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**FEMALE HOMICIDE COMMITMENTS:  
1986 vs. 2005**



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## **Female Homicide Commitments: 1986 vs. 2005**

In 1987, the Division of Program Planning, Research and Evaluation produced a report about the 78 female homicide commitments admitted to the Department of Correctional Services during 1986. That report focused on the relationship between domestic abuse and homicide committed by women.

Twenty years later, the relationship between abuse and female homicide is still a topic of significant public and legislative interest. Therefore, this was prepared to update the previous report. It presents information on the characteristics of the 36 female offenders committed to the Department of Correctional Services during 2005 for a homicide offense and, where possible, compares the 2005 cases with the 1986 cases.

This report presents information on the characteristics of the offense, the offenders, and the victims (based on the analysis of information located in individual case file folders). In particular, the report examines the relationship between domestic abuse and female homicides through a case folder review. Several summary case histories are included to illustrate the statistical findings of this report. Since the small number of cases limits statistical analysis, this study heavily relies on these summary case histories to profile these female offenders.

A summary of the major findings of this report is provided in the Executive Summary, that precedes the Table of Contents.

## Executive Summary

- Relatively few women are committed for homicide. During the 20 year period from 1986 through 2005, an average of 51 women per year were committed for homicide.
- This report is based on a review of the case folders of the 36 women committed for homicide in 2005. The results of this review are compared to findings of a similar Department study of the 78 women committed for homicide in 1986.
- Most of the female homicide offenders in both 1986 and 2005 were the sole perpetrators of the homicide offense. In 1986, 81% of the female homicide offenders were the sole perpetrators, while 75% of the 2005 offenders had this role.
- Overall, female homicide offenders were most likely to kill someone well known to them. Roughly 60% of the women in both sample years killed someone well-known to them. Among 1986 homicide victims, 35% were either married or cohabitating romantically with the offender. However, among 2005 homicide victims, only 14% were married or cohabitating with the offender. Another change from 1986 to 2005 was the proportion of victims who were the children of the offender. In 1986, 12% of the victims were the offender's child compared with 25% of the victims in 2005.
- There has been a great deal of research about the relationship between homicide and domestic abuse. It is commonly believed that women often kill a battering partner. This report, like the one produced in 1987, tested this belief. Findings indicate that women committed for homicide in 2005 were much less likely (33%) than those admitted in 1986 (59%) to have been experiencing abuse by the victim around the time of the offense.
- Much has been written about the "cycle of violence", in which violence perpetrates violence. Of the women committed for homicide, 27% of 1986 commitments reported prior abuse, by someone other than the homicide victim, compared with 42% of the 36 women admitted in 2005.
- If all of the reported experiences of abuse are taken into account (i.e., prior abuse by the homicide victim, abuse at the time of the offense, and abuse by someone other than the homicide victim), approximately half the women committed for a homicide offense in 1986 and 2005 had been the victim of abuse at some point in their lives (49% in 1986; 53% in 2005).

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## **Section 1: 2005 and 1986 Female Commitments**

In order to determine changes amongst the population of female homicide offenders at DOCS, the female homicide offenders admitted to DOCS in 1986 will be compared with those admitted in 2005. For comparison purposes, many of the topics presented in the 1986 report will also be presented in the current report. In 2005, there were 1,207 female new court commitments to the New York State Department of Correctional Services (DOCS), compared with 721 female new court commitments admitted to the Department in 1986.

Table 1 presents the number and percent of female commitments according to commitment offense. As shown in Table 1, the largest proportion of female new commitments in 2005 was committed for drug offenses (44%). This differs from the female new commitments in 1986, when the largest proportion of offenders was committed for violent felony offenses (38%). For the other crime categories, the proportions of offenders were similar in 1986 and 2005.

The focus of this report is those offenders who were committed for homicide offenses. Specifically, homicide offenses include: Murder, Attempted Murder, Manslaughter 1<sup>st</sup>, Manslaughter 2<sup>nd</sup>, and Other Homicide. Beginning with Table 2, the remainder of the report will represent only the female homicide commitments from 1986 and 2005.

Among the females admitted to DOCS for homicide offenses, the largest proportion in both 1986 and 2005 (60% and 42%, respectively) was committed for Manslaughter 1<sup>st</sup> (see *Table 2*). Also, a larger proportion was committed for Attempted Murder in 2005 (11%) than in 1986 (4%). Additionally, 14% of the female homicide offenders admitted in 2005 were committed for Other Homicide Offenses, compared to none in 1986.

Table 1. Female Commitment Offense Type

COMMITMENT OFFENSE & TYPE	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
VIOLENT FELONY	200	16.6%	272	37.7%
MURDER	6	0.5%	14	1.9%
ATTEMPTED MURDER	4	0.3%	3	0.4%
MANSLAUGHTER 1ST	15	1.2%	47	6.5%
RAPE 1ST	1	0.1%	2	0.3%
ROBBERY 1ST	17	1.4%	53	7.4%
ROBBERY 2ND	50	4.1%	86	11.9%
ASSAULT 1ST	21	1.7%	11	1.5%
ASSAULT 2ND	37	3.1%	12	1.7%
BURGLARY 1ST	5	0.4%	6	0.8%
BURGLARY 2ND	26	2.2%	22	3.1%
ARSON 1ST,2ND	9	0.7%	3	0.4%
SODOMY 1ST	0	0.0%	3	0.4%
SEX.AB-1ST,Ag.2	1	0.1%	0	0.0%
WEAPONS OFFENSES	7	0.6%	7	1.0%
KIDNAPPING 1ST,2ND	1	0.1%	3	0.4%
OTHER COERCIVE	99	8.2%	54	7.5%
MANSLAUGHTER 2ND	6	0.5%	14	1.9%
OTHER HOMICIDE	5	0.4%	0	0.0%
ROBBERY 3RD	37	3.1%	20	2.8%
ATT ASSAULT 2ND	20	1.7%	2	0.3%
CONSPIRACY 2,3,4	10	0.8%	6	0.8%
OTHER WEAPONS	5	0.4%	0	0.0%
OTHER SEX OFFENSES	3	0.2%	2	0.3%
OTHER COERCIVE	13	1.1%	10	1.4%
DRUG OFFENSES	533	44.2%	210	29.1%
DRUG SALE	338	28.0%	146	20.2%
DRUG POSSESSION	195	16.2%	64	8.9%
PROPERTY AND OTHER OFFENSES	355	29.4%	173	24.0%
BURGLARY 3RD	28	2.3%	6	0.8%
GRAND LARCENY	119	9.9%	77	10.7%
FORGERY	77	6.4%	53	7.4%
STOLEN PROPERTY	24	2.0%	24	3.3%
DRIVE INTOXICATED	52	4.3%	2	0.3%
CONTEMPT 1ST	3	0.2%	0	0.0%
ALL OTHER FELONIES	52	4.3%	11	1.5%
YOUTHFUL & JUVENILE OFFENDERS	20	1.7%	12	1.7%
YOUTHFUL OFFENDER	18	1.5%	12	1.7%
JUVENILE OFFENDER	2	0.2%	0	0.0%
GRAND TOTAL	1,207	100.0%	721	100.0%

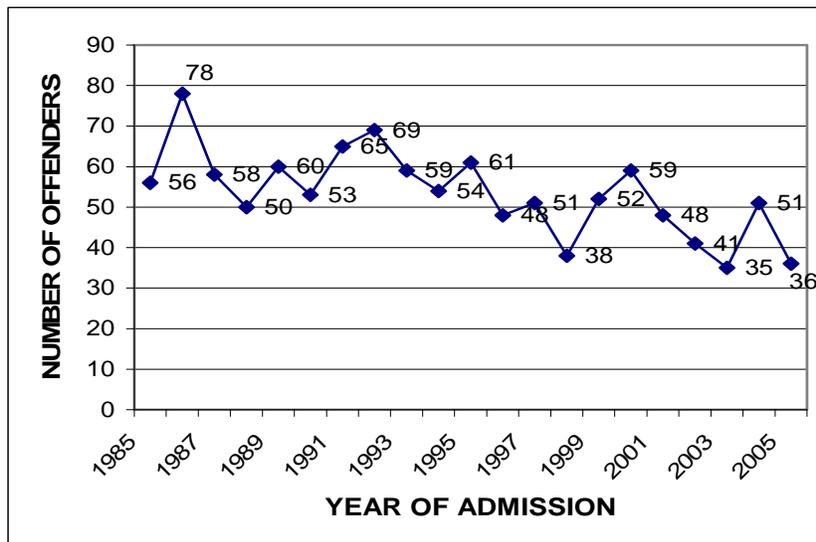
Table 2. Female Homicide Commitments

PROPORTION OF HOMICIDE OFFENDERS AMONG ALL FEMALE OFFENDERS	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
HOMICIDE OFFENDERS	36	3.0%	78	10.8%
MURDER	6	16.7%	14	17.9%
ATTEMPTED MURDER	4	11.1%	3	3.8%
MANSLAUGHTER 1ST	15	41.7%	47	60.3%
MANSLAUGHTER 2ND	6	16.7%	14	17.9%
OTHER HOMICIDE*	5	13.9%	0	0.0%
ALL OTHER FEMALE NEW COMMITMENTS	1,171	97.0%	643	89.2%
<b>TOTAL FEMALE HOMICIDE COMMITMENTS</b>	<b>1,207</b>	<b>100.0%</b>	<b>721</b>	<b>100.0%</b>

\* These cases include 4 convictions for criminally negligent homicide and 1 for vehicular manslaughter.

There was a difference in the proportion of female new court commitments admitted for homicide offenses in 2005 versus 1986. As Table 2 shows, in 1986, there were 721 commitments, of whom 78 (11%) were admitted for homicide offenses. In 2005, there were two-thirds more female new commitments (N=1,207), but only half as many offenders (N=36; 3%) were admitted for homicide offenses. However, rather than a trend, this difference represents the fact that 1986 happened to have the highest number of female homicide offenders in the last twenty years, while 2005 had one of the lowest numbers (*see Figure 1*). Figure 1 shows that the number of female homicide offenders admitted to DOCS annually has varied from year to year. As a result, it is important to examine these offenders more closely in order to learn whether there have been changes in the composition of the female homicide offender population over time.

Figure 1. Number of Female Homicide DOCS Admissions: 1985 to 2005



## Section 2: Characteristics of the Offense

### Offender Role

To determine the role of the offender in the offense, case files were examined that contained narrative accounts of the offense. Most of the homicide offenders included in this report were the sole perpetrators of the homicide offense. In 1986, 81% of the female homicide offenders were the sole perpetrators, while 75% of the 2005 offenders had this role.

Table 3. Participation Level in Commission of Homicide

OFFENDER'S ROLE IN HOMICIDE	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
SOLE PERPETRATOR	27	75.0%	63	80.8%
NOT SOLE PERPETRATOR	9	25.0%	15	19.2%
TOTAL FEMALE HOMICIDE COMMITMENTS	36	100.0%	78	100.0%

The following summary is typical of the women who acted alone in committing the involved homicides. These cases commonly involved either the offender's partner or child as the victim.

### **Case #1 - Homicide of Ex-Boyfriend**

*This case involves the shooting death of the 42-year old offender's ex-boyfriend. After she shot her ex-boyfriend, she placed his body in a garbage bag, taped the bag shut, and hid it in the basement of her New York City home for two months. After she turned herself into authorities, the body was discovered and the death was ruled a homicide. The offender pled guilty to 1st degree Manslaughter and received a 20 year determinate sentence. The apparent motive for the murder was hurt, anger and humiliation that the victim caused the offender. Prior to the offense, the offender did not suffer from mental health problems, but sought treatment for depression after the incident. She had no history of alcohol or substance abuse and no prior known contact with the criminal justice system. She had a college degree and was employed by a New York City agency at the time of the offense.*

Fifteen cases in 1986 and nine cases in 2005 involved women who were not the sole perpetrators of the homicide offense. The cases in which the women were not the sole perpetrators were evaluated to determine if the women had an active role in the death of the victim or if their role was non-active (i.e., not participating in the actual killing of the victim or the planning of the offense). The evaluation of these cases determined that the homicide offenses were usually committed during the commission of another crime and the accomplice was usually a male.

The following case is illustrative of homicides in which a male accomplice was involved. In this case, the offender and her male accomplice were members of the same gang.

### **Case #2 - Homicide of Teenager by Gang Members**

*This case involves the beating and stabbing-to-death of a 13-year old boy, by the 21-year old offender and her boyfriend in Brooklyn. The motive for the murder of the boy was the fact that he stole \$1 from the offender's boyfriend. The offender's role in the offense was tying up the victim and hitting him with a baseball bat. The offender and her boyfriend were both members of a street gang. The offender in this case had a prior conviction for Robbery 2<sup>nd</sup> as a juvenile delinquent that resulted in her placement Upstate for 18 months. She had a history of violence, including being involved in fights at school, from which she dropped out after completing 10<sup>th</sup> grade. This violent temperament continued after her arrest. While awaiting her trial, she was arrested for assaulting 2 corrections officers. The average-sized offender was convicted of Murder 2<sup>nd</sup> and sentenced to 25 years to life. Regarding her mental health, she had several inpatient hospital stays due to suicide attempts as a teenager. She also received outpatient mental health treatment which resulted in her taking medication. At the time of the offense, the offender, who had never been employed, was receiving SSI payments due to having a mental disability. The offender was raised by both parents until the age of 4, when her parents separated. She then resided with her mother, her two siblings, and her mother's boyfriend. She maintained a relationship with her father after her parents' divorce, except for the six years he spent in prison. At the time of the offense, the offender had a very heavy daily marijuana habit (which started at age 9); she denied ever using alcohol or other drugs. There was no indication that the defendant experienced physical or sexual abuse as a child, although she was physically disciplined by her mother.*

### **Weapon Use**

Table 4 presents the type of weapon used in the homicide offense. Cases with multiple weapons were categorized hierarchically, based on the lethality of the weapon. For example, if both a gun and a knife were used, the weapon was classified as a gun.

Similar to the women admitted in 1986, the women admitted in 2005 were most likely to have killed their victim with a knife (46% in 1986; 31% in 2005). However, there were some differences in weapon use between the offender populations admitted in 1986 and 2005. Among the 1986 cohort, the next most common weapons used were a gun (21%) and physical force (18%). Among the 2005 cohort, the next most common weapons used were a car (19%) and physical force (17%).

Table 4. Weapon Use by Female Homicide Offenders

WEAPON USED IN HOMICIDE	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
KNIFE	11	30.6%	36	46.2%
GUN	5	13.9%	16	20.5%
CAR	7	19.4%	0	0.0%
PHYSICAL FORCE	6	16.7%	14	17.9%
POISON	0	0.0%	2	2.6%
NO WEAPON	1	2.8%	6	7.7%
OTHER	5	13.9%	4	5.1%
UNKNOWN	1	2.8%	0	0.0%
<b>TOTAL FEMALE HOMICIDE COMMITMENTS</b>	<b>36</b>	<b>100.0%</b>	<b>78</b>	<b>100.0%</b>

As illustrated by the following case, knives, guns, and physical force were commonly used weapons.

### Case #3 - Murder for Hire

*In this case, the 36-year old offender hired someone to kill her 55-year old business associate, whom she believed to be a con artist. The victim was shot twice, stabbed over 50 times, and bludgeoned to death at his suburban home in Upstate New York. Although the offender denied being in the room when the victim was killed, she admitted to being present at the scene of the crime during the commission of the offense. The offender had a prior misdemeanor offense in another state over a decade before the present offense, which was her first and only contact with the criminal justice system. After a lengthy investigation, the offender was arrested in another state more than a year after the murder. She pled guilty to 2<sup>nd</sup> degree Murder and received a sentence of 20 years to Life. The offender had attended college and was self-employed at the time of the offense. Regarding her personal life, the offender was single and had a teenage daughter. She had no history of mental illness or substance abuse.*

## Substance Use at the Time of Crime

Previous research has shown a relationship between substance abuse and homicide, particularly when a battering relationship is present (Canestrini, 1987; Dutton, 2007; Hien & Hien, 1998; Parker & Auerhahn, 1998). In the current study, pre-sentence investigations were read from case files to determine whether alcohol or drugs were used by either the homicide offender or victim.

In the current study, 68 cases from 1986 and 33 cases from 2005 contained enough information about the offense to determine drug or alcohol use by the homicide victim or offender at the time of the offense. As Table 5 shows, in over half the cases with available data (55% in 1986; 61% in 2005), there was no evidence of substance use by either the victim or the offender. Approximately two-fifths of the cases (40% in 2005; 46% in 1986) involved substance use by the victim, the offender, or both the victim and the offender.

Table 5. Substance Use by Female Homicide Offenders or Victims

SUBSTANCE USE OF VICTIM/OFFENDER	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
NO SUBSTANCE USE BY VICTIM OR OFFENDER	20	60.6%	37	54.4%
SUBSTANCE USE BY BY OFFENDER	6	18.2%	12	17.6%
SUBSTANCE USE BY BY VICTIM	2	6.1%	7	10.3%
BY BOTH VICTIM OR OFFENDER	5	15.2%	12	17.6%
<b>TOTAL FEMALE HOMICIDE COMMITMENTS</b>	<b>33</b>	<b>100.0%</b>	<b>68</b>	<b>100.0%</b>

\* There were 3 cases in 2005 and 10 in 1986 for which substance abuse information was unknown.

The following summary is characteristic of the homicides in which substance abuse played a pivotal role. In this vehicular homicide case, only the offender was under the influence.

### **Case #4 – Vehicular Homicide of Stranger**

*The 22-year old offender in this case had no previous criminal record. In this case, the offender drove through a red light, after having consumed three drinks at a restaurant, and collided with a car, killing the 80-year old passenger. Police determined that she had a blood-alcohol level of .18 at the time of the car accident. The offender pled guilty to Criminally Negligent Homicide and was sentenced to a term of 1 to 3 years. There was no indication that the offender had suffered any form of abuse during her life, although she experienced a parental divorce and custodial changes during her childhood. At the time of the offense, the offender was estranged from her husband and was living with her boyfriend in Upstate New York; she had no children. She had earned a GED and attended classes at a community college. At the time of the offense, she was employed part-time at two different jobs.*

### Section 3: Victim Characteristics

#### Victim Gender

The majority of the victims included in this study of female homicide offenders were male; however, there was a larger proportion of female victims among the 2005 cohort (39%) than among the 1986 cohort (26%)(see *Table 6*).

Table 6. Gender of Homicide Victims

GENDER OF HOMICIDE VICTIM	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
MALE	22	61.1%	58	74.4%
FEMALE	14	38.9%	20	25.6%
TOTAL FEMALE HOMICIDE COMMITMENTS	36	100.0%	78	100.0%

#### Victim Age

The age of the victim was unknown in about 30% of the cases from both 1986 and 2005 (see *Table 7*). Among the victims for whom age was known, twice as many victims were under age 16 among the 2005 admission cohort (40%) than among the 1986 admission cohort (20%), although the number under 16 was similar in 1986 (11) and 2005 (10).

Table 7. Age of Homicide Victim

AGE OF HOMICIDE VICTIM	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
Newborn to 11 months	4	16.0%	7	13.0%
1 to 5 years	4	16.0%	3	5.6%
6 to 15 years	2	8.0%	1	1.9%
16 to 19 years	0	0.0%	2	3.7%
20 to 24 years	1	4.0%	6	11.1%
25 to 29 years	2	8.0%	5	9.3%
30 to 34 years	0	0.0%	3	5.6%
35 to 39 years	3	12.0%	3	5.6%
40 to 44 years	0	0.0%	3	5.6%
45 to 49 years	2	8.0%	3	5.6%
50 to 54 years	1	4.0%	5	9.3%
55 to 59 years	1	4.0%	4	7.4%
60 to 64 years	2	8.0%	7	13.0%
65 years or older	3	12.0%	2	3.7%
TOTAL FEMALE HOMICIDE COMMITMENTS	25	69.4%	54	100.0%

\* Age of the victim was unknown in 11 cases in 2005 and 24 cases in 1986.

Among homicide victims for whom age was known, the age distribution differed by victim gender (see Table 8). For example, among homicide victims in 1986, 46% of the female victims were age 10 or younger, compared with only 10% of the male victims.

Victim age and gender among 2005 homicide victims differed from 1986 victims. In both 1986 and 2005, 46% of female victims were age 10 or younger. Among male victims, 29% were age 10 or younger in 2005 compared to only 10% in 1986.

Table 8. Age of Homicide Victim by Victim Gender

AGE OF HOMICIDE VICTIM	Admitted in 2005				Admitted in 1986			
	VICTIM GENDER				VICTIM GENDER			
	Male		Female		Male		Female	
10 years or younger	4	28.6%	5	45.5%	4	9.8%	6	46.2%
11 to 19 years	1	7.1%	0	0.0%	2	4.9%	1	7.7%
20 to 29 years	1	7.1%	2	18.2%	8	19.5%	3	23.1%
30 to 39 years	2	14.3%	1	9.1%	6	14.6%	0	0.0%
40 to 49 years	2	14.3%	0	0.0%	6	14.6%	0	0.0%
50 to 59 years	2	14.3%	0	0.0%	8	19.5%	1	7.7%
60 years or older	2	14.3%	3	27.3%	7	17.1%	2	15.4%
TOTAL	14	100.0%	11	100.0%	41	100.0%	13	100.0%

Victim-Offender Relationship

The victim-offender relationship is an important variable to examine when studying homicides committed by females. A key question addressed by the victim-offender relationship is whether women kill because they have become more violent in their criminal behavior, or do they kill as a response to the victimization they have experienced from an abusive partner?

Table 9 presents the victim-offender relationship for the women committed for homicide in 1986 and 2005. For these purposes, “spouse” refers to a legal marriage, while “cohabitating paramour” refers to persons who were residing together at the time of the offense although not legally married. “Long-term acquaintances” were those people who were not living together at the time of the offense, but who were well known to each other, although they did not have a romantic relationship. “Relative” is a relative other than a spouse or the offender’s child. Those persons who knew each other for approximately six months or less, but were acquainted in some way, were classified as “short-term acquaintances”. “Strangers” were persons who were unknown to the offender prior to the homicide. The category “Person involved with spouse or paramour” refers to those persons who the offender perceived to be romantically involved with the offender’s paramour (or ex-paramour) at the time of the offense. The three cases from 2005 that were classified as “other” represent: a drug customer, a business associate, and a child who the offender was babysitting.

Among 1986 homicide victims, 35% were either married or living with the offender. However, among 2005 homicide victims, only 14% were married or living with the offender. Another change from 1986 to 2005 was the proportion of victims who were the children of the offender. In 1986, 12% of the victims were the offender's child, compared with 25% of the victims in 2005 (see Table 9). Consistently across the two cohorts, female homicide offenders were most likely to kill someone well-known to them (60% in 1986; 58% in 2005).

Table 9. Victim-Offender Relationship

VICTIM-OFFENDER RELATIONSHIP	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
Well-Known to Offender				
Spouse	1	2.8%	7	9.0%
Living Together	4	11.1%	20	25.6%
Long-Term Acquaintance	2	5.6%	10	12.8%
Relative	2	5.6%	1	1.3%
Offender's Child	9	25.0%	9	11.5%
Ex-boyfriend/Child's Father	3	8.3%	0	0.0%
Subtotal	21	58.3%	47	60.3%
Not Well-Known to Offender				
Short-Term Acquaintance	4	11.1%	9	11.5%
Person Involved with Paramour	2	5.6%	3	3.8%
Stranger	5	13.9%	14	17.9%
Other	3	8.3%	0	0.0%
Unknown	1	2.8%	5	6.4%
Subtotal	15	41.7%	31	39.7%
TOTAL	36	100.0%	78	100.0%

In the child homicide cases, the offenders sometimes acted alone and sometimes acted in concert with an accomplice.

#### Case #5 - Murder of Young Son

*In this case, the 34-year old offender confessed to police that she played a role in her 2-year old son's death 13 years earlier. Apparently, the offender and her then-boyfriend had discussed ways to kill the young boy, to alleviate his suffering from the burns he sustained over 60% of his body. He received the burns when the offender poured hot oil on him in response to voices in her head which told her to hurt her children. It is unclear exactly what caused the boy's death, but the offender admitted to punching him in the stomach before leaving him in the house with her boyfriend. The boy's injuries resulted in him being placed on life support and removed from life support once it was determined that he was brain-dead. The offender had a very troubled childhood which involved physical, mental, and sexual abuse by her father, which resulted in her placement in foster care. She dropped out of school after completing 8<sup>th</sup> grade. The offender had an extensive mental illness history, including several suicide attempts, as well as a severe substance abuse problem. After her son's death, the offender had three more children, whom she admits trying to drown at different times (again, the voices told her to). The offender pled guilty to 1<sup>st</sup> degree Manslaughter in her son's death and received a sentence of 8 1/3 to 25 year (this was the same sentence received by her ex-boyfriend 13 years earlier for this crime). Aside from this offense, the offender's criminal history primarily involved petit larceny charges.*

## Case #6 – Homicide of Perpetrator’s Child

*This case involves the death of the perpetrator’s newborn son, as a result of asphyxiation. The circumstances of this case are that the 34-year old foreign-born mother gave birth to her son at home, covered up his birth, and disposed of his body and her bloody clothes in a bucket which was placed under the kitchen sink. After the offender complained to her boyfriend of vaginal bleeding, she was taken to the hospital where doctors determined she had recently given birth, even though she denied having been pregnant or going through labor. After doctors reported their suspicions to police, an investigation was started which resulted in the bucket being found under the sink. Medical examiners determined that the 6-pound baby boy had been born alive and that the cause of death was asphyxiation. The offender in this case had three daughters, ages 10, 11 and 15, who had been born from two different relationships, including her current boyfriend. Two of these children had been born at home, with the offender delivering them herself. She spoke only Spanish and had attended school in her home country through 7<sup>th</sup> grade. According to her, she had never used alcohol or illegal drugs and had never experienced abuse of any kind. The offender admitted knowing that she was pregnant but that she hadn’t told anyone because she wanted to surprise her boyfriend. She claims that after experiencing back pain, she passed out and woke up covered in blood with a blood clot between her legs, which she disposed of in the bucket, along with her clothes. The offender’s only other contact with the criminal justice system was for a petite larceny charge, 13 years earlier. The offender was convicted at trial of criminally negligent homicide and 1<sup>st</sup> degree manslaughter. She was sentenced to 15 ½ to 18 years.*

### Victim Condition

Victim condition refers to whether or not the victim was incapacitated in some way at the time of the homicide. Table 15 presents the victim’s condition at the time of the homicide. The majority of the victims in both 1986 and 2005 were apparently able at the time of the homicide (55% in 1986; 53% in 2005). However, a larger proportion of the victims in 2005 (22%) were young children or infants, compared with the victims in 1986 (13%). In addition, a larger proportion of the victims in 2005 were elderly (8%) compared to the victims in 1986 (3%). Alcohol or drugs played a much smaller role in the homicides for which females were committed to DOCS in 2005 than in 1986. Specifically, in 1986, 22% of the homicide victims were under the influence of drugs or alcohol at the time of the offense, compared with only 11% of the homicide victims in 2005. Overall, although a substantial proportion of the victims could be viewed as having some major vulnerability, such as age or intoxication, the majority of the victims appeared to have no apparent disability at the time of the homicide (see Table 10).

Table 10. Victim Condition at the Time of the Homicide

VICTIM CONDITION	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
Apparently Able	19	52.8%	43	55.1%
Asleep	1	2.8%	3	3.8%
Alcohol/Drugs	4	11.1%	17	21.8%
Young Child/Infant	8	22.2%	10	12.8%
Elderly	3	8.3%	2	2.6%
Autistic	1	2.8%	0	0.0%
Unknown	0	0.0%	3	3.8%
<b>TOTAL</b>	<b>36</b>	<b>100.0%</b>	<b>78</b>	<b>100.0%</b>

The following case demonstrates one of the situations in which the victim might be considered incapacitated, in this particular case, due to the victim being elderly.

### Case #7– Homicide of Elderly Father

*In this case, the 50-year old offender suffocated her 96-year old father with a pillow, causing his death. Fifteen months after the victim’s death, the offender was located in another state and charged with 2<sup>nd</sup> degree Murder; she pled guilty to Manslaughter 1<sup>st</sup> and received a 12½ year determinate sentence. The offender had no prior felony convictions; her only previous contact with the criminal justice system was when she received a DWI, for which her license was suspended and she attended classes. Prior to the homicide, she moved from another state to care for her elderly, ill father and disabled brother. However, her father was verbally and emotionally abusive to her and her brother. As a result, the offender began having flashbacks to her childhood, when her father sexually abused her. According to the offender, after the extensive verbal abuse of her father toward her brother, she lost control and, not knowing another way to get her brother out of the abusive situation, suffocated their father, which at the time was deemed a heart-attack that occurred in his sleep. The offender abused alcohol and marijuana regularly since she was a teenager, for over 35 years, which fit in with her family history of substance abuse. She had been hospitalized previously for depression and suicidal tendencies and had been taking anti-depressants until shortly after she moved in with her father and brother in southeastern New York. She had been married and divorced twice and had an adult child at the time of the offense.*

## Section 4: Homicide and Abuse

### Relationship between Homicide and Abuse

There has been a great deal of research about the relationship between homicide and domestic abuse. Many of these studies addressed the question, “Are the women who kill an abusive partner, a victim, or an offender?” (Campbell, 1992; Felson & Messner, 1998; Jones, 1980; Kuhl, 1985). Due to the fact that women often kill someone they are close to and the prevalence of domestic abuse, it is commonly believed that many of the women who kill and who are incarcerated are women who have killed a battering partner (Browne, 1987; Canestrini, 1987; Ewing, 1987; Gallup-Black, 2004; Ogle, Maier-Katlin & Bernard, 1995; Swatt & He, 2006).

In a 1987 report, Canestrini tested this belief by examining the relationship between homicide and domestic abuse among the cohort of women admitted to DOCS in 1986 for committing homicide. Specifically, information was gathered from inmate case folders and pre-sentence investigation reports. Data was collected regarding prior abuse perpetrated by the homicide victim, abuse that occurred shortly before or during the time of the offense, and any indication of prior abuse by anyone other than the homicide victim (i.e., parent or other relative). For research purposes, abuse was defined as physically violent acts toward the offender or when the woman offender asserted that the homicide was an act of self-defense. In order to replicate this study for the 2005 admission cohort, this same methodology was utilized. It should be noted that, as in 1986, this data is limited by the information contained in the inmate’s folder and consequently, may underestimate the amount of abuse that actually occurred.

### Prior Abuse by Homicide Victim

Table 11 presents data on the indication of prior abuse toward the female offender perpetrated by the homicide victim. In 1986, there was evidence of prior abuse by the homicide victim toward the offender in 23% (N=18) of the cases. In 2005, there was evidence of prior abuse in 22% (N=8) of the cases, so the proportion of offenders experiencing prior abuse by the homicide victim was consistent over time.

Table 11. Prior Abuse by Homicide Victim

PRIOR ABUSE BY HOMICIDE VICTIM	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
Evidence of Prior Abuse	8	22.2%	18	23.1%
No Evidence of Prior Abuse	28	77.8%	55	70.5%
Unknown	0	0.0%	5	6.4%
<b>TOTAL</b>	<b>36</b>	<b>100.0%</b>	<b>78</b>	<b>100.0%</b>

Table 11A presents data on the indication of prior abuse (defined as physical abuse which occurred sometime other than immediately before the homicide offense) perpetrated by the homicide victim against the offender (only for those persons who were well-known to the offender). Of the 73 women committed for a homicide in 1986, in which the victim-offender relationship was able to be determined, 38 (52%) killed someone they were close to, other than their children. Table 11A shows that 18 of these women (47%) had experienced prior abuse at the hand of the victim. Among the 36 women committed for a homicide in 2005, in which the victim-offender relationship was able to be determined, 12 (33%) killed someone they were close to, other than their children. Table 11A shows that 8 of these women (67%) had experienced prior abuse at the hand of the victim.

Overall, this indicates that while female homicide commitments in 2005 were less likely to have killed someone with whom they had a close relationship compared with the 1986 commitments (33% vs. 52%, respectively), those that did have such a relationship to the victim were more likely to have experienced prior abuse by the victim (67% in 2005; 47% in 1986). In both cohorts, the victims of those offenders who had experienced prior abuse by the victim were most likely to have been cohabitating with the victim at the time of the abuse (50% among the 2005 cohort; 61% among the 1986 cohort). Interestingly, in 1986, of the 20 offenders who were cohabitating with the victim at the time of the offense, 11 (55%) had experienced prior abuse by the victim, compared with 100% (N=4) of the victims who had been cohabitating with the 2005 offenders (see Table 11A).

Table 11A. Prior Abuse by Homicide Victim by Victim-Offender Relationship\*

VICTIM'S RELATIONSHIP TO OFFENDER	Admitted in 2005				Admitted in 1986			
	Prior Abuse by Victim		No Prior Abuse by Victim		Prior Abuse by Victim		No Prior Abuse by Victim	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Spouse	1	12.5%	0	0.0%	5	27.8%	2	10.0%
Paramour/Ex-paramour	1	12.5%	1	25.0%	0	0.0%	0	0.0%
Living Together	4	50.0%	0	0.0%	11	61.1%	9	45.0%
Long-Term Acquaintance	0	0.0%	2	50.0%	2	11.1%	8	40.0%
Child's Father	1	12.5%	0	0.0%	0	0.0%	0	0.0%
Other Relative	1	12.5%	1	25.0%	0	0.0%	1	5.0%
<b>TOTAL</b>	<b>8</b>	<b>100.0%</b>	<b>4</b>	<b>100.0%</b>	<b>18</b>	<b>100.0%</b>	<b>20</b>	<b>100.0%</b>

\* Note: The data in this table are presented only for cases where the victim-offender relationship was a close one.

The following summary illustrates cases in which the offender previously experienced abuse by the offender.

## Case #8 – Vehicular Homicide of Husband

*In this case, the 43-year old offender hit her husband with the car she was operating while intoxicated, resulting in his death. Apparently, she had driven to the bar he was drinking in to find out when he was coming home, when the incident occurred. According to her, she didn't mean to run over him; she tried to swerve to avoid him when she saw him in front of her car, but was unable to avoid him due to her drunken state. The offender pled guilty to Vehicular Manslaughter 2<sup>nd</sup> and was sentenced to 2 to 6 years in prison. Although this was the offender's first felony conviction, over the course of 20 years, she had two previous DWI misdemeanor convictions, as well as numerous unreported traffic accidents resulting from her drinking and driving. The offender had a serious alcohol abuse problem for over 20 years, during the time she and her husband were raising their three children (ages, 10, 11 and 13) in Western New York. While in her twenties, the offender also used marijuana and cocaine frequently. The offender and her husband had ups and downs in their relationship, sometimes resulting in his abusive behavior toward her. The offender was the middle of 5 children and experienced her parents' divorce around age 6. She graduated from high school in the Midwest before moving to New York.*

### Abuse at the Time of the Offense

Table 12 presents the victim/offender relationship according to abuse experienced by the offender at the time, or shortly before, the offense. These cases were characterized based on assertions by the offenders that fear, or self-defense, was the motive for their offense. The data in Table 12 are again limited to the women who killed someone well-known to them, since commonly accepted definitions of battering or abuse require some kind of repetitive actions that could only occur between people with a close relationship.

Among the offenders for whom information was obtained regarding current abuse by the homicide victim, those in the 2005 cohort were much less likely (4 out of 12, or 33%) than those in the 1986 cohort (20 out of 34, or 59%) to have been experiencing abuse by the victim around the time of the offense (see Table 12). Offenders who were experiencing abuse by the victim at the time of the offense were most likely to have had their relationship with the victim classified as "Cohabiting Paramour" (75% in 2005; 55% in 1986).

Table 12. Current Abuse by Homicide Victim by Victim-Offender Relationship\*

VICTIM'S RELATIONSHIP TO OFFENDER	Admitted in 2005				Admitted in 1986			
	Current Abuse by Victim		No Current Abuse by Victim		Current Abuse by Victim		No Current Abuse by Victim	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Spouse	0	0.0%	1	12.5%	5	25.0%	1	7.1%
Paramour/Ex-paramour	1	25.0%	1	12.5%	0	0.0%	0	0.0%
Living Together	3	75.0%	1	12.5%	11	55.0%	7	50.0%
Long-Term Acquaintance	0	0.0%	2	25.0%	3	15.0%	6	42.9%
Child's Father	0	0.0%	1	12.5%	0	0.0%	0	0.0%
Other Relative	0	0.0%	2	25.0%	1	5.0%	0	0.0%
<b>TOTAL</b>	<b>4</b>	<b>100.0%</b>	<b>8</b>	<b>100.0%</b>	<b>20</b>	<b>100.0%</b>	<b>14</b>	<b>100.0%</b>

\* Note: The data in this table are presented only for cases where the victim-offender relationship was a close one. Current abuse was unable to be determined for 4 cases from the 1986 cohort, which is why there are only 34 cases represented in the table, instead of 38.

The following case is an example of the typical case in which the offender was currently experiencing abuse.

### **Case # 9 – Homicide of Live-in Boyfriend**

*In this case, the 46-year old offender stabbed her live-in boyfriend to death during a dispute over drugs. Both she and the boyfriend had been drinking and using drugs for most of the day, prior to the altercation, at the home they shared in Central New York. The offender was originally charged with two counts of Murder 2<sup>nd</sup>, but she pled guilty to Manslaughter 1<sup>st</sup> and was sentenced to 22 years in prison. She had a previous conviction, at age 27, for Attempted Murder 2<sup>nd</sup> (the victim in that case was also stabbed), that resulted in her spending 4 years in prison. While incarcerated for this prior offense, she earned her GED. The offender led a very troubled life, beginning with physical and emotional abuse by her father and continuing with physical and sexual abuse by numerous men in her life, including the victim in this case. The offender had a serious alcohol abuse problem, which often resulted in her violent behavior toward others. The offender's violent tendencies started while she was still in grade school and continued throughout her life. At the time of the offense, she was diagnosed with Bipolar Disorder and Polysubstance Dependence, for which she was receiving outpatient treatment. However, because of her drug abuse, the full extent of her mental health problems was unknown. Regarding her personal life, at the time of her commitment to DOCS, the offender had a 24-year old son from a previous relationship, who had been raised by other family members; she had also been married briefly, prior to her husband's incarceration for Murder.*

### Prior Abuse by Other than the Homicide Victim

Much has been written about the “cycle of violence”, in which violence perpetuates violence (Maxfield & Widom, 1996). Specifically, those exposed to violence as children, as a victim or witness of violence, are more likely to become either a victim or perpetrator of violence later in life (Adler, 1976; O’Keefe, 1998; Widom & Maxfield, 2001). In order to determine if there was evidence of prior abuse by someone other than the current homicide victim, inmate folders were examined. However, the figures reported here probably underestimate the number of women who have experienced prior abuse, since the information provided in the case folder tends to be more accurate for circumstances at the time of the offense. Also, since there may not be an apparent link between earlier abuse and the homicide offense, information on abuse may not have been included in the pre-sentence investigation.

Table 13 presents the distribution, by victim-offender relationship, of the perpetrators of the prior abuse by someone other than the homicide victim. Of the women committed for homicide, 27% (N=21) of those admitted in 1986 had an indication of prior abuse, by other than the homicide victim, compared with 42% (N=15) of the 36 women admitted in 2005.

Table 13. Perpetrators of Prior Abuse (other than Homicide Victim)

PERPETRATOR OF PRIOR ABUSE	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
Spouse/Ex-Spouse	5	13.9%	2	2.6%
Paramour/Ex-paramour	3	8.3%	10	12.8%
Father	1	2.8%	7	9.0%
Mother	2	5.6%	2	2.6%
Other Relative	2	5.6%	0	0.0%
Other	2	5.6%	0	0.0%
No Indication of Prior Abuse	21	58.3%	57	73.1%
<b>TOTAL</b>	<b>36</b>	<b>100.0%</b>	<b>78</b>	<b>100.0%</b>

The case below is illustrative of the case histories of women who killed their children and reported prior abuse by a partner.

**Case #10 - Homicide of Toddler Daughter**

*In this case, the 21-year old offender shook her 17-month old daughter and threw her into other objects (e.g., furniture and walls), resulting in the child's death from Shaken Baby Syndrome. At the time, the offender also had a three-year old child and was expecting a third child. She was engaged to be married to her live-in boyfriend, with whom she shared a home in Western New York, at the time of the offense. The offender had previously abused alcohol and marijuana, but had not used any substance for approximately a year prior to the offense. The offender was extremely remorseful for causing the death of her daughter. She pled guilty to Manslaughter 2<sup>nd</sup> and was sentenced to a term of 4 to 12 years. The offender had been raised primarily by her father and step-mother after her mother abandoned the family, but at age 16 she began residing with her mother. At that time, she began abusing alcohol and marijuana and became involved in a physically and sexually abusive relationship that resulted in the births of her two oldest children. She dropped out of school before her senior year but subsequently earned her high school equivalency. She had been employed previously, but at the time of the offense, was a stay-at-home mother.*

Of the cases in which some prior abuse by someone other than the homicide victim was indicated, the largest proportion had been victimized by either a spouse/ex-spouse or paramour/ex-paramour (57% in 1986; 53% in 2005). A parent had been the abuser in 43% of the 1986 cases, but was the abuser in only 20% of the 2005 cases (see Table 13).

Table 13A presents the type of abuse experienced by the perpetrator (other than the homicide victim) for female homicide commitments admitted to DOCS in 2005 only (this data was not collected in the 1986 study). Among the 14 offenders who experienced prior abuse, for which this information was available, 50% (N=7) experienced physical abuse, 21% experienced sexual abuse, and 29% experienced both physical and sexual abuse. Among those experiencing physical abuse, the abuse was most likely to have been inflicted by a spouse or ex-spouse (57%). Among those experiencing sexual abuse, the abuse was most likely to have been perpetrated by another relative (67%), such as an uncle.

Table13A. Type of Prior Abuse by Perpetrator (other than Homicide Victim) \*  
 Female Homicide Commitments admitted to DOCS in 2005

PERPETRATOR OF PRIOR ABUSE	Type of Prior Abuse							
	Physical		Sexual		Both Physical & Sexual		Total	
Spouse/Ex-Spouse	4	57.1%	0	0.0%	1	25.0%	5	35.7%
Paramour/Ex-paramour	1	14.3%	0	0.0%	1	25.0%	2	14.3%
Father	0	0.0%	0	0.0%	1	25.0%	1	7.1%
Mother	2	28.6%	0	0.0%	0	0.0%	2	14.3%
Other Relative	0	0.0%	2	66.7%	0	0.0%	2	14.3%
Other	0	0.0%	1	33.3%	1	25.0%	2	14.3%
<b>TOTAL</b>	<b>7</b>	<b>100.0%</b>	<b>3</b>	<b>100.0%</b>	<b>4</b>	<b>100.0%</b>	<b>14</b>	<b>100.0%</b>

\* Note: The type of prior abuse was unable to be determined in one case, resulting in missing information.

### Summary

If all of the experiences of abuse are taken into account (i.e., prior abuse by homicide victim, abuse at the time of the offense, abuse by other than the homicide victim), approximately half of the women committed for a homicide offense in 1986 or 2005 had been the victim of abuse (38 out of 78, or 49% in 1986; 19 out of 36, or 53% in 2005). So, although the current homicide offense may not have been directly related to the abuse they endured, about half of the women in this study have been victims of violence during their lives.

## Section 5: Offender Demographics

This section of the report compares women committed to DOCS for homicide offenses with a comparison group of all other female commitments to the Department. Some of the data is missing for the offenders included in the control groups; therefore, the total numbers reported for the control groups may vary by table.

### Age at Time of Offense

Table 14 presents the age distribution at the time of the offense for those women committed to DOCS in either 1986 or 2005, categorized as those committed for homicide and the control group of the remaining new court commitments. The average age at the time of the offense was 29, for both the homicide offenders and the control group, among those admitted in 1986. Among females admitted to DOCS in 2005, the average age for homicide offenders was 33, while the average age for the control group was 34. So, the 2005 homicide commitments were younger, on average, than the other commitments; however, both of the 2005 groups were older than the 1986 female commitment groups.

Table 14. Offender Age at Time of Offense

AGE AT CRIME	Admitted in 2005				Admitted in 1986			
	Homicide Commitments		Other Commitments		Homicide Commitments		Other Commitments	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
13-15 YEARS	0	0.0%	2	0.2%	0	0.0%	0	0.0%
16-18 YEARS	5	13.9%	48	4.1%	7	9.2%	34	5.4%
19-20 YEARS	0	0.0%	67	5.7%	8	10.5%	57	9.0%
21-24 YEARS	9	25.0%	153	13.1%	13	17.1%	124	19.6%
25-29 YEARS	4	11.1%	150	12.8%	23	30.3%	190	30.1%
30-34 YEARS	4	11.1%	199	17.0%	9	11.8%	113	17.9%
35-39 YEARS	1	2.8%	211	18.0%	6	7.9%	54	8.5%
40-44 YEARS	6	16.7%	182	15.6%	3	3.9%	27	4.3%
45-49 YEARS	3	8.3%	101	8.6%	4	5.3%	14	2.2%
50-54 YEARS	3	8.3%	30	2.6%	2	2.6%	11	1.7%
55-59 YEARS	1	2.8%	19	1.6%	1	1.3%	5	0.8%
60-64 YEARS	0	0.0%	7	0.6%	0	0.0%	2	0.3%
65+ YEARS	0	0.0%	0	0.0%	0	0.0%	1	0.2%
TOTAL	36	100.0%	1,169	100.0%	76	100.0%	632	100.0%
AVERAGE AGE	32.7		34.0		28.9		29.0	
MEDIAN AGE	28.6		34.1		26.8		27.3	

Among 2005 homicide commitments, the median age (29) was quite a bit younger than the average age (33). For the other groups, median age was within a couple of years of the average age. In both admission years, the proportion of inmates age 18 or younger at the time of the offense was higher among the homicide group than among the control group. In 2005, 14% of homicide commitments were age 18 or younger, compared to 4% of the control group. In 1986, 9% of homicide commitments were age 18 or younger, compared with 5% of the control group (see *Table 14*).

### Race/Ethnicity

Table 15 presents the racial/ethnic status distribution for women admitted to DOCS in 1986 and 2005. For comparison purposes, homicide commitments are presented separately from the control group of all other new court commitments.

The data in Table 15 show that, in 1986, the majority of homicide and all other commitments were African-American (58% of homicide; 52% of all other), with the next largest category of inmates being Hispanic (22% of homicide; 30% of all other). So, in 1986, the ethnic/racial distribution of homicide commitments was similar to all other commitments. However, in 2005, the largest proportion of homicide commitments was Whites (47%), followed by African-Americans (39%), while the largest proportion of those in the control group was African-American (45%), followed by White (35%). The proportion of Hispanic women decreased between 1986 and 2005, from 22% of homicide commitments and 30% among the control group to 14% and 20%, respectively.

Table 15. Offender Race/Ethnicity

RACE/ETHNICITY	Admitted in 2005				Admitted in 1986			
	Homicide Commitments		Other Commitments		Homicide Commitments		Other Commitments	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
WHITE	17	47.2%	410	35.0%	15	19.2%	112	17.5%
AFRICAN-AMERICAN	14	38.9%	523	44.7%	45	57.7%	333	52.0%
HISPANIC	5	13.9%	229	19.6%	17	21.8%	194	30.3%
OTHER	0	0.0%	2	0.2%	1	1.3%	1	0.2%
UNKNOWN	0	0.0%	7	0.6%	0	0.0%	0	0.0%
TOTAL	36	100.0%	1,171	100.0%	78	100.0%	640	100.0%

### Education

Table 16 presents the educational attainment of female homicide commitments for 1986 and 2005 and for control groups of all remaining female commitments during those years. Educational status refers to the highest grade completed before admission to DOCS. For example, women who left school while attending the tenth grade but did not complete the tenth grade, would be

included in the ninth grade category. Women with any post-secondary education (e.g., vocational training or college credits) are included in the “some college” category.

Although there is not much difference in education level between homicide commitments and their control groups, average education level increased for female commitments between 1986 and 2005. Specifically, the average education level for all female commitments in 1986 was about 10<sup>th</sup> grade (9.9). By 2005, the average education level for female homicide commitments was nearly 12<sup>th</sup> grade (11.7), while it was 11<sup>th</sup> grade for the control group of female commitments (see Table 16).

Table 16. Education Level (Last Grade Completed)

EDUCATION LEVEL	Admitted in 2005				Admitted in 1986			
	Homicide Commitments		Other Commitments		Homicide Commitments		Other Commitments	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
6TH GRADE OR LESS	0	0.0%	35	3.0%	6	8.0%	44	7.2%
7TH GRADE	2	5.7%	24	2.1%	2	2.7%	23	3.7%
8TH GRADE	0	0.0%	65	5.6%	12	16.0%	59	9.6%
9TH GRADE	3	8.6%	127	11.0%	8	10.7%	104	16.9%
10TH GRADE	4	11.4%	164	14.2%	17	22.7%	138	22.4%
11TH GRADE	3	8.6%	124	10.8%	9	12.0%	75	12.2%
12TH GRADE	16	45.7%	475	41.2%	19	25.3%	138	22.4%
SOME COLLEGE	7	20.0%	139	12.1%	2	2.7%	34	5.5%
TOTAL	35	100.0%	1,153	100.0%	75	100.0%	615	100.0%
Missing Information	1		18		3		25	
Average Grade Level	11.7		11.0		9.9		9.9	

### Number of Children

The majority of women committed to the New York State Department of Correctional Services are mothers. Table 17 presents information on the number of living children, at the time of commitment, for the women committed for a homicide offense, in 1986 or 2005, and for control groups of all other female commitments during those calendar years.

Among 1986 commitments, a greater proportion of women committed for a homicide offense had living children (82%) than did the women committed for other offenses (71%). However, among the 2005 cohort of female commitments, those admitted for homicide offenses (75%) were equally as likely as those admitted for other offenses (74%) to have children. In 1986, a greater proportion of women admitted for homicide offenses had four or more children (19%) than those committed for other offenses (13%). In contrast, in 2005, a smaller proportion of women admitted for homicide offenses had four or more children (17%) than those committed for other offenses (20%). Overall, women committed to DOCS for homicide offenses in 2005 were less likely to have

children than those committed for homicide offenses in 1986. Among women admitted in 1986, those committed for homicide offenses had an average of 2.1 children compared to an average of 1.6 children for those committed for other offenses. In contrast, there was little difference between women admitted in 2005 for homicide offenses (2.0 children) and those admitted for other offenses (2.1 children)(see Table 17).

Table 17. Number of Living Children at time of Admission\*

NUMBER OF CHILDREN	Admitted in 2005				Admitted in 1986			
	Homicide Commitments		Other Commitments		Homicide Commitments		Other Commitments	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NO CHILDREN	9	25.0%	306	26.2%	14	18.2%	183	29.1%
ONE CHILD	10	27.8%	246	21.1%	26	33.8%	175	27.9%
TWO CHILDREN	3	8.3%	201	17.2%	10	13.0%	119	18.9%
THREE CHILDREN	8	22.2%	182	15.6%	12	15.6%	71	11.3%
FOUR CHILDREN	2	5.6%	105	9.0%	8	10.4%	38	6.1%
FIVE CHILDREN	1	2.8%	49	4.2%	3	3.9%	24	3.8%
SIX OR MORE CHILDREN	3	8.3%	77	6.6%	4	5.2%	18	2.9%
TOTAL	36	100.0%	1,166	100.0%	77	100.0%	628	100.0%
AVERAGE # of CHILDREN	2.0		2.1		2.1		1.6	

\*Note: Number of children was unknown for one of the cases committed for homicide in 1986, so the number reported is 77.

### Region of Commitment

The region of commitment for female homicide offenders and all other female offenders admitted to DOCS in 1986 and 2005 is presented in Table 18. Region of the state is divided into four categories. Inmates from the New York City Region are those committed from New York, Bronx, Queens, Kings and Richmond counties. The second region, Suburban New York, represents those women committed from Nassau, Suffolk, Rockland and Westchester counties. The third region, Upstate Urban, is comprised of counties which contain a city with a population of 50,000 or more. Included in the Upstate Urban category are nine counties: Albany, Broome, Erie, Monroe, Niagara, Oneida, Onondaga, Rensselaer and Schenectady. Upstate Other includes all remaining counties.

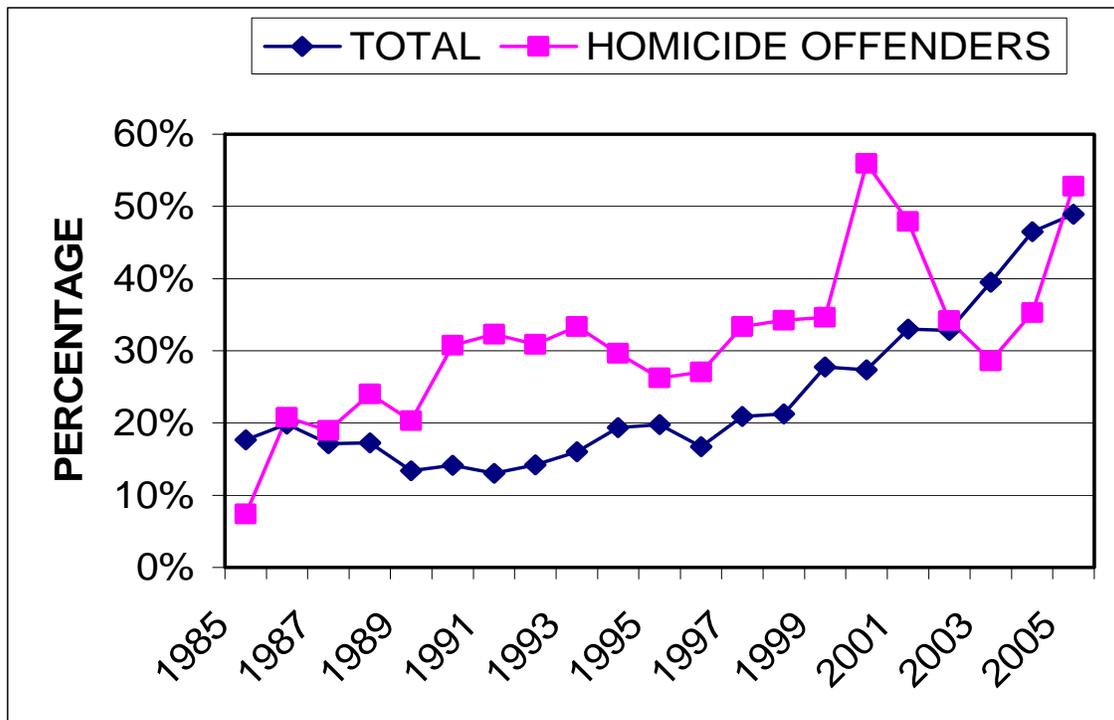
Table 18. Region of Commitment

REGION OF COMMITMENT	Admitted in 2005				Admitted in 1986			
	Homicide Commitments		Other Commitments		Homicide Commitments		Other Commitments	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NEW YORK CITY	10	27.8%	470	40.1%	56	71.8%	429	67.0%
SUBURBAN NEW YORK	7	19.4%	130	11.1%	6	7.7%	83	13.0%
UPSTATE URBAN	9	25.0%	255	21.8%	6	7.7%	97	15.2%
UPSTATE OTHER	10	27.8%	316	27.0%	10	12.8%	31	4.8%
TOTAL	36	100.0%	1,171	100.0%	78	100.0%	640	100.0%

As shown in Table 18, there is a striking difference in region of commitment between women admitted in 1986 and those admitted in 2005. Among those admitted in 1986, 72% of homicide commitments were from New York City, which was slightly higher than the proportion of all other commitments (67%). In 2005, only 28% of women committed for homicide offenses were from New York City compared to 40% of women committed for all other offenses.

Among 2005 homicide commitments, women were equally likely to be committed from New York City (28%) and the Upstate Other region (28%). Overall, female new court commitments, those committed for homicide and those committed for other offenses, were much less likely to be committed from New York City in 2005 than they were in 1986 (28% vs. 72% and 40% vs. 67%, respectively). Also, female homicide offenders committed in 2005 were much less likely than those admitted for other offenses to be committed from New York City (see Table 18). This regional difference is consistent with other research, which has found that the rates of intimate homicides increased significantly in rural areas between 1980 and 1999, while it remained relatively constant in urban areas (Gallup-Black, 2004). Overall, the proportion of all females committed to DOCS from Upstate counties has increased between 1985 and 2005, although in most years the proportion of female homicide offenders from Upstate was even greater (see Figure 2).

Figure 2. Female Commitments from Upstate New York: 1985-2005



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## Appendix: Legal Characteristics of Female Homicide Commitments

### Prior Offense History

To provide a profile of prior criminal involvement of those women committed for homicide, information was collected on prior arrests and convictions. Fifty-six percent of female homicide commitments in 2005 had no prior arrest, compared with 49% of those committed to DOCS in 1986 (see *Table A1*). Those female homicide offenders committed in 2005 were less likely (3%) than the offenders committed in 1986 (15%) to have a prior misdemeanor arrest, but no previous felony arrest. Additionally, 42% of female homicide commitments in 2005 had one or more prior felony arrests, compared to only 36% of female homicide commitments in 1986. However, in 1986, 24% of offenders had 2 or more prior felony arrests compared with only 6% of those in the 2005 cohort.

Table A1. Prior Arrests among Female Homicide Offenders

PRIOR ARREST STATUS	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
NO PRIOR ARRESTS	20	55.6%	38	48.7%
PRIOR ARRESTS	16	44.4%	40	51.3%
ONE OR MORE MISDEMEANOR ARRESTS	1	2.8%	12	15.4%
ONE FELONY ARREST	13	36.1%	9	11.5%
TWO OR MORE FELONY ARRESTS	2	5.6%	19	24.4%
TOTAL FEMALE HOMICIDE COMMITMENTS	36	100.0%	78	100.0%

Table A2 presents information on prior felony convictions among female homicide commitments. In both 1986 and 2005, 17% of the offenders had a prior felony conviction. For the inmates who did have a prior felony conviction, the crime is specified in Table A2. Among both the 1986 and 2005 cohorts, robbery and drug crimes were among the felony offenses of which the offenders had been previously convicted.

Among female homicide offenders with a prior felony conviction, one-third (33%) of those admitted in 2005 had previously served a prison sentence (see *Table A3*). This is similar to those admitted to DOCS in 1986, when slightly over one-third (38%) had served a prior prison term.

Table A2. Prior Felony Convictions among Female Homicide Offenders

PRIOR ARREST STATUS	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
NO PRIOR FELONY CONVICTION	30	83.3%	65	83.3%
PRIOR FELONY CONVICTION CRIME	6	16.7%	13	16.7%
ATTEMPTED MURDER 2ND	1	2.8%	0	0.0%
ROBBERY	1	2.8%	3	3.8%
GRAND LARCENY	0	0.0%	2	2.6%
KIDNAPPING	0	0.0%	1	1.3%
DRUG OFFENSE	2	5.6%	3	3.8%
ASSAULT	0	0.0%	1	1.3%
DRIVE INTOXICATED 2ND OFFENSE	1	2.8%	0	0.0%
CRIMINAL NUISANCE 1ST	1	2.8%	0	0.0%
POSSESSION OF STOLEN PROPERTY	0	0.0%	1	1.3%
POSSESSION OF DANGEROUS WEAPONS	0	0.0%	1	1.3%
SCHEME TO DEFRAUD	0	0.0%	1	1.3%
<b>TOTAL FEMALE HOMICIDE COMMITMENTS</b>	<b>36</b>	<b>100.0%</b>	<b>78</b>	<b>100.0%</b>

Table A3. Most Serious Prior Sentence  
Female Homicide Offenders with Prior Felony Conviction

PRIOR SENTENCE	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
PROBATION	1	16.7%	4	30.8%
LOCAL JAIL	3	50.0%	4	30.8%
PRISON	2	33.3%	5	38.5%
<b>FEMALE HOMICIDE OFFENDERS W/PRIOR FELONY</b>	<b>6</b>	<b>100.0%</b>	<b>13</b>	<b>100.0%</b>

Felony Offender Sentencing Status

The proportion of female homicide offenders who were sentenced as second felony offenders decreased slightly between 1986 and 2005. In 1986, 8% of the offenders were sentenced as second felony offenders, while in 2005, 6% were sentenced as second felony offenders (see Table A4).

Table A4. Felony Offender Sentencing Status

FELONY OFFENDER STATUS	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
FIRST FELONY OFFENDER	34	94.4%	72	92.3%
SECOND FELONY OFFENDER	2	5.6%	6	7.7%
TOTAL FEMALE HOMICIDE COMMITMENTS	36	100.0%	78	100.0%

Minimum Sentence

The NYS penal law defines the permissible minimum and maximum sentence length according to felony crime classification. Table A5 presents the minimum sentence lengths in months for the female homicide offender cohorts included in this report.

Table A5. Minimum Sentence Length for Female Homicide Offenders

MINIMUM SENTENCE LENGTH (IN MONTHS)	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
12-17 MONTHS	4	11.1%	0	0.0%
18-23 MONTHS	0	0.0%	5	6.4%
24-35 MONTHS	3	8.3%	15	19.2%
36-47 MONTHS	0	0.0%	7	9.0%
48-71 MONTHS	8	22.2%	21	26.9%
72-119 MONTHS	5	13.9%	16	20.5%
120-179 MONTHS	4	11.1%	0	0.0%
180-239 MONTHS	7	19.4%	7	9.0%
240 + MONTHS	5	13.9%	7	9.0%
TOTAL FEMALE HOMICIDE COMMITMENTS	36	100.0%	78	100.0%
AVERAGE MINIMUM SENTENCE	10.1 years		6.9 years	

The length of the average minimum sentence increased from 7 years in 1986 to 10 years in 2005. Part of the explanation for this increase in sentence length is due to the implementation of determinate sentencing for certain violent crimes.

## Maximum Sentence

Table A6 presents the maximum sentence distribution in months for women committed for a homicide offense in 1986 or 2005. Approximately half of the homicide offenders represented in Table 7 received a maximum sentence of 15 years or longer. Specifically, 44% of those admitted in 2005 received such a sentence, compared with 50% of those admitted in 1986 (see *Table A6*). The average maximum sentence decreased slightly between 1986 and 2005, from 14.5 years in 1986 to 13.5 years in 2005.

Table A6. Maximum Sentence Length for Female Homicide Offenders

MAXIMUM SENTENCE LENGTH (IN MONTHS)	Admitted in 2005		Admitted in 1986	
	Number	Percent	Number	Percent
36 MONTHS	2	5.6%	0	0.0%
37-53 MONTHS	2	5.6%	0	0.0%
54-71 MONTHS	3	8.3%	5	6.4%
72-95 MONTHS	4	11.1%	16	20.5%
96-107 MONTHS	1	2.8%	2	2.6%
108-143 MONTHS	4	11.1%	5	6.4%
144-179 MONTHS	4	11.1%	11	14.1%
180 AND OVER	10	27.8%	25	32.1%
LIFE MAX	6	16.7%	14	17.9%
<b>TOTAL FEMALE HOMICIDE COMMITMENTS</b>	<b>36</b>	<b>100.0%</b>	<b>78</b>	<b>100.0%</b>
<b>AVERAGE MAXIMUM SENTENCE</b>	<b>13.5 years</b>		<b>14.5 years</b>	

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