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Towards Identification of the Sexual Homicide Perpetrator

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A 'continuum' conceptualisation of sexual offending has been proposed (e.g Oliver *et al.*, 2005; Proulx, Cusson, & Beauregard, 2005; Salfati & Taylor, 2006) where circumstantial violence determines whether the outcome of a sexual assault is fatal. However, so far research has failed to distinguish those sexual homicide offenders for whom homicide was a sexually motivated act, from those who killed their victim(s) incidentally, or in order to evade capture.

This study identified a group of sexual homicide offenders who committed acts of post-mortem interference, which is suggestive of a sexual motivation for the killing. This group was compared to a group of offenders convicted of sexual assault, to determine whether there were any differences between them, in crime scene and psychological characteristics. The adult male sample consisted of 48 non-serial post-mortem interference sexual homicide offenders whose victims were females aged 14 years or over, and 48 convicted sexual offenders whose offences did not result in homicide, all of whom had participated in the UK Prison Service Sexual Offender Treatment Programme (SOTP). Both samples were identified from information relating to convictions between 1954 and 2012.

Key findings

- The study identified differences in the crime scene behaviours and psychological characteristics of those who committed sexual homicides involving post-mortem interference, and non-homicide sexual aggressors.
- The results contradicted previous research which has suggested that a fatal outcome to a sexual crime can be predicted by the presence of a weapon, and the victim being a stranger.
- Protracted violence was associated with non-fatal assaults more so than sexual homicide.
- Sexual homicide perpetrators committed their offences within a context of greater egocentricity than was found for sexual aggressors; emotional loneliness, empathic concern and sexual entitlement beliefs appeared to be problematic for sexual homicide perpetrators to a greater degree than for sexual aggressors.
- Post-mortem interference offenders may represent a distinct subgroup of sexual homicide perpetrators whose treatment needs may require further examination.

Introduction

Given that sexual homicide is not recognised as a specific offence category within the UK criminal justice system and academically the phenomenon remains unclearly defined, researchers have sought to determine whether or not sexual homicide is best understood as a discrete form of sexual offending. This is important in forensic practice because appropriate assessment and treatment recommendations rely on robust formulations of offending behaviour. Aiming to address this question, studies have compared sexual homicide perpetrators to sexual aggressors (those who have raped but not killed) and have generally found that the groups appear to have more similarities than differences (e.g. Langevin, Ben-Aron, Wright, Marchese, & Handy, 1988; Oliver, Beech, Fisher, & Beckett, 2005). The concept of a continuum of sexual assault has been proposed, which considers circumstantial violence to be the critical factor determining a fatal outcome (Oliver *et al.*, 2005; Proulx, Cusson, & Beauregard, 2005; Salfati & Taylor, 2006). However, research suggests that there are discrete types of sexual homicide, including those motivated by sadism or anger and those within which the homicide was instrumental. Failure to make these distinctions when comparing sexual homicide offenders to sexual aggressors, could result in misleading findings, as hypothetically those who committed sadistic homicides could reasonably be expected to have different characteristics to those who murdered their victims incidentally in the course of a sexual assault, or to avoid detection.

In order to test this hypothesis, the present study restricted the sample of sexual homicide offenders to include only those who had engaged in post-mortem sexual interference on the basis that this behaviour appears inconsistent with explanations of sexual homicide emphasising situational factors. Arguably, the homicidal act in these cases represents an integral part of the sexual act given that there would necessarily be maintained sexual arousal during or in the period directly following homicide, or as a paraphilic act in itself. The research question, investigating whether post-mortem interference sexual homicide offenders differ from sexual aggressors on crime scene and psychological characteristics, aimed to establish whether there are factors that differentiate the groups which previous research has failed to detect,

having treated sexual homicide perpetrators as a homogenous group.

Approach

Offenders with a murder or manslaughter conviction where a sexual element and/or motivation was evidenced, suspected, or disclosed were identified using the National Offender Management Service (NOMS) Offender Assessment System (OASys) research database. This was cross-referenced with the national SOTP databases, to identify those offenders who attended treatment. Only treated offenders were included in the sample, as this group consented to use of their psychological assessment data for research purposes. This process yielded a sample of 150 offenders, whose files were searched using the Public Protection Unit Database (PPUD) for evidence of post-mortem interference, resulting in a sample of 48 sexual homicide perpetrators who met the study inclusion criteria, which as well as the above included only those perpetrators whose victims were adult (age 14 or over) females. The study was concerned with homicides where the victim was aged 14 or above because at this age females would be more expected to show signs of physical maturity associated with being at reproductive age and therefore passed puberty. This sample may not be representative of all sexual homicide perpetrators.

The sample of sexual aggressors consisted of 48 men serving indeterminate prison sentences for rape or attempted rape. These offences carry indeterminate sentences depending on severity or history of serious sexual offending, therefore the sample could be said to be comparable to the sample of sexual homicide perpetrators in terms of the seriousness of their offending as recognised in law. For further comparability to the sample of sexual homicide perpetrators, victims of the sexual aggressors were all adult (age 14 years or over) females. The sample was matched to the sexual homicide sample on year of birth (where an exact match was unavailable the next closest match was accepted so that there was no significant difference in the year of birth between the two samples, as confirmed by an independent samples t test).

The two groups were compared on crime scene and offence characteristics collated using evidence contained in pre-sentence legal reports and offence summaries, coroner's reports, Judges' sentencing remarks, and prison file information stored in PPUD. Variables included information such as how the victim was accessed and approached, weapon use, evidence of violent or sexual behaviours, and precursory factors such as intoxication. The first 10% of cases were blind-coded by two of the authors with good strength of agreement (Cohen's Kappa = .86). Data from psychometric measures administered during initial SOTP group sessions were also collated.

Results

Key findings of the present study are presented in Table 1. As set out, the majority of sexual homicide victims knew their attacker whereas almost twice the number of sexual aggressor victims were strangers. A fifth of sexual homicide perpetrators used a knife and a small number of others ($n = 9$) used other weapons including items found at the scene, such as pans or scissors, but most sexual homicide perpetrators were unarmed. The occurrence of weapon use was also relatively low for sexual aggressors (but slightly more were found to have used a knife), suggesting that in most cases the offender does not carry a weapon with the intent to inflict serious injury, but to facilitate the crime.

Table 1: Profiles of sexual homicide offenders and sexual aggressors in this study

Sexual homicide	Sexual aggression
Known victim	Stranger victim
Weapon use rare	Weapon use rare
Multiple injuries rare	More protracted violence
Emotional loneliness characteristic	Emotional loneliness recorded less frequently
Low empathic concern	Lower frequency of problem empathic concern
Sexual entitlement	Lower frequency of problem sexual entitlement
Difficulty forming supportive relationships with others	Fewer problems forming emotionally intimate relationships

These profiles of offence characteristics for sexual homicide perpetrators compared to those of the sexual aggressors contradicted Chéné and Cusson's (2005) 'decision tree' in which the two factors strongly predicting a fatal outcome to a sexual crime were (i) a stranger victim and (ii) the offender having a weapon.

Further, the frequency of severe beating and multiple injuries was lower in the sexual homicide sample compared to previous researchers' findings. Beauregard and Martineau (2013) reported overkill, defined as inflicting more grievous bodily harm than necessary to cause death, in 43% of the cases of sexual homicide in their study. Furthermore, according to the proposed continuum of sexual offending the escalation from sexual assault to sexual homicide depends largely on the level of violence perpetrated. In direct contrast to Salfati and Taylor's (2006) finding that intense violence was associated with sexual homicide more than rape, results of the present study revealed that evidence of protracted violence was recorded with greater frequency for sexual aggressors than for those who committed sexual homicides.

Some behavioural differences between the groups were also seen in terms of the nature of the sexual element of the offences. Previous researchers have suggested that establishing that a homicide was a sexual offence can be problematic as the sexual aspect may not be transparently evident (Folino, 2000; Grubin, 1994). Congruently, although most sexual homicide perpetrators in the present study committed vaginal and/or anal penetration, these acts were more frequent among sexual aggressors, who also carried out a number of other sexual acts either for sexual gratification or to degrade and humiliate.

These patterns of offending behaviour emerge within a context of greater egocentricity in those who commit sexual homicides than is characteristic of the sexual aggressors in this study. Consistent with previous research (Grubin, 1994; Milsom *et al.*, 2003; Nicole & Proulx, 2005), emotional loneliness was found to be significantly associated with sexual homicides. Psychometric measures indicated that peer relationships are problematic for these individuals. Questionnaire responses indicated that the sexual homicide perpetrators tended not to feel warmth towards other people and responded to the distress of others with low empathic concern.

Further, a greater proportion held sexual entitlement beliefs, which mediate the association between a sense of masculinity, perhaps threatened in men experiencing intense loneliness, and sexually abusive attitudes and behaviours (Hill & Fischer, 2001). Sexual entitlement beliefs and emotional loneliness may be the result of a failure to form emotionally intimate relationships and might represent learned protective strategies in response to rejection, or alternatively, attitudes and schemas may have impaired social functioning and inhibited social interaction. In forensic practice, these processes need to be examined idiosyncratically through a careful and thorough forensic case formulation.

Implications and conclusions

These findings invite critical discussion of previous conceptualisations of sexual homicide. Arguably, the finding that protracted violence was seen more frequently in the sample of sexual aggressors than the sexual homicides is unextraordinary. The aim of the present study was to exclude instrumental killing and those cases of grievance driven/angry killing where sexual arousal is not closely associated with violence, in order to focus on a narrower definition of sexual homicide, as driven by a sexual motivation. Therefore, results appear to support the hypothesis that the inclusion of cases where sex and killing are not closely bound introduces a confounding variable in sexual homicide research and this may account for the inconsistencies in the results of the present study compared to the existing literature.

Although there has been much research published on the subject of sexual homicide, few studies have questioned the validity of treating sexual homicide offenders as a homogenous group when making comparisons to non-homicide sexual aggressors. Arguably, continuum theories of sexual offending are only appropriate for homicides that started out as sexual assault. Rapists who kill their victim to eliminate the only witness to the crime, or offenders convicted for murder/manslaughter because a sexual assault was particularly violent and the victim died later from the injuries sustained, may present as psychologically indistinguishable from non-homicide sexual aggressors. Although the present study has limitations, including the use of post-mortem sexual interference as a proxy to exclude these cases, it has shown that it may be that when a narrower operationalisation of sexual homicide is used that a distinct group of sexual homicide perpetrators emerges. Making this distinction is important for assessing the suitability of risk assessments and interventions for those convicted of these extremely serious crimes. A less ambiguous definition of sexual homicide is necessary, and further research is needed that concentrates on those cases where there was a primary intention to kill.

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