

SEX RELATED HOMICIDES AND OFFENDERS - A MEDICO-LEGALISTS VIEW

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ABSTRACT

The advances in criminalistics and forensic psychiatry in these present times and the combined studies of workers of the specialties of Forensic Medicine and Psychiatry has led to renewed interest in investigating and documenting sex crimes. The term offender is used for a person who actively takes part in an offence or goes blatantly against the law. The term can be simultaneously / interchangeably used for a criminal.

Sex related homicides include rape murders, serial murders, killings involving both of anal and oral sodomy and other acts of sexual perversions terminating in homicide.

In this paper a brief summarization of sex related crimes, their psychodynamics and offender profile is detailed with comparative comments vis-à-vis the Indian and Western scenarios.

Key Words; Psychiatry, Forensics.

INTRODUCTION

A homicide is classified as "sex related" when there is evidence of sexual activity observed at the crime scene or upon the body of the victim which may include:

1. Type of or lack of clothing on the victim.
2. Evidence of seminal fluid on, near or in the body.
3. Evidence of sexual injury/sexual mutilation.
4. Sexualized positioning of the body.
5. Evidence of substitute sexual activity i.e. fantasy, virtualism, symbolism and masturbation.
6. Multiple stabbings or cuttings to the body, (i.e. slicing wounds across the abdomen, throat slashing and over kill-type of injuries, suggestive of sexual motivation [1].

The victims of these crimes are usually women and young children though some homosexual killings are also reported. The homicide might have sexual implications even in the absence of an overt sexual actor observable sexual activity at the scene. The motive may also

not be discernable or clear cut.

Practically, if the body is of a female and it is found nude / partially clothed, the medicolegal team should consider a "sex crime" first.

This paper will try to present salient features of a sexual homicide with profiles of victims and offenders and compare our reported sex crimes with that of the West.

DISCUSSION

The search of the sex homicide should obviously begin at the crime scene with the following objectives in mind:

1. Complete chain of events should be documented before any police procedures i.e. photography of body and scene.
2. Complete search for any forensic evidence which may provide clues to identity of the killer.

In a nutshell, full and complete crime scene investigation is mandatory as for any other type of homicide.

Human sexuality and sexual deviation

There are 3 components of the human sex drive

i.e. biological (instinctive), physiological (functional) and emotional (mental). According to various experts, the emotional aspect is the most important component, accounting for over 70% of the human sex drive. In other words, it can be stated that "the mind controls the act", i.e. the mind determines what is/is not sexually arousing to a person who is important in the analysis of the chain of events in a sex crime. The human sexuality is based on our psychosexual development through conditioning. Sex is also a sensory act that involves all five senses to various degrees. The sexual responses are appropriate as they are viewed as acceptable behaviour i.e. getting aroused on seeing nude/scantily clad women; however persons who are sexually inhibited may develop unconventional forms of sexual expression. On seeing a scantily clad woman such a person could get obsessed with this type of behaviour in the form of compulsive voyeurism.

Sexual deviations (or sexual perversions as known in India) can be divided into two groups. The basic distinction between the two is based on social effect. According to Coleman et al 1984 "The sex drive is normally sufficiently powerful enough to override all but the most severe social sanctions. Thus we see variant sexual needs frequently erupting into variant sexual behaviours [2]. Coleman further states that sexual deviations are acts which involve non-consent or assault and those acts which can be described as problematic from the standpoint of welfare of the society.

The major sexual deviations are voyeurism, sexual sadism-masochism, pedophilia, exhibitionism etc [3].

Determining motivation

Another very important aspect of sex crime investigation is the determination of the 'motive'. In the present context, there are a lot of possibilities to consider. No one acts without motivation, however irrational it may seem.

According to Brussel [4] lithe motivations behind the act of a mad man possess their own logic. The psychotic murderer does not act wholly irrationally. There is a method to his madness, there is logic, a rationale, hidden behind what he does and how he does it.

The investigative challenge is to discover this

seemingly irrational logic and apply this information to the case.

With a careful search for evidence of sexual activity at the crime scene, one may detect presence of sexual assault and paraphilic behaviour i.e. presence of seminal fluid in vagina, mouth or rectum or on clothing and surrounding objects. Pornographic material may be found.

Human behaviour is both unpredictable and repetitive i.e. the offender may repeat certain actions done in an entire sex crime later on also.

The reason/motivation for the crime is an extremely important consideration in establishing the investigations direction i.e. if the murder was the result of a lover's quarrel or due to interpersonal violence was it due to a rape/sodomy attempt, lastly is it the work of a sexual psychopath with sadistic or impulsive implications? To answer these questions one must go on to the type and personality of a sexual offender.

Organized and disorganized offenders

This dichotomy was devised by the FBI's Behavioural Science Unit.

Table 1: Personality type and classification of the sexual offender

What is the motive

If PsychopathicSadisticImpulsiveOrganized
PsychoticMotivelessBizarreDisorganized

Organized offender and his victim

He is usually above average in intelligence and is methodical and cunning i.e. he plans carefully his crime. The crime scene is away from his residence or place of work. He is mobile. His personality is based on fantasy and ritual. His victims are of the "right type" i.e. someone he can manipulate and control and are total strangers. He uses his verbal skills to gain control over them till they are in his "comfort zone". He follows news reports carefully and takes "souvenirs" from the victims body/clothes etc after the crime. He is excited by the cruelty of the act and may torture the victim. He often removes the body from the crime scene elsewhere.

Disorganised offender and his victim

Conversely, he is of below average intelligence, is a loner (i.e. does not mix well with others). He is socially inadequate.

He will act impulsively under stress and his victim will be from near his home. His mode of attack can be termed as a "blitz" (out of no where). This is a spontaneous act, in which the offender suddenly acts out his fantasy and has had no planning beforehand of the sex crime committed.

A very important feature in such an attack is that he depersonalizes his victim by disfigurement or removal of body parts. These acts are committed postmortem i.e. mutilation of the breasts, genitalia, buttocks etc.

Ressler et al [5] states that "there are significant differences between both types of offender, however there are no situations where the organized and disorganised offender are mutually exclusive, that is both types of murderers are capable of all types of behaviour.

Homosexual homicides

These are quite common and may involve both sexes either as victims or as offenders. These include serial murders, killings involving forced anal and/or oral sodomy and other types of sexual perversions.

The injuries are usually inflicted by sharp weapons and are found on the throat, chest and abdomen (The throat is a major target as it is significant sexually in homosexual lover making). These "Lovers' quarrels" between male homosexuals manifest an increased level of violence due to the fact that the parties involved in the emotional conflict are both sexual aggressors.

Homosexual homicides involving forced anal and/or oral sex are to some degree homologous to the rape-homicides.

Classifications of sex-related homicides

A) Interpersonal violence oriented disputes: This is the most common type of sex-related murders. These disputes involve husbands and wives, men and women, boy and girl friends and sometimes siblings (incestuous homicides). Sometimes love triangles may also be seen. The motive is such murders is hate anger, jealousy or revenge with the thought that "If I cannot have you, no one else can too" Depersonalization is a notable feature of such murders.

B) Rape and/or sodomy oriented assault: Here, the offenders' primary intent is to rape/sodomize

the victim. These cases are very brutal and death results from the assailant overcoming the victim's resistance. The victim may be choked or strangled in the process or smothered / gagged to prevent her from screaming. Blunt force injuries may also be seen.

C) Deviant oriented assault: 'The Lust murder' This type of sex murder is committed by someone defined as a lust murderer who is oriented towards deviant and sexually sadistic assault and is easily differentiated from other types of sex-murderers by extensive mutilation of the body. These type of people do not indulge in penile penetration of the body and instead masturbate on the victim with displacement of breasts (Defeminization), postmortem attack on genitalia, evisceration, insertion of objects into body cavities and even anthropophagy (consumption of human flesh and blood). Lust murders are heterosexual (with certain exceptions). They act on the spur of the moment and are obsessed with some perverted fantasy. They are oblivious to the fact that they leave evidence behind and are mostly detected early.

D) The serial murder: It is defined as the killing of 3 or more separate victims with emotional time breaks between the killings.¹ These time breaks or "cooling off" periods range from days to weeks to even months between victims.

In psychiatric terminology, a serial killer may be defined as either psychotic or psychopathic depending upon the information supplied during the examination. Most of such killers are psychopathic i.e. sexual psychopaths or psychopathic sexual sadists. They have a profound personality disorder and yet are keenly aware of their own criminality and are in touch with reality.

According to Ressler et al a psychopathic killer kills because he likes to do so; he has conscious, detailed plans for murder and each new experience gives the offender insight into the next crime.

SUMMARY AND CONCLUSION

As is discussed above, sexual homicide is rampant all over the world and has been a study material for a vast number of investigators. The concept of criminalistics would be incomplete without a discussion on sex related killings. The knowledge of pattern of sexual offences, the

offender's modus operandi, his and the victims profile and type(s) of sexual perversions in each sex crime are a important and integral part of the investigation and the detection of the murderer is dependent on these points. The Indian scene unfortunately lacks the promptness and dedication seen in the west. Financial and technical constraints coupled with political "finishing" of cases (both sexual and otherwise) lead to stacks and stacks of files pertaining to unfinished cases. Overzealous and promotion hungry police officials have been observed fabricating evidence and eliminating "false" killers. Still, the future is not all that bleak and with the passing years one hopes that the forensic expert, forensic psychiatrist and police will work in unison on such cases.

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