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First published February 2015

ISBN 978 1-84099-682-1

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The Use of Crime Scene and Demographic Information in the Identification of Sexual Homicides

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It is often the case that those convicted of sexual offences find it difficult to discuss their offending and those who have committed a sexual homicide can be particularly reluctant to talk about their criminal behaviour. As a result, forensic practitioners frequently rely upon crime scene information to identify any sexual behaviour associated with a homicide. The study aimed to look for discernable patterns and victim and perpetrator characteristics that may serve to delineate sexual homicide without relying on disclosure from the perpetrators of the crime. A second aim of the study was to test the hypothesis that the majority of sexual homicide cases can be captured using Ressler, Burgess, and Douglas's (1988) definition of sexual homicide. A sample of 65 sexual killers and 64 cases of men convicted between 1966 and 2005, of what were considered on the basis of available evidence to be non-serial, non-sexual homicides were used.

Key findings

- The sexual homicide and non-sexual homicide groups were largely comparable in terms of criminal history and demographics although sexual homicide perpetrators had at least one previous sexual conviction in just over half of cases, while this was not true for the non-sexual homicide groups.
- Sexual homicide perpetrators were significantly more likely to attack a stranger and to kill using manual or ligature strangulation than non-sexual homicide perpetrators.
- The most prominent indicators of a sexual element to a killing were that victims were found with the lower half of their body exposed and that there was evidence of sexual acts, including vaginal sex.
- These differences give support for the use of Ressler *et al.*'s (1988) definition of serial sexual homicide being used with non-serial sexual homicide perpetrators as a way of identifying these perpetrators.
- Forensic practitioners should remain alert to the characteristics identified in this study when assessing homicide offenders who meet Ressler *et al.*'s definition of sexual homicide, but who fail to disclose a sexual motivation or element to the offence.

Introduction

In England and Wales, as in many other jurisdictions, there is no legal definition of a sexual homicide. This means that in the majority of cases sexual homicide perpetrators are not charged with a sexual offence alongside the homicide. The lack of a legal definition brings challenges for forensic practitioners who have to judge whether there has been a fusion of sexual (actual or intended) and aggressive behaviour during the taking of a life. The possible sexual dynamics of a homicide may not be detected by the police or by the courts: the police may not recognise that a homicide was a sexual homicide, and even when this is suspected it can be extremely difficult to uncover forensic evidence to show that a homicide has a sexual element (Arrigo & Purcell, 2001; Brownmiller, 1975; Folino, 2000; Grubin, 1994; McDonald, 1971; Revitch, 1965). In the absence of official guidance regarding a legal definition, efforts to identify the characteristics of sexual homicide have been made by law enforcement agencies, practitioners, and researchers. In practice, homicides have been defined as sexual because there is evidence of a sexual act (Folino, 2000), or because evidence can be drawn from the crime scene to suggest a sexual element to the homicide (Myers, Burgess, Burgess, & Douglas, 1999). Thus, Ressler *et al.* (1998) suggested that deciding whether a sexual homicide occurred should be based on evidence or observation concerning "Victim attire or lack of attire; exposure of the sexual parts of the victim's body; sexual positioning of the victim's body, insertion of foreign objects into the victim's body cavities; evidence of sexual intercourse" (p. xiii).

Whilst there are non-legal definitions of sexual homicide (Proulx, Cusson, & Beauregard, 2007), applying them to individual cases can be problematic. For instance, even with guidance, there can be considerable variation in the extent to which crime scene information may provide clear evidence of a sexual element. There could, for example, be tangible evidence of the homicide being sexual, for example, through indications of forced sex alongside evidence that the victim was bound beyond the level required for the purpose of restraint, suggesting sadistic motivations. In such a case, the conclusion that the homicide has a sexual element may be reached with a reasonable level of confidence. However, the degree to which the homicide was sexually motivated, rather than carried out to

eliminate the only witness to a rape, still requires disclosure from the perpetrator. In some cases there may be less tangible evidence of a sexual element as when, for example, the victim was strangled with her clothes disturbed and underwear cut but without physical evidence of a sexual assault. In this type of case the conclusion that the homicide was sexually motivated relies on disclosure from the perpetrator alongside the evidence from the crime scene (Podolsky, 1965; Proulx *et al.*, 2007). The perpetrator's disclosure of their sexual motivation may not be forthcoming as it may be incriminating, or seen to make matters worse, or because the offender is in denial about the offence – a state that may endure throughout a custodial sentence and after release (Clarke & Carter, 2000).

Crime scene and victim characteristics have been used to help investigators understand the perpetrator's motivation and to aid investigation. The Federal Bureau of Investigation notably discriminated the characteristics and motivations of sexual homicides on the basis of whether their criminal behaviour was of an organised or disorganised type (Ressler *et al.*, 1988). Typologies of sexual homicide have also been developed that rely on classifying the perpetrator's motivation: thus, the offence could be sexually motivated (killing in pursuit of sexual gratification), or stem from anger, or be instrumental in intending to silence the victim (Beech, Fisher & Ward, 2005; Clarke & Carter, 2000; Keppal & Walter, 1999). The use of typologies may inform assessment strategies and case formulation, helping to identify risk factors for future offending and potential targets for interventions to reduce risk (Perkins, 2007).

The identification of discriminatory factors that do not rely upon disclosure from the perpetrator, which can reliably indicate that a homicide is sexual in nature, and which are readily available, has potential benefits for forensic investigators and practitioners. Potential factors include the characteristics of the crime scene, features of the victim, and commonly recorded demographic information about the offender (Carter & Hollin, 2010). The current study took a sample of cases previously identified as sexual homicides and a sample of cases previously identified as non-sexual homicides, and reviewed the available case records, typically prison files, that do not rely on interview with the perpetrator, in order to try and determine easily identifiable information on the characteristics of a group of non-serial sexual

homicides. This information included crime scene details, victim characteristics, and some demographic information about the offenders. The ensuing analysis looked for discernable patterns and associations within the data that may serve to delineate sexual homicide and that do not rely on disclosure from the perpetrators of the crime.

Approach

Making comparisons between studies on sexual homicide have been complicated by variability in the inclusion criteria. Some studies have included serial and non serial homicide perpetrators, sexual aggression and adult, child and male and female victims. Therefore, this study was concerned with non-serial homicides where the victim was aged 14 or above, an age where they would more likely to be expected to show signs of physical maturity associated with being at reproductive age and therefore past puberty. All cases were gathered from official Home Office files, relating to the period of 1966 and 2005. The sexual homicide sample was identified by selecting files where the homicide victim was a female aged 14 years or above, there was a convicted male perpetrator and there was seen to be a sexual connotation to the crime, as judged by Home Office or Correctional Service staff. Some of these men had been offered a place on a Sexual Offending Treatment Programme because of the sexual connotation to the homicide. Each case file was then reviewed to ensure it met the inclusion criteria: for the purposes of this study a sexual killer was defined as a man convicted of killing a female aged 14 years or older and that either at the time of the trial, or following conviction (by correctional staff) it was noted that there were strong grounds to believe that there was a sexual element associated with the death. The Home Office records were also used to case-by-case match a further sample of non-sexual homicide perpetrators who killed a female victim aged 14 years or older. Men meeting these criteria, but who had killed more than two people, were excluded from the study. A total of 1466 cases met these criteria, of which there were 314 duplicate cases. This dataset was subjected to the further matching criteria, date of birth and date of conviction. When the exact match was unavailable for either criterion, the next closest match was accepted. This resulted in a total of 438 matched cases. When more than one non-sexual homicide perpetrator was matched to a sexual homicide

perpetrator, a case was randomly selected. A Mann Whitney U test confirmed that there was no significant difference on age at the time of offence between sexual homicide perpetrators ($Md = 26, n = 65$) and non-sexual homicide perpetrators ($Md = 25.5, n = 64$), $U = 2013, z = -.316, p > .05$.

The non-sexual homicide cases were then coded for the presence or absence of information related to the background of the perpetrator, the crime scene, the victim, and post-offence information: information on the coding is provided by Carter, Mann, and Wakeling (2007). In addition, items from the Risk Matrix 2000 risk assessment (Thornton, 2003) were also coded in order to collect information concerning previous and current conviction data. In total 65 cases were coded for the sexual homicide perpetrators and 64 coded for the non-sexual homicide perpetrators.

The two groups were compared on crime scene and offence characteristics collated using evidence contained in pre-sentence legal reports and offence summaries, coroners' reports, Judges' sentencing remarks, and prison file information stored in the Public Protection Unit Database. 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).

Results

The criminal history and demographic information relating to sexual homicide and non-sexual homicide were compared using Chi-square tests. The groups were largely comparable on these variables (see Table 1), apart from a significant difference in the offenders' criminal history. More than half of the sexual homicide perpetrators had at least one previous appearance for a sexual offence than the non-sexual homicides, $\chi^2 (5, n = 129) = 71.38, p < .001, V = .74$.

In terms of the characteristics of the victims and the means by which the perpetrators gained access to the victims, sexual homicide perpetrators were more likely to attack a stranger: $\chi^2 (1, n = 129) = 16.59, p < .001, phi = .36$. The majority of non-sexual homicide perpetrators knew their victim and in many cases were likely to know their victim well. Despite

this, overall the victims of both groups were accessed in similar ways.

Strangulation was a feature of sexual homicides as opposed to non-sexual homicides: $\chi^2 (1, n = 129) = 39.59, p < .001, phi = .55$. In the case of sexual homicide, over one-half of victims died by either manual or ligature strangulation. In contrast, stabbing was more common among non-sexual homicide: $\chi^2 (1, n = 129) = 20.05, p < .001, phi = .39$. A weapon was used in more of the non-sexual homicides compared to the sexual homicides: $\chi^2 (1, n = 129) = 39.09, p < .001, phi = .55$. Non-sexual homicide perpetrators were also more likely to take a weapon to the crime scene ($\chi^2 (1, n = 129) = 7.86, p = .005, phi = .25$), but were less likely to kill the victim by using a combination of methods ($\chi^2 (1, n = 129) = 5.33, p < .02, phi = .20$). Further, sexual homicide perpetrators bound their victims more frequently than non-sexual homicide perpetrators: $\chi^2 (1, n = 129) = 5.75, p < .02, phi = .21$. Evidence of vaginal sex was found in the majority of cases with underwear removed in over one-third of cases. There was no significant difference between the two homicide groups on previous convictions for burglary, previous convictions involving violence against a woman, victim age group and evidence of extreme injuries to the victim.

Table 1: Crime scene and demographic information differences and similarities between type of non-serial homicide

Sexual homicide	Non-Sexual Homicide
Previous conviction for stranger sex offence	Less likely to have previous sexual conviction
Previous conviction for burglary	Previous conviction for burglary
Previous convictions involved violence against a woman	Previous convictions involved violence against a woman
Victim a stranger	Victim knew perpetrator
Victim aged 14–49 years	Victim aged 14–49 years
Strangulation involved in the offence	Weapon taken and stabbing common
Evidence of extreme injuries	Evidence of extreme injuries
Some evidence of binding victims	Binding rare

Implications and conclusions

The most prominent indicators of a sexual element to a homicide were that victims were found with the lower half of their body exposed and evidence of sexual acts including vaginal sex. This finding gives support to adopting the Ressler *et al.* (1988) definition of sexual homicide outlined earlier, to determine what is a non-serial sexual homicide. Where these prominent indicators are not present (e.g. no indication of vaginal sex, no evidence of clothes being removed), evidence of strangulation could act as a signal that further investigation of a potential sexual element to a homicide should be considered. This study suggests that in about one-half of cases of sexual homicide, the perpetrator will have a previous conviction for a sexual offence. This previous conviction can be used to discuss sexual interests and attitudes to sex to glean information that could be helpful in then discussing the build up to the homicide. At the same time, it is important to note that in some cases sexual homicide perpetrators will not have any previous sexual convictions, so this is not a prerequisite for defining a homicide as sexual. Perkins (2007) recommends taking a comprehensive history which allows plenty of scope to cover and consider sexual issues. Perkins also suggest “where interviewees are reluctant to provide information, it can sometimes be useful to present them with a number of possible scenarios for their offending, and doing so in the spirit of helping them remember and explain” (p.97).

The characteristics identified in this study are potential indicators of a sexual homicide, and could aid forensic practitioners when assessing homicide offenders who meet Ressler *et al.*'s (1998) definition but who do not disclose a sexual motivation or element to the offence.

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