

1961

Homicide in An Urban Community by Bensing and Schroeder

Merle M. McCurdy

Follow this and additional works at: <https://scholarlycommons.law.case.edu/caselrev>

 Part of the [Law Commons](#)

Recommended Citation

Merle M. McCurdy, *Homicide in An Urban Community by Bensing and Schroeder*, 12 W. Rsrv. L. Rev. 637 (1961)

Available at: <https://scholarlycommons.law.case.edu/caselrev/vol12/iss3/36>

This Book Review is brought to you for free and open access by the Student Journals at Case Western Reserve University School of Law Scholarly Commons. It has been accepted for inclusion in Case Western Reserve Law Review by an authorized administrator of Case Western Reserve University School of Law Scholarly Commons.

Book Review

HOMICIDE IN AN URBAN COMMUNITY by PROFESSORS ROBERT C. BENSING AND OLIVER SCHROEDER, JR. Published by Charles C. Thomas, 1960, 193 pages, \$8.75.

Cleveland, Ohio, is the locale for this painstaking scientific analysis of the nature and causes of homicide. Spurning the ivory tower of academic theory, the authors, two law professors, have examined actual case histories to compile facts and statistics which document the most vital aspects of man's oldest crime. The subject is limited, for the most part, to felonious homicide (*i.e.*, murder and manslaughter) in Greater Cleveland during the seven-year period, January 1, 1947, through December 31, 1953. Six hundred and sixty-two homicides, which occurred during that period, serve as the basis for this exhaustive study. Tables, graphs, maps, and photographs are extensively employed throughout the book to set forth the authors' findings.

The use of Cleveland as the locale for this social dissection is most fortunate since the Forest City is an accurate barometer of conditions in northern urban communities; the results yielded by the authors' research provide a reliable indication of the nature of the homicide problem in other similar communities.

The book is divided into two parts; the first section deals with legal aspects of homicide and the latter with its social aspects. In developing the legal aspects the authors discuss, analyze and graphically demonstrate court disposition of felonious homicide. Classification is performed according to race, sex, and age of defendants and victims, types of conflict which give rise to homicide, methods of killing, presence of alcohol, and other relevant factors. There is also a detailed section depicting percentage of homicides during various three-hour periods of the day, frequency during particular days of the week, and monthly averages. Among the statistics developed, it is of note, since Ohio is considering abolishing the death penalty, that only nine of 116 defendants charged with first degree murder were sentenced to death. The record of court disposition is so complete and clearly stated that one can, by examining the tables, answer several important questions: how many women were convicted of the various degrees of homicide for killing a male; how many Negroes, as compared to whites, were placed on probation for manslaughter; how many defendants pleaded to the indictment or to lesser charges; how many defendants elected to try their cases to juries; how many were tried to judges; how many were acquitted, by juries or by judges?

In attempting to emphasize the completeness of this study, within

the scope of a brief review, it is possible to point out only a few of the factors examined in this most comprehensive study. It is not surprising to note that firearms are used more than any other weapon but it is surprising (at least to this writer) to note that females used cutting weapons almost twice as often as their male counterparts. A number of statistics substantiate popular beliefs: most slayers are relatively young (seventy-two per cent between twenty-one and forty-five); whiskey is involved in many killings (more than forty-nine per cent of the victims had been drinking); in Cuyahoga County, Ohio, Negroes are involved in more killings than whites (more than seventy-six per cent of all homicides committed during the control period involved Negro slayers). While this factual and statistical analysis is valuable, it does not constitute the sole virtue of the book. Equally important is the scientific manner in which the facts are interpreted. In the summary on legal aspects of homicide, the authors state only that which may properly be concluded from their limited survey. They do not pronounce any sweeping generalities or universal absolutes applicable in all places at all times. Unless a relationship is thoroughly established by the figures, it is not suggested. This is to the credit of the authors since the temptation to predicate tenuous conclusions upon the basis of such statistics is always strong, and literary restraint under such circumstances marks the difference between a scholarly and a non-scholarly approach.

The second section of this book concerns the social aspects of homicide. The authors graphically depict the geographical areas in which homicide occurs, and then discuss and dissect the economic, educational and racial make-up of these areas. As would be expected, homicides occur most frequently in the most depressed economic areas. In Cleveland these are the predominantly Negro neighborhoods. Some might infer from this situation that Negroes, by reason of racial attributes alone, are homicide prone. This erroneous inference is substantially rebutted by facts showing that the percentage of Negroes in the population is itself *not* an index of the homicide rate. The statistical tables in this section of the book demonstrate the relationship between the homicide rate and population stability, social maladjustment, population density, median income, financial dependency, crowded housing conditions, infant mortality rates, incidence of child neglect, prevalence of juvenile delinquency, and many other social conditions. The homicide rate varies in direct relation to some of these factors; others are not directly correlative. Intelligent application of these statistics may indicate when an area is dangerously ripe for widespread homicide.

As the authors conclude: "Homicide is not accidental. Nor is the fact that some areas have a high rate and others a low rate a matter of coincidence. The almost invariable association of a high homicide rate

with so many other symptoms of social ill-health and economic need shows almost conclusively the socio-economic basis of homicide.”

Homicide in an Urban Community, although not recommended for casual reading, provides a valuable statistical handbook for criminologists, penologists, sociologists, urban and social planners and any civic-minded citizens interested in “long-range efforts for slum eradication, better housing, more universal education and better work opportunities,” to cure those social illnesses which lead, in their terminal stages, to the violent killing of one man by another.

MERLE M. McCURDY

WESTERN RESERVE LAW REVIEW

Volume 12, Pages 641 to 811

WESTERN RESERVE LAW REVIEW

Member, National Conference of Law Reviews

EDITORIAL STAFF

HARVEY M. ADELSTEIN, *Editor-in-Chief*

GERALD A. MESSERMAN, *Managing Editor*

Associate Editors

CHARLES J. CONSIGLIO
GEORGE DOWNING

BRUCE L. NEWMAN
PHILLIP A. RANNEY

BOARD MEMBERS

ALAN I. ARNOLD
DON P. BROWN
MARVIN DRONZEK
MYRON L. JOSEPH

FRED L. KURLANDER
JOHN O. MARTIN
LAWRENCE R. SCHNEIDER
REESE TAYLOR

JOHN R. WERREN

APPRENTICES

Frank A. Berndt
Edward R. Brown
David G. Clark
Daniel B. Davis
Jonathan S. Dworkin
Sheldon M. Eisner
Victor M. Javitch
Byron S. Krantz
Richard H. Kraushaar

LeRoy L. Lamborn
Frederick M. Lombardi
Richard B. Moritz
Ivan L. Otto
Robert J. Rotatori
Richard W. Schwartz
Alan J. Shapiro
Alan B. Soclof
Peter F. Young

LAWRENCE HERMAN, *Faculty Adviser*

SEYMOUR J. SCHAFER, *Associate Faculty Adviser*

Published quarterly by students of THE SCHOOL OF LAW OF WESTERN RESERVE UNIVERSITY, Cleveland 6, Ohio. Copyright 1961 by Western Reserve University. Subscription: \$5.00 per annum payable in advance; \$2.00 for single issues; \$3.00 for Volume 12, Number 2. If subscription is to be discontinued at expiration, notice to that effect should be sent to the Managing Editor; otherwise it will be renewed as usual.