

Homicide term paper example

[Law](#), [Criminal Justice](#)



Introduction

Homicide is defined as the act in, which a person kills another person. There have been times when people have compared homicide with murder. This is the reason that has caused many researchers in the society to try to investigate the difference between the two terms. Some of the findings that came out were that homicide is much more than just plain murder. The truth is that murder can be said to be another form of the homicide, which is stated to be in the criminal homicide characteristics. The other types of homicide can be stated to be capital murder, criminal negligence homicide and manslaughter. The reason for stating this is because of the manner in which a person was killed was due to self-defence. A person has every right to protect themselves from people who threaten to kill them or are trying to harm them physically. In looking at the description of what homicide is, it is very clear that the intent of the killer is what will classify the homicide as a criminal homicide or manslaughter. When it comes to homicide, it is required for there to be a person who has been killed. The killing is supposed to be of a person who has been born and not a foetus. However, some states have classified the killing of the foetus as homicide. The offenders if found guilty could face death penalty, life sentence, rehabilitation or spend over 30 years in prison.

Characteristics of homicide

Criminal homicides

Criminal homicides are claimed to be the killings of a person either through wilful intent or through negligence. Some of the criminal homicides are

manslaughter, murder or negligent homicide. Examples of negligence homicides and manslaughter are when a person kills someone with their cars when they are drunk. An example of murder is when a person plans to kill someone and executes it. This is a wilful kill that was planned by the culprit. When the offender of any of these crimes has been convicted they are liable to be sentenced for life or face the death penalty. This will all depend on the seriousness of the crime.

Justifiable homicide

Some certain circumstances would make it justifiable for the murder of a person. This will make the case of this individual not to be with criminal intent. Some cases some certain killings have been approved by the law of the country. In cases where soldiers are in war, they are justified in killing the people whom are also fighting back. There are also the cases where police officers have to shoot and kill a criminal who is firing back at them or is carrying deadly weapons and pointing at them at innocent people. Another situation where people have every right to fight for their lives is when an individual has been threatened to be bodily harmed or killed by another person (Kadish, 1983). When a person has been threatened, it is human nature to fight back but deadly force should be applied only when the person is using deadly weapons. Some states in the world agree that people should defend themselves by killing without using another form of solutions before killing when the culprit has threatened them. Other states in the world will rule the homicide as self-defence when other forms of solutions did not work or the perpetrator is agitated and wants to harm people without any care.

Euthanasia

When people decided to kill themselves, then this will not be stated as homicide instead it will be said that the person has committed suicide. There have been many reports of people helping other people to die who are terminally ill. This kind of action as mercy killing because it involves helping someone to end their suffering (Kadish, 1983). This however is considered to be criminal homicide. The reason for this is that no matter what the circumstance there is in this situation a person has been killed. Physicians such as doctors and nurses have mostly done these acts. These offenders are liable to have a life imprisonment sentence or even the death penalty depending on the state.

Typical offenders

There have been many researches that have been conducted in order to get the exact data of the typical offenders of homicides in the United States of America. The typical offenders who are liable to commit the criminal homicide have been stated to be psychopaths (Lindberg, 2009). Psychopaths have been defined as individuals who lack empathy, are arrogant, manipulative and tend to lack any remorse of their actions. There are a number of surveys that have been conducted in the United States of America in order to determine the figures of the offenders, victims or the weapons used in the homicide cases. In looking at the findings from the researches that have been collected, it shows that 89.7% of the offenders are stated to be male while ten percent of the offenders were women. The data research also shows that the black offenders are more compared to the people of other races.

According to the report, it shows that 51.6 percent of the offenders were black while 46.3 percent are people who are considered white the rest of the people of races claimed to be unknown are 4.3 percent. In looking at the victimology, it also shows the victims who were killed through homicide either through justified or criminal homicide shows that the black people were the ones who were killed more. In looking at the percentage, it shows that 50% of the victims were black, 47% of the victims are white while for the other races the percentage is four percent. In looking at the offenders, it shows that the 83% of the white offenders are stated to have killed people from the white race. Ninety percent of the black offenders in the society are stated to have killed people from the black community. According to a survey that was conducted in 2010, it showed that the homicide offenders about ninety-two percent were from the people of ages over eighteen years. The survey also showed that the weapon of choice that was used by the offenders were firearms and knives. Sixty eight percent of the offenders used the firearms while thirteen percent of the offenders used the knives.

Kristen H. Gilbert

Kristen Gilbert is one of the most known serial killers who is claimed to have mental problems. Kirsten was born in a place called the Fall River that is located in the state of Massachusetts on 1967. Her father was an electric executive while her mother was a part time teacher. Her mother spent most of her times with Kristen and her sister. The names of her parents are Claudia and Richard Strickland. They were living a middle class family. People began to notice that something was wrong with Kristen when she was a teenager (Ramsland, 2012). They thought that she was a habitual liar. The

reason why they believed this was because of the number of times that she had lied that she wanted to commit suicide in order to gain the attention of others. She was also known for threatening others with violence when she did not get what she wanted.

After she had completed her high school education when went to the Bridgewater state college that is located in Massachusetts. While she was in that college she made false claims that, she was going to commit suicide and thus left the college and attended the Mount Wachusett Community college (Ramsland, 2012). While she was in college, she was able to work as a health aid in the Visiting Nurses Association O f the Franklin County. While working there it is claimed that she used water to punish a child who was retarded. She was able to graduate with a nursing diploma at the Greenfield Community College. In 1988, she was able to become a registered nurse after gaining her diploma and was married to Glenn Gilbert. She began to work at the Veterans Affairs Medical Centre that is located in the Northampton. She gave birth to two sons in 1991 and 1993 respectively with her husband.

While she was working at the VAMC, there were many patients under her watch that died. In the beginning, it is claimed that the other nurses with her began calling her as the angel of death. This was merely a joke for them because they did not think of it as another reason. In 1994, that is when everything changed for Kirsten because she met her soon to be lover James Perrault. He was working as a security guard in the same hospital she was working in. She was smitten by him and therefore, they began an affair (Ramsland, 2012). She was so involved with James in that by 1995 her

marriage started to fall apart. The same year that is when she began killing people such as Stanley Jagodowski. She moved out of her family home living her husband and her two children. She went on to live with James who had rented a house. This is also the time that it is claimed that she killed Henry Hudson and Kenny Cutting. In December 20 of 1995, that is when she filed for her divorce from her husband.

When Cutting was killed, the other nurses and doctors began to be suspicious of the manner in, which the patients were dying. The patients are stated to have been dying of cardiac arrest. The nurses also started to notice that the supply epinephrine was decreasing and thus they informed the authorities. The police stated to do their investigations on the decrease of the supply of epinephrine and the increase of deaths of cardiac arrest. When the police were doing their investigations in 1996 Kirsten killed another patient called Edward Skwira. She was able to confess to her killings to her boyfriend James through the telephone. After hearing her confessions, James issued a restraining order against her. He was made into a witness that would have to testify against her.

Kirsten had a book called the handbook of poisoning that she had in her house with her husband. He called the police and informed them about the book. Kirsten checked herself in the psychiatric ward for almost seven times in 1996. She stayed in the hospital for a period of only one or ten days the most. The same year she threatened her husband with her car keys. She was able to threaten the hospital that she worked in with the false bomb. This threat was a way to retaliate with the former co-workers and James whom she believed had betrayed her by being involved in the investigations

against her. The courts had ordered for Kirsten to be taken to the Baystate Medical Centre in 1996 (Ramsland, 2012). When she left the hospital she was arrested by the police. In 1998, her trial for the false bomb threats began. The conclusion of the threat was that she was convicted and charged.

According to the courts, the threats were only made because she wanted people to divert from the murder investigations. Her sentencing was that she was to spend fifteen months at the Danbury Federal Prison. In the prison, her psychiatric problems were also evaluated. Her murder trials for all the people that she had killed began while she was in the prison. After her indictment for the murders, she was moved to the Hamden County House of Correction prison. The body of Stanley Jagodowski was exhumed as ordered by the courts and it was checked of epinephrine. According to the jury that was selected for the murder trial, it consisted of nine women and three men. During the hearing, many people testified against her including her husband, boyfriend James whom she had confessed to about killing someone and other nurses she worked with in the hospital. She was found guilty by the jury and was recommended to be sentenced to life imprisonment. She was found guilty for killing three times in the first-degree murder; one was found to be in the second-degree murder and attempted murders. She was able to be given four life sentences and for the attempted murder she was imprisoned for twenty years. She was taken to the Carswell Prison in the state of Texas. According to the reports, it is indicated that she would never be able to appeal her case because of the new rule where upon retrial the

death penalty would be in the table if one were found guilty of murder (Ramsland, 2012).

Factors that influenced the behaviour

In looking at the case of Kirsten, many factors influenced the decisions that she made of killing patients. Kirsten is a person who has been having psychological problems since she was young. She was able to threaten many people while she was a teenager in order to get what she wanted. The threats were to harm someone physically. Her parents should have taken actions and sent her to a psychologist. This was because she showed signs of being a psychopath. She was also described to have been a pathological liar. This could be seen throughout her life when she lied that she was going to kill herself or would harm herself if something's were not done according to her will (Ramsland, 2012). She also did this in order to get the attention of others. While she was working as a health aid and harmed a retarded child when she scolded the child using the bathing water.

She should have been taken actions in that she should have been arrested. The fact that no one did anything to help her when she was child caused her to know that through threatening and trying to commit false suicide. She would be heard and the people would do as she wants caused her to feel superior and that is why she thought that she would be able to get away from the murders she committed. When her murders were found out, she tried threatening the hospital and the staff in order for the murder investigations to be derailed. In her mind, she thought that she would be able to get away with the murders through this action. The offender in this case Kirsten, was able to go through with the murders because she thought

that she would be able to get away with it just like how she got away from all the things she has done her life.

Rehabilitation action

It is a fact that in the case of Kirsten it is obvious that she had psychological and mental issues. This is the reason why she was able to commit all the crimes that she has committed in her life. It is important to note that according to her history, it shows that she had split personalities where at one point she was okay and another she was violent. It is also obvious that she was a psychopath who did not care about others rather than herself (Ramsland, 2012). She was able to live her husband and her two small children in order to live with her boyfriend. She thought that by killing those people she would be praised by her boyfriend therefore, she boasted to him about the killings. After being found guilty, people like Kirsten are supposed to be sentenced to the rehabilitation or psychiatric hospitals. The reason for this is that they would be able to get treatment for their psychiatric mental problems. In the rehabilitation wards, they would be taught that in life one does not have to be violent or resort in threatening others in order to get what they want. Family therapy should also be used in that the patients and the family members whom they might have harmed would be able to understand what caused them to be how they are or what caused them to commit murders. In the case Kirsten, the family will try to heal because of the fact that she abandoned her children and husband in order to live with her lover.

The impact of the criminal incident

Homicides have many impacts on the people in the society (Ramsland, 2012). In looking at the case of Kirsten, there are many impacts that have come out. Many people began to lose their faith in the physicians in the hospitals in that they began to fear that their relatives who are patients in the hospital will be killed the way Kirsten did. In looking at the dead victims, they all died from cardiac arrest. Some of the victims were at that age where people are known to have heart problems. In looking throughout history there have been many cases of physician who have committed homicides thus when the case of Gilbert occurred in renewed fear to the public about hospitals (Kadish, 1983).

The children are also the ones who are affected by homicides for the victims and the offender. Kirsten was a mother of two sons who will not be able to see their mother outside of the prison. They will grow without their mother. However, in this case, Kirsten had already abandoned her children (Ramsland, 2012). The family of the victims were also traumatized especially that of the Stanley whose body was exhumed after being buried. The families will need a lot of therapy and support from their family and friends. In conclusion, homicide has been classified into different types, which are manslaughter, murder, criminal negligence homicide and capital offence. In the criminal homicide, the individual has killed someone intentionally and the justified homicide the person had to kill in order to survive (Kadish, 1983). There have been many cases where homicides have been committed in the world. A good example was that of Kirsten Gilbert who was born and raised in Massachusetts. In looking at the case of Kirsten, she has committed

multiple homicides and thought he could get away with it through threatening to bomb the hospital. The case showed that she had psychological problems. She was a psychopath who wanted to have whatever she wanted and never thought of anyone but herself. She was also portrayed to have multiple personalities where at one point she was normal and the next she was extremely violent. A number of homicides offenders have experienced this kind of problems and therefore, the best way to help them is to take them to the mental institute.

REFERENCE

Expanded Homicide Data. (2011). Retrieved from The FBI Federal Bureau of Investigations: <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u>.

[s/2011/crime-in-the-u](http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u).

[s.-2011/offenses-known-to-law-enforcement/expanded/expanded-homicide-data](http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u/s/2011/offenses-known-to-law-enforcement/expanded/expanded-homicide-data).

Kadish, S. H. (1983). Encyclopedia of Crime and Justice. New York: Free Press.

Lindberg, N. (2009). Psychopathic traits and offender characteristics - a nationwide consecutive sample of homicidal male adolescents. BioMed Central.

Ramsland, K. (2012). Angels of Death: The Female Nurses. TruTV Crime Library.