than victimization of homeless persons.

The findings of the present study regarding the extent of the problem of crimes committed against homeless persons support past research indications that the rate of victimization is higher in the homeless community relative to the general domiciled population. Past research also indicates a higher rate of perpetrators of crimes in the homeless community. These two parallel findings suggest that either the situational effects on victimization and criminal behaviors neutralize individual sociodemographic characteristics (Kennedy and Baron, 1993; Sampson and Lauritson, 1990; and Lauritson, Sampson, and Laub, 1991) or there is some degree of overlap in the individual sociodemographic characteristics of homeless victims and perpetrators. Stated

differently, either the condition of homelessness causes some individuals to be either victims or perpetrators irrespective of individual characteristics or victims and perpetrators share some of the same characteristics.

The present study provides evidence linking victimization and offending in that some homeless victims are also perpetrators of crimes against homeless persons. Interview data from the present study indicated that the majority of assault crimes occurred as a result of arguments that took place while both parties were inebriated. Victims of these types of assaults at any one given time also reported being perpetrators of assault against former victims at another given time. Present findings also indicated that the overwhelming majority of offenders were acquaintances of the victim.

Past research has demonstrated that the link between vulnerability of victimization and the tendency towards offending is a function of shared sociodemographic characteristics. For example, a clear association has been established between mental illness and criminal behavior (Benda, 1987; Richman, Convit, and Martell, 1992) and between mental illness and victimization (La Gory, Ritchey, and Mullis, 1990; and Lin, Dean, and Ensel, 1986).

There is little empirical research that has examined the victim-offender relationship in homeless crimes (Kennedy and Baron, 1993; Sampson and Lauritson, 1990; Lauritson *et al*, 1991). The few studies that have been conducted in this area indicate that both offenders and victims tend to be young, unemployed, single, and male (Hindelang, Gottfredson, and Garofalo, 1978; and Sampson and Lauritsen, 1990), leading some researchers to conclude that offenders and victims

are not necessarily mutually exclusive individuals, but are in many cases one in the same person (Kennedy and Baron, 1993; Lauritsen *et al*, 1990; and Singer, 1986, 1981).

Results of the present study also indicated that victims experienced more robberies or thefts and assaults than forced criminal participation and rape. This finding supports the opportunity model of victimization. For example, there were more robbery victims⁵ who received monthly financial benefits than did not. Both homeless participants and law enforcement officers indicated that robbery offenders make it a point to find out who receives benefits and who does not. One apparent conclusion here, and the basis for the theory that underlies the opportunity model, is that individuals with regular incomes are attractive targets.

Differences Among Data Groups. Exploration of homeless victimization experiences among data groups with regard to prevalence of homeless victimization indicated one striking difference: frequency levels varied across groups in a bi-modal fashion. Specifically, homeless persons and advocates of homeless persons indicated higher frequency levels of homeless victimization than did law enforcement officers and prosecutors. The manner in which the frequency levels varied suggests that this difference is due to the lack of reporting of crimes to law enforcement on the part of homeless victims. In general, homeless victims are aware of crimes that they have experienced. In many cases, these crimes are reported to advocates of homeless persons but not to law enforcement officers. Consequently, law enforcement officers do not have homeless victimization cases to submit to prosecutors.

Differences Among Municipalities. There were homeless participants in all cities who indicated one or more victimization experiences, the

⁵Eight percent of the indicated robberies were actually thefts but were included in the robbery category due to the similarity of offense (money or property was taken) and the relatively low frequency of occurrence.

majority of which were unreported to law enforcement (52 out of 69 participants that indicated victimization also indicated not reporting the incident[s] to law enforcement). Sacramento (93%), Stockton (73%), Oakland (73%), and San Francisco (73%) indicated the highest percentages of victims while Marysville (47%) and Vacaville (40%) had the lowest. It should be noted that cities with lower victim rates also have smaller homeless populations relative to larger cities. For example, San Francisco currently has upwards of 14,000 homeless persons, while Vacaville has approximately 1,200.

Prevention, Reporting, Apprehension, and Prosecution

Overall Findings. As noted in the introduction section of this report, factors involved in homeless victimization have not been thoroughly studied. As a result, there are no empirically based critical analyses of past and present strategies for prevention, reporting, apprehension, and prosecution to compare and contrast.

Additionally, there were no homeless programs found in cities selected for this study which have crime prevention as an expressed objective.

The realization of the dearth of research on homeless victimization, however, is a significant finding in and of itself in that it illuminates several notable points. First, as previously mentioned, it supports the contention that the effect of homeless victimization is not as pressing as what appear to be more urgent protracted stressors such as hunger, mental disorders, and substance abuse. Second, it encourages investigative research in this area. Third, knowledge gleaned from future studies on factors involved in homeless victimization can be used to shape policy considerations and legislation.

Differences Among Data Groups. Results of the present study indicate that homeless persons and advocates of homeless persons had much the

same perspective on prevention, reporting, apprehension, and prosecution. Both groups reported that preventive measures should include an increase in the number and type of homeless programs and social services. Both groups also perceived that law enforcement did not follow through on homeless victimization reports, which in turn adversely impacted apprehension and prosecution efforts.

Law enforcement officers and prosecutors suggest that addressing the overall issue of homelessness is the most effective way to effect homeless victimization. Most law enforcement officers agreed with the general perspective of prosecutors in that substance abuse on the part of victims hinders the reporting process and therefore apprehension and prosecutorial efforts.

Reconciling these views with what is known about crime prevention strategies in the general domiciled population indicates a need for increased awareness of situational factors (targeting situations that precipitate crime) and social factors (targeting factors that increase the supply of motivated offenders) that are specific to the homeless community. This can be achieved through empirical research endeavors.

A first step in this process would be to investigate subgroups of homeless persons who experience victimization and then compare the findings with those of investigations of like subgroups in the domiciled population. For example, the nature and extent of crimes committed against homeless victims with mental disorders could be compared and contrasted with the nature and extent of crimes committed against victims with mental disorders in the domiciled population. A comprehensive study of this type would be designed to uncover situational and social victimization factors that need to be addressed in order to prevent crimes against homeless persons and to improve reporting, apprehension, and prosecution.

Expansion of the Definition of Hate Crime

Overall results of the present study with respect to anti-homeless crimes do not support the expansion of the definition of hate crimes to include crimes committed in whole or part because the victim is homeless or is perceived to be homeless. One out of four data groups (advocates) indicated that crimes motivated by the victim's housing status do occur in the homeless community. Three data groups (law enforcement officers, prosecutors, and homeless persons)⁶ indicated that crimes motivated by the victim's housing status do not occur in the homeless community.

Specifically, reports from advocates in five out of the seven cities indicated that crimes motivated by the victim's housing status against homeless persons occur with regularity. Reports of such crimes against homeless persons to advocates were based on reports from newspapers and homeless shelters.

One-hundred percent of the law enforcement officers and prosecutors indicated no knowledge of crimes motivated by the victim's housing status occurring in the homeless community. Increased reporting of homeless victimization would aid in determining whether this finding is a result of a total absence of such crime in the homeless community or a lack of reporting these crimes in the homeless community.

On one or more occasions, 70% of homeless participants indicated a perception that they were victimized because they were homeless (there were no expressions of bias-motivation on the part of perpetrators), 61% indicated a perception that the perpetrator was also homeless, and 77% indicated that they were victimized by an acquaintance.

⁶The majority of homeless persons who perceived being victimized because of their housing status also indicated that the offender was homeless and an acquaintance. Victims also indicated that the victimization occurred while both the victim and offender were inebriated. No expressions of bias motivation by offenders were reported by homeless victims.

These indications, that the offender was an acquaintance of the victim and that the offender was also homeless, make it impossible to discern conclusively whether the crimes were committed because of opportunity, passion, alcohol induced diminished impulse control, or more remotely, bias due to self-loathing. Furthermore, the following two general commonalities of hate crime offenders against victims currently in a protected class are at odds with these findings: Perpetrators of hate crimes against a protected group (1) have not been members of that group and (2) have expressed bias against that protected group. Further research is needed in order to make a definitive conclusion about the motivation of offenders.

Recommended Plan: Priorities for Strategic Direction

Prevention and Reporting

Researching and Tracking the Type and Frequency of Crimes Committed Against Homeless Persons

As noted, information gleaned from current literature and interview data revealed no empirically based reports of past or present crime prevention strategies specific to the homeless community. Also, there are no homeless programs currently in existence that have crime prevention as an expressed goal. Accordingly, information useful for developing prevention strategies must be identified, accumulated, and analyzed.

A first step in this process is to track the frequency and type of crimes that are committed against homeless persons. The extent and nature of the problem of crimes committed against homeless persons in California have not been determined due to lack of reporting on the part of homeless victims and because there is no centralized data-collection system in place which identifies homeless victims. Results of the present study indicate that approximately two-thirds of homeless participants were victimized in 2001, suggesting an estimate of over 66,000 homeless

persons victimized in 2001. A centralized statewide data-collection system, in conjunction with a comprehensive research study, would allow the frequency and type of homeless victimizations to be tracked and lead to an increased understanding of the extent and nature of crimes committed against homeless persons, as well as effective prevention strategies for these crimes.

Apprehension and Prosecution

Improving Apprehension and Prosecution by Enhancement of Reporting Procedures

Apprehension and prosecution can be enhanced by improving the mechanism by which crimes against homeless persons are reported. Specifically, increasing the accessibility of law enforcement to the homeless community and implementing procedures to change current perceptions of some homeless victims – that there is a lack of follow through on homeless victimization reports by law enforcement officers – could increase the frequency of reports of homeless victimization to law enforcement. If homeless victims have the perception that a system is in place to prosecute perpetrators of crimes committed against them, they will be more likely to report these crimes.

Legislative Recommendations

Identification of priorities for strategic direction in implementing a plan for preventing crimes against homeless persons and for improving reporting, apprehension, and prosecution of those crimes that do occur were based on information gleaned from the results of the present study. The following is a list of legislative recommendations necessary to carry out the plan and whether to expand the definition of hate crimes to include crimes committed in whole or in part because the victim is homeless or is perceived to be homeless:

Prevention and Reporting

- Provide funding to the California Department of Justice (DOJ) to establish and maintain a

statewide reporting system in order to track the frequency and type of crimes committed against homeless persons that are reported to law enforcement agencies and to obtain information on arrests, dispositions, and perpetrators from existing DOJ databases. The system would be comprised of a DOJ database, an annual report, and a 2-year investigative statewide study employed for the purposes of refining the system. The statewide reporting system would cost an estimated \$650,000 for the first year (includes staff, computer systems development, and first year of 2-year statewide study), \$400,000 the second year (includes staff, systems maintenance, second year of 2-year statewide study, and report publication and distribution costs), and \$230,000 each year thereafter (includes staff, systems maintenance, and report publication and distribution costs).

Apprehension and Prosecution

- Provide funding to include the following reporting process improvements in various levels of the Peace Officer Standards and

Training curriculum: Training to (1) increase accessibility of law enforcement to homeless victims and (2) extend reporting follow-up procedures to include notification to homeless victims of a place and times where they can obtain information regarding the status of reported crime(s). Estimates for additions to the POST curriculum would be determined by POST. The current cost to develop a 2-hour POST training course is typically \$75,000.

Expansion of Hate Crime Definition

- Data obtained from the seven Northern California cities indicated that there is not sufficient evidence to recommend the expansion of the hate crime definition to include crimes committed in whole or in part because the victim is homeless or is perceived to be homeless.
- A subsequent study which includes a larger sample of cities from all regions of California would allow a recommendation to be made based on statewide data.

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