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Attempted Murder: Post-offence Behavior

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Abstract

The aim of this study was to determine the most typical forms of post-offence behavior in attempted murders, as well as their dependence on other factors. To conduct the study, 200 guilty verdicts were analyzed. This study establishes a relationship between motives, the offender-victim relationship, and post-offence behavior in cases of attempted murder. Based on the analysis, it was found that attempted murders were more often accompanied by positive post-offence behavior than committed murders. The influence of factors such as motive, relationship between the offender and the victim, and circumstances under which the murder was not committed were studied. Positive post-offence behavior largely results from the decision to refrain from further illegal actions and from motives for expressive crimes (such as quarrels and jealousy). Hooligan attempted murders usually lead to negative post-offence behavior. The presence of family or intimate ties does not contribute to activities that neutralize harm or assist the investigation. The author concluded that the legislation should reflect the mitigation of sentence in the case of pronounced forms of positive post-offence behavior, since this creates an additional incentive for the offender to leave the victim alive. In addition, the obtained results can be used in practical activities when investigating attempted murders, as well as in the application of measures to treat a person serving a sentence.

Keywords

Attempted murder · Post-offence behavior · Assistance to the investigation · Obstruction of the investigation · neutralizing harmful consequences

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Introduction

To date, many studies have been conducted on various aspects of murders. The motives, methods, and circumstances of committing this crime have received wide coverage in criminology. The results of studying the personality of murderers are published annually. This is not surprising, since murder, being one of the oldest crimes, exists among all nationalities and cultures. It is impossible to talk about the eradication of this crime in the near and medium term, so the research remains relevant.

Global statistics are disappointing: More than 500,000 people die as a result of murders every year, and only about 55,000 people of them are lost by humanity during armed conflicts and terrorism (Sereda and Chesnokov, 2020). In Russia, approximately 7,500 murders and attempted murders are recorded annually (separate statistics on them are not officially reflected). In recent years, there has been a tendency to reduce violent attacks, but their number is still quite large.

Despite the close attention of scientists to such a phenomenon as murder and the large volume of empirical data, there are still many problems that require in-depth study. In the scientific literature, there are very few studies of the post-offence behavior of the offender, that is, the behavior immediately following the crime. Ugrekhelidze (2017) emphasized that it plays a significant role in solving many criminological, penitentiary, procedural and judicial issues. In Russian criminology, a division of the post-offence behavior into positive and negative has been established. The negative is characterized by resistance to the investigation (for example, the destruction of the crime weapon or threats to witnesses) and an unwillingness to make amends for the harm caused. Negative post-offence behavior **is** defined as adverse, antisocial, and illegal actions (or inactions) committed by previously convicted individuals that fall short of constituting a criminal offense under statutory definitions (Kaufman, 2018). Lawful post-offence behavior, conversely, encompasses actions aligned with criminal legislation that yield demonstrable benefits for both society and the state (Boyarskaya, 2023). Individuals exhibiting positive post-offence behavior assist in the investigation and actively work to restore violated rights, such as providing compensation for moral damage or offering a confession. The latter type is so significant that it is considered in criminal law when releasing from liability, as well as when mitigating a sentence.

It is known that the post-offence behavior of individuals is influenced by criminal activities and the investigation conducted in relation on it. In addition, the personality traits of the perpetrator have an impact: gender, work, criminal record, family ties, age, education and many other factors (Andreev, 2019). The importance of post-offence behavior is difficult to overestimate: It is closely related not only to the effectiveness of establishing the circumstances of the crime by investigative bodies but also to the psychological, physical and financial state of the victim. The latter aspect seems to us to be the most important. In other words, the study of attempted murders is important because the victim remains alive. Accordingly, the criminal has a wider range of post-offence activities: by making amends for the harm caused to a repeated attempt to commit the murder.

We believe that the post-offence behavior of the attempted murder differs from the post-offence behavior of the completed murder. This study hypothesizes that several factors significantly influence post-offence behavior. First, the motive behind the unlawful conduct may be of considerable importance, as it exerts an instigating effect on the offender and their subsequent behavior. Second, the relationship with the victim affects post-offence activity, as emotional connections may prompt individuals to provide medical assistance or offer reparation through financial compensation. Third, the circumstances that prevented the completion of the murder influence post-offence activity. Aware that the victim may report to the police, the offender may either attempt to finish what was started, flee, or turn themselves in. This hypothesis is

partially based on Sykes and Matza's Techniques of Neutralization (2017), which posit that offenders may justify their actions by citing circumstances preceding the crime (such as arguments, insults, or complex personal relationships).

The results are based on the analysis of Russian judicial practice, but they may be useful for many other countries. The Russian Federation includes over 150 nationalities and over 70 religions, which makes the sample objective and representative. At the same time, it would be fair to say that the obtained results may be specific only to similar legal and cultural contexts, which necessitates the replication of studies in other countries.

I. Literature Review

Not as many scientific papers have been devoted to the behavior of a murderer after committing a crime, compared to other aspects of murder. McKinley and Ferguson (2021) assert that there exist very few scholarly works devoted to studying, for instance, negative post-offence behavior. Based on their analysis of 137 criminal homicide cases, the authors identified corpse concealment and evidence destruction as the most prevalent types of negative post-offence behavior. Less frequently encountered behaviors include arson, identity concealment, and fleeing the country.

However, scientists have achieved important scientific results, which have been reflected in the theoretical provisions and practical activities of investigative bodies. Based on the study of criminal case materials, Andreev (2015) identified the prevalence of types of post-offence behavior of murderers. Criminals mainly assist the investigation (107 cases out of 167 considered) and continue their usual way of life (80 cases out of 167). A rarer form of behavior is the creation of a false version of what happened or the influence on witnesses. In some cases, the murderers return to the scene of the crime.

The results of the study of murders committed in Finland are worth mentioning. The authors analyzed the files of single-offender/single-victim homicides occurring between 1980 and 1994 and divided the crimes into expressive and instrumental. It was proven that after expressive murders, 19.3% of offenders immediately surrendered and 46% fully confessed to the police. At the same time, 5.8% denied any involvement. Persons who commit instrumental murders are less willing to cooperate with the police. The likelihood of their obstruction of the investigation increases (Santtila et al., 2003). Spanish homicide research confirms the aforementioned conclusion: only 30-35% of offenders cooperate with the police, and this rate varies by gender (Soria et al., 2016). While police cooperation rates were low in Finland (Santtila et al., 2003) and Spain (Soria et al., 2016), they were high in this study. This difference may be related to the functioning of judicial processes in Russia, cultural norms (submission to authority), or differences in sentencing mechanisms. Researchers studying sexually motivated homicides have also paid some attention to post-offence behavior. Based on their analysis of secondary data (67 police reports and published materials), the authors found that offenders with sexual motives were more likely to dismember victims' bodies compared to those driven by financial motives or anger (Chan et al., 2019). Robinson and Sarahne emphasized that positive behavior after committing a murder should be rewarded. Offenders who made amends and sincerely tried to atone for their actions deserve special recognition. It is recommended to develop a special incentive system for them (Robinson and Sarahne, 2021).

There are numerous studies on gender differences in murderers. Among other factors, differences in post-offence behavior have been examined. Scientists found that women experience regret more often than men. However, the denial of the crime is equally common among both genders (Häkkänen-Nyholm et al., 2009). Another study found that men hide the bodies of their victims primarily to prevent detection. Women try to psychologically distance themselves from the crime (Weizmann-Henelius et al., 2012). Some authors have

not found significant gender differences in post-offence lying, inaction, or attempts to harm themselves (Putkonen et al., 2011).

Lehoczki's (2015) study focuses on the relationship between the post-offence experiences of murderers and their behavior. The author proved that individuals focused on solving problems similarly solve problems arising from criminal liability (covering up traces). Individuals experiencing shame are more likely to experience aimless reactions and anger.

Many scientists have paid attention to a specific type of post-offence behavior—the suicide of a criminal. Liem (2010) argues that the "murder-suicide" link is not common but represents a qualitatively different phenomenon. Through a systematic review of scholarly literature, the authors identified a consistent pattern: over 20% of homicide perpetrators committed suicide following their crimes (Rouchy et al., 2020). At the same time, another, more recent scientific work proved a high prevalence of suicide among individuals who committed the murder of an intimate partner (Matias et al., 2021). Russian researchers add that such individuals are most often men (97%) over 30 years old (64%) (Vardanyan and Andreev, 2016).

Thus, the features of the post-offence behavior of murderers received some coverage in science. The study primarily employed the method for analyzing criminal case files and court decisions (secondary data), which is why we have also chosen this approach. However, the studies were conducted selectively and in individual countries. Moreover, attempted murders have seldom been the subject of a separate study, but they are considered when completed murders are discussed. During studying the literature, it was not possible to find studies specifically devoted to post-offence behavior that occurs during attempted murders. We likewise found no comparative studies examining the behavioral aspects of attempted homicides across different countries. Studies conducted by Andreev (2019) and Ugrekhelidze (2017) have limited post-crime behavior to completed murders. This study aims to address a critical gap in the literature by examining how the victim's survival changes the perpetrator's behavior. We believe that additional empirical data can obtain new results.

II. Aim and Methodology

The empirical base of the study consists of 200 court decisions, according to each of which the guilty party was sentenced to liability for an attempted murder. The court decisions were issued between 2019 and 2024 although the crime itself could have occurred at an earlier period. The source of data was legal reference systems (the state automated system "Pravosudie") and the official websites of Russian courts. To obtain court decisions, the following search terms were used: "Attempted murder," "unfinished murder," "article of a law 105" (which provides for criminal liability for murder), and "death did not occur." The sample of court decisions made it possible to cover 70 subjects of the Russian Federation out of 89, which allows us to speak about a high degree of representativeness. The author analyzed judicial acts consecutively, in the exact form they were retrieved from the "Pravosudie" search system with the specified temporal parameters. The «Pravosudie» System is a publicly available data portal used in the Russian Federation. No legal permission was required to access this portal. Additionally, because anonymized decisions were used in the study, no ethical approval was required. However, ethical approval was obtained for the study overall.

The content analysis method of secondary data involves a detailed examination of communication acts, media publications, or documents for interpretation and pattern identification, as well as revealing how criminality is represented in these sources. Griffin and Griffin note that content analysis constitutes an integral part of criminal justice and criminology research. The specific type and approach employed depend on the study's objectives and the content being analyzed. (2021).

The method of the content analysis of judicial acts is not free from some limitations. The personal data of the accused, the victim and other participants in the proceedings were removed from the published sentences, which complicates the analysis. We cannot exclude cases of incomplete clarification by the courts of all the circumstances of the case and bias toward the criminal. Thus, the reliability of the method depends on the quality of the judicial decisions. Since most court decisions in Russia are not fundamentally reconsidered, the author assesses their reliability as high. The selection of acts for the study was carried out in a continuous manner, that is, the cases located in the reference system in a row were analyzed (if they corresponded to the parameters of the study). This allowed us to maintain the objectivity of the study. First, the motives, reasons why the crime was not completed, the activity of the criminal after committing the unlawful act, and the relationship between the criminal and the victim were analyzed and systematized.

In accordance with Part 3 of Article 30 of the Criminal Code of the Russian Federation, an attempted crime is recognized as the intentional actions (inaction) of a person directly aimed at committing a crime, if the crime was not completed due to circumstances beyond the control of this person. This provision applies to murders if the death of the victim did not occur because of the criminal's actions. In this study, post-offence behavior is understood as the behavior of a subject after the crime is committed and before a guilty verdict is rendered by the court.

The aim of the study was to determine the common types of criminal behavior and interaction with the surviving victim that occur after an attempted murder. To achieve this goal, the following tasks were set and solved: to analyze judicial acts issued in connection with the commission of a crime under Part 3 of Article 30 of the Criminal Code of the Russian Federation and Article 105 of the Criminal Code of the Russian Federation; to study the behavior of criminals after unfinished murders; to explain the prevalence of some types of behavior over others; and to study the relationship between post-offence behavior and individual factors.

In particular, this paper attempts to answer the following research questions:

1. Does the post-offence behavior of murderers differ from the post-offence behavior of persons who committed an attempted murder?
2. How does the motive for the attempted murder affect post-offence behavior?
3. How does the relationship between the criminal and the victim affect post-offence behavior?
4. How do the reasons for which the murder could not be completed affect post-offence behavior?

The approval of the ethics committee for conducting the research was obtained.

III. Findings

A total of 200 sentences were analyzed. Each court decision identified the relationship that developed between the criminal and the victim by the time the crime began, as well as the motive for the attempted murder and the reasons why the deprivation of life was not committed. In each case, a description of the post-offence behavior was examined, which was then classified as positive or negative. Analysis of the sample showed that the criminal and the victim usually knew each other (61%), but this acquaintance was not uniform. This category included friendly relations and superficial acquaintances. A significant proportion of victims were intimate partners (16%) and relatives (13.5%). Attempted murder of a stranger was found in a smaller number (9.5%).

The predominant motive for the attempted murders in the sample under consideration was hostility caused by insults (a quarrel, often with mutual accusations). The share of this motive was 39.5%. Less common were revenge (22.5%), jealousy (16.5%) and other internal motives.

During the analysis, four main reasons why the criminal did not complete the crime were identified. In most cases, the deprivation of life did not occur due to the intervention of strangers (38%) or the resistance of the victim (37.5%). Some offenders mistakenly believed that the victim was killed. Others saw the victim alive, but expected that the wounds inflicted were sufficient to cause death in the future. This type of behavior, called a "mistake in death," was encountered in 14.5% of the judicial acts considered. In addition, 10% of criminals committed actions clearly aimed at depriving a life (shooting, stabbing in the throat or setting fire to a person locked in a house), but death did not occur. The criminals were aware of the lack of the desired result, but they did not make new attempts. The indicators are reflected more fully in Table 1.

Table 1

Indicators of analyzed attempted murders

Relationship between the offender and the victim	Motive for the attempted murder	Reasons for the incomplete murder	Post-offence behavior	
			Positive	Negative
Previously known – 61%	Dislike caused by insults–39.5%	Mistake in death–14.5%	Monetary or other material compensation for damages – 17.5%	
Relatives –13.5%	Dislike caused by the victim's attack–12.5%	Intervention of outsiders–38%		Attempted suicide: 1.5%
Intimate partners–16%	Revenge – 22.5%	Resistance of the victim–37.5%	Turning in or other assisting the investigation–78.5%	
	Jealousy–16.5%			
	Hooliganism–7%			
Previously unknown–9.5%	Receiving financial or other material gain–2%	Refusal to kill after failed attempts–10%	Providing medical assistance or calling doctors–12.5%	Leaving the scene of the crime, destroying evidence or other obstructing the investigation–32%

Positive post-offence behavior is more common than negative behavior. Criminals willingly agreed to turn themselves in and assist the investigation (78.5%). However, they were much less likely to compensate for the damage caused (buying medications, paying for medical services) or call doctors immediately after the crime (17.5% and 12.5%, respectively). Negative post-offence behavior was expressed primarily in the form of leaving the scene of the crime, destroying evidence, or otherwise obstructing the investigation (for example, trying to persuade the victim to change their testimony). We found these actions in 32% of the sentences examined. Suicide attempts as a form of post-offence behavior were seldom encountered in the sample (3%).

In particular, according to City Court verdict № 1-2/2024, citizen D.V.V. with his son D.R.V. and his son''s friend Sh. V.V., were drinking alcohol in the apartment. Several hours later, D.V.V. became irritated by D.R.V. and Sh. V.V.'s prolonged presence in his apartment, so he began to demand that they leave. After their refusal, D.V.V. began to behave aggressively, found a kitchen knife for intimidation and again, in a threatening tone, demanded that they leave the apartment. However, D.R.V. and Sh. V.V. ignored the demands again. In order to cause death, D.V.V. struck D.R.V. in the chest and abdominal area with the mentioned knife in quick succession and with considerable force at least twice, and struck Sh. V.V. in the chest area at least three times. Sh. V.V. died in the scene of the crime from the wounds he received. However, D.V.V. was mistaken in the occurrence of D.R.V.'s death at the scene of the incident, which led to the possibility of his hospitalization and timely provision of assistance. Also, D.V.V. after the crime he committed attempted to commit suicide and stabbed himself in the abdominal cavity (Case 1-2/2024 2024).

Note that different forms of positive post-offence behavior sometimes occurred simultaneously. For example, after an attempted act, the criminal called doctors, confessed, and even made amends. In addition, combinations of positive and negative types of post-offence behavior occurred simultaneously. For example, a would-be murderer fled the scene of the crime, but some time later came to the police and confessed. There is no contradiction here since behavior can change during reflection and prediction of the outcome of events.

Thus, according to the verdict of the district court №1-233/2021, A. Yu. A. was at the place of residence, he was drinking alcohol and corresponding on a social network with a girl with whom he was in a close relationship. During the correspondence, it turned out that the girl was staying with her former partner, the victim in this criminal case. Armed with a kitchen knife, A. Yu. A. came to the victim's stairwell landing and knocked on the door. When the victim left the apartment, A. Yu. A. stabbed him at least 11 times with the knife blade in the torso, where the vital organs are located, as well as in the limbs, while shouting: "I'll kill you." After the girl broke in, A. Yu. A. left the crime scene and threw the knife behind the garages. However, A. Yu. A. subsequently reported the crime committed during a confession and actively contributed to the investigation (*Case* 1-233/2021 2021).

The analysis allowed us to establish the dependence of post-ofence behavior on the relationship between the criminal and the victim that developed before the crime. Criminals in general rarely provided monetary or other compensation for damage (on average from 15% to 20%), but in relation to relatives such cases were not found at all (0%). Medical assistance was more often provided to intimate partners (16.1%) than to other categories of victims. The criminal attempted suicide only after an attempt on a relative (12%). The indicators are reflected more fully in Table 2.

Table 2

Dependence of post-offence behavior on personal relationships that existed between the offender and victim before the attempted murder

Relationship between the offender and the victim	Distribution of the types of post-offence behavior				
	Monetary or other material compensation for damages	Turning in or other assisting the investigation	Providing medical assistance or calling doctors	Attempted suicide	Leaving the scene of the crime, destroying evidence or other obstructing the investigation
Previously known	21.3%	82%	11.5%	0%	25.4%
Relatives	0%	24%	12%	12%	36%
Intimate partners	19.3%	58.1%	16.1%	0%	51.6%
Previously unknown	15.8%	73.7%	0%	0%	42.1%

The analysis also allowed us to establish the dependence of post-offence behavior on the motive for the attempted murders. In expressive crimes caused by a verbal or violent quarrel, leaving the scene of the crime, destroying evidence, or otherwise obstructing the investigation are less common (about 20%). In attempted murders committed with other motives, this figure exceeds 30%. Turning oneself in or otherwise assisting the investigation as a form of positive post-offence behavior is typical for all crimes except hooliganism (42.8%). Attempts to provide medical assistance or call doctors are typical mainly for criminals who committed attempted murders motivated by revenge or jealousy (about 20%). The figures are reflected in more detail in Table 3.

Table 3

Dependence of post-offence behavior on the motive for the attempted murder

Motive for the attempted murder	Distribution of the types of post-offence behavior				
	Monetary or other material compensation for damages	Turning in or other assisting the investigation	Providing medical assistance or calling doctors	Attempted suicide	Leaving the scene of the crime, destroying evidence or other obstructing the investigation
Dislike caused by insults	7.6%	86.1%	10.1%	0%	18.9%
Dislike caused by the victim's attack	40%	68%	8%	0%	24%
Revenge	20%	75.5%	20%	6.6%	33.3%
Jealousy	18.2%	75.7%	18.2%	0%	45.4%
Hooliganism	21.4%	42.8%	0%	0%	64.2%
Receiving financial or other material gain	50%	100%	0%	0%	100%

The analysis also revealed a dependence of post-offence behavior on the reasons why the murder could not be completed. Positive forms prevailed if the criminals realized that their actions did not result in death and refused to make new efforts. In all such cases, the would-be murderers assisted the investigation (100%), a third of them provided monetary or other material compensation for damage (30%), and a quarter provided medical assistance or called doctors (25%). Negative post-offence behavior is common among criminals that were unable to commit a murder due to the intervention of third parties or the resistance of the victim. Such behavior was expressed in obstructing the investigation (30%). The indicators are reflected more fully in Table 4.

Table 4

Dependence of post-offence behavior on reasons for incomplete murder

Reasons for the incomplete murder	Distribution of the types of post-offence behavior				
	Monetary or other material compensation for damages	Turning in or other assisting the investigation	Providing medical assistance or calling doctors	Attempted suicide	Leaving the scene of the crime, destroying evidence or other obstructing the investigation
Mistake in death	10.3%	89.6%	20.7%	6.9%	27.5%
Intervention of outsiders	14.5%	73.7%	11.8%	1.3%	35.5%
Resistance of the victim	20%	73.3%	4%	0%	30.7%
Refusal to kill after failed attempts	30%	100%	25%	0%	0%

IV. Discussion

The study of court decisions on attempted murder cases allowed us to identify the characteristics of post-offence behavior. Before the study, we assumed that the attempted murder of intimate partners and

relatives would demonstrate a higher prevalence of positive post-offence behavior. We considered that these persons were once dear to the criminal, which should prompt the criminal to correct the actions. However, the results of the analysis show that criminals more often compensated for harm to previously familiar persons (friends or colleagues at work) than to intimate partners and relatives. Assistance in the investigation also prevailed among attempts on persons not related by family or intimate relations with the criminal. Moreover, the indicators correlate with obstruction of the investigation. Only attempts to provide medical assistance and call doctors prevailed in the attempted murder of intimate partners.

Andreev (2015) found a 50%+ investigation obstruction rate in completed murders. In this study, the rate is 32%. The evidentiary value of the victim's statement and the perpetrator's expectation of being 'caught' explain this difference. In our opinion, the resulting discrepancy is logical and explainable. In a completed murder, such important evidence as the victim's testimony is missing, which contributes to the formation of the criminal's hope for impunity. It should also be recognized that murder is more latent than attempted murder, especially if there were no eyewitnesses. At the same time, the criminal understands that the surviving victim will point to the culprit, so leaving the scene or destroying evidence will not bring the desired result.

In contrast, confession and cooperation were common among most attempted murder offenders. The average rate for all crimes examined was 78.5%. However, in the case of attempted intimate partner murder, offenders were less likely to cooperate with the investigation (58.1%). Studies of murders conducted in Spain showed different results: Only 30-35% of offenders cooperate with the police, and this rate varies by gender (Soria et al., 2016). This almost twofold difference allows us to say that the survival of the victim has a positive effect on the subsequent actions of offenders, motivating them to contact law enforcement. However, victim survival was not the sole factor influencing the differences in the obtained results. Spain has predominant cultural characteristics that differ from those of Russia, and there may also be variations in the reliability of police reports and court decisions. Based on the results of the study, we cannot talk about the presence of a stable "attempted murder-suicide" link by analogy with the "murder-suicide" link. A study of murders in Portugal showed that a suicide attempt or suicide after an attempt on the life of an intimate partner was recorded in 38% of men (Matias et al., 2021). Other scientists found a lower, but quite impressive, prevalence: more than 20% of murderers committed suicide (Rouchy et al., 2020). Of the entire array of data analyzed, we could find only 3 suicide attempts out of 200, which amounted to 1.5%. The significant discrepancy can be explained as follows. First, in an unfinished murder, the victim remains alive, which means a shorter term for the perpetrator and less intense emotional experiences. Accordingly, the impetus for suicide seems not as strong as in a completed murder. Second, the limitations of the research method influenced the discrepancy. The court decisions only mention attempted suicide. In the case of a completed suicide, the criminal case is usually subject to dismissal. Therefore, such cases were excluded from the sample because they did not result in a court verdict.

Other researchers argued that there is a relationship between motive and post-offence manipulations with the victim's body. In particular, in acquisitive murders, no post-offence damage is done to the body. In murders committed in a state of anger, the likelihood of post-offence damage increases. In murders with sexual motives, the likelihood of post-offence damage is very high (Chan et al., 2019). Our study focused on attempted murders. Any manipulations with the victim's body were excluded since death did not occur. Nevertheless, like other researchers, we could determine that motive affects post-offense behavior. For example, crimes committed out of hooligan motives were usually characterized by moral deformation of the personality and disregard for norms of behavior, so positive post-offence behavior was less common. According to our data, only 42.8% of the offenders turned themselves in. At the same time, 64.2% fled the scene of the incident or attempted to otherwise obstruct the investigation. In our sample, sexual motives

were associated with jealousy rather than attempted forced sexual intercourse, making them incomparable with the aforementioned studies. Attempted murders caused by a quarrel, violent conflict or jealousy (but not revenge) are most often expressive. The study of sentences revealed that the violent emotional reaction was replaced over time by an awareness of one's actions, which led to attempts to make amends, provide medical assistance and assist in the investigation. For expressive crimes, all three forms of positive post-offence behavior were common. The results obtained are consistent with the findings of scientists who devoted their research to expressive murders (Santtila et al., 2003). In our opinion, the absence of the victim's death significantly increases the likelihood of the offender's remorse and assistance in the investigation.

The reasons why the offender failed to complete the murder also had a direct impact on the post-offence behavior. The distribution of the positive and negative types was similar in the case of outside intervention, victim resistance, and mistaken death. The only difference was in the form medical assistance and calling doctors were provided. In the case of victim resistance, the form was almost never encountered, which can be explained by the active behavior of the victim, independent calling doctors, and the absence of serious wounds. Refusal to kill after unsuccessful attempts most often led to positive post-offence behavior. In other words, the offender realized that the attempt to kill the victim had failed and the offender stopped further attempts. Both the desire to deserve a less severe punishment and pity for the victim motivate individuals to make amends, call doctors, and assist the investigation.

In particular, as established by the verdict of the city court in case 1-263/2021, citizen P.I.A., while drinking alcoholic beverages, had an argument with R.I.V. and K.E.I., who insulted him. P.I.A. took a knife on the table and, wanting to cause death, stabbed R.I.V. once in the chest. R.I.V. died from the wounds he received later in the hospital. K.E.I. saw the knife wound inflicted on R.I.V. and began to stand up for him. Wanting to cause death, P.I.A. stabbed K.E.I. in the chest at least three times. Both victims were conscious and made no attempt to attack or defend themselves, but P.I.A. did not continue his criminal actions and called for medical help by phone (*Case* 1-263/2021 2021).

The above allows us to say that post-offence behavior in murders differs significantly from behavior in attempted murders, which is largely due to the condition of the victim. There are also differences between attempts with different motives and the relationship between the offender and the victim. The reasons why the murder was not completed influence post-offence behavior. Assessing the three indicators together, we can draw the following conclusions. Monetary or other material compensation for damages most often occurs in selfish attempted murders aimed at previously known persons, if the offender did not finish what he started. Turning in or other assistance in the investigation most often prevails in crimes caused by a quarrel and insults, in which the offender and the victim were familiar, but the murder was not deliberately completed. Providing medical assistance or calling doctors is most typical for attempted murders of intimate partners committed out of revenge, if the murder was not deliberately completed. Attempted suicide is an extremely rare form. In the context of the study, they occurred in attempted murders of relatives and committed out of revenge, if the perpetrator made a mistake in the death. Finally, obstruction of the investigation most often occurs in the attempted murders of intimate partners or in hooligan or mercenary crimes that were stopped by third parties.

We were able to identify certain patterns between the criminal's post-offence behavior and motives, obstacles to completing the murder, and the relationship between the criminal and the victim. However, it cannot be said that these factors are significant and others are insignificant. The method of committing the crime, the environment, the tools, and personality traits such as gender, age, and education were left outside the scope of the study. However, more research is needed to identify their influence on post-offence behavior.

Conclusion

The conducted research allowed us to develop several important conclusions. Attempted murders more frequently lead to positive post-offence behavior than completed murders. We believe that the most important reason for this feature is the survival of the victim, which means additional evidence for the criminal when charged and a reduction in the maximum punishment. At the same time, post-offence behavior is influenced by the motive, the relationship between the criminal and the victim, and the circumstances under which the murder was not completed.

The results of the analysis show that the presence of family or intimate ties does not mean that after an attempted murder the criminal will agree to make amends or will assist the investigation. On the contrary, these forms of positive post-offence behavior are more common in the attempted murders of previously familiar people (friends, colleagues at work).

Of all the reasons why the murder was not completed, the decision to refrain from further illegal actions was the most conducive to positive post-offence behavior. High rates of harm atonement, calling doctors, and assisting the investigation can be explained by both the desire to earn a less severe punishment and pity for the victim.

Hooligan attempts at murder usually result in negative post-offence behavior. The perpetrators are more likely to resist the investigation and are less likely to turn themselves in. At the same time, expressive murders (due to a quarrel, violent conflict, or jealousy) are most often followed by attempts to atone for the harm, provide medical assistance, and assist the investigation.

The obtained results can be considered in the legal regulation of sentencing. We believe that the legislation, if it has not already been done, should reflect the mitigation of punishment in the case of pronounced forms of positive post-offence behavior. Article 61 of the Criminal Code of the Russian Federation already provides for the mitigation of punishment for persons rendering medical assistance or compensating for material damage. These provisions apply to murder and attempted murder without aggravating circumstances. At the same time, these norms do not extend to attempted murder under aggravating circumstances (which include, for example, commission of the offense by a group of offenders, for mercenary motives, or against a pregnant woman), as expressly prohibited by Part 3 of Article 62 of the Criminal Code of the Russian Federation. This article states that sentence reduction is not applied if the sanction of the relevant article of the Criminal Code of the Russian Federation provides for life imprisonment or the death penalty. In these cases, a different mitigation is provided: life imprisonment and the death penalty are not imposed, and the term of punishment may not exceed 75% of the statutory maximum (Part 3 of Article 66 of the Criminal Code of the Russian Federation). The death of the victim constitutes irreparable harm, but in cases of attempted murder, no irreparable harm occurs. We believe that the victim's survival and the rendering of various forms of assistance to them should entail more lenient consequences. Incentive measures should be specifically provided for cases of attempted murder and clearly defined. For example, with respect to Russian legislation, it could be proposed to reduce the term of imprisonment by no more than 30% of the statutory maximum term of punishment (no more than 5 years out of a possible 15). Furthermore, the convicted person should be assigned to a colony with less stringent conditions of detention (instead of a strict-regime colony, a general-regime colony should be selected). Similar approaches could be adopted in other countries' legislation. Such provisions of the law will create an additional incentive for the criminal to prevent the death of the victim. In addition, the obtained results can be used in practical activities in the investigation of attempted murders, as well as in the application of measures to correct a person serving a sentence.

However, it is necessary to mention some limitations of the conclusions of the work. First, factors such as age, gender, education, and others influence post-offence behavior, but these factors were not the subject of this study. Second, court decisions are official documents, but they may not include missing information from the prosecutor's indictment. For example, the perpetrator's 'secret remorse' or domestic pressures may not be reflected in the decision. This situation carries the risk of showing low rates of positive behavior. Third, the study sample consists of attempted murders that occurred in Russia. This geographical limitation increases the likelihood that cases from other countries will have different characteristics. While Russia's ethnic diversity is considerable, it would be fair to conclude that the obtained results are specific to the Russian context (or similar legal/cultural conditions). We maintain that additional studies, replication of findings, and subsequent comparisons of attempted murder characteristics would contribute to more objective conclusions.

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