

# **Deconstructing sexual killing**

by

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## **Abstract**

This thesis aims to deconstruct the problem of sexual killing both by examining the validity of conceptualising sexual offending on a continuum and exploring the categorisation of a killing as sexual with analysing the functional significance of the act of killing. It presents a systematic review of literature considering what is known about the characteristics of sexual killers and sexual aggressors before conducting an empirical research study aiming to account for the sexual aspect within the criminal event of sexual killers. The study uses a large sample of 350 non-serial male sexual killers of females aged 14 years or over, who had been convicted and served a custodial sentence within UK Prison Service. Lastly the thesis discusses the diagnostic difficulties of sexual sadism and examines the psychometric properties of a relatively newly developed instrument regarding the diagnosis of sexual sadism, the Severe Sexual Sadism Scale (SeSaS; Nitschke, Osterheider & Mokros, 2009). Clinical and research implications of the research are also considered.

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## **Chapter 1.**

### **Introduction**



The current state of knowledge of sexual killing is constrained by various methodological problems encountered by researchers. Low prevalence rates combined with difficulties accessing detailed data are just some examples that researchers face when examining this crime and its perpetrators. In addition, operationalisation of the term is difficult since sexual killing does not typically exist as a distinct type of offence. While these issues impact compiling accurate figures, it has been established that in June 2012 in the United Kingdom there were 6320 men serving a conviction for murder and 840 of these men committed a murder with an apparent or admitted sexual element (Stefanska, Beech, Carter, 2016). As such, out of all men detained for murder in the UK prison population, 13.3% were assessed as sexual murderers. This number represents an increase from the May 2003 estimate of 6% (Beech, Fisher, Ward, 2005), although the discrepancy may be partly due to the improved assessment and management of these offenders in the prison system.

The absence of a formal legal definition as to what constitutes a sexual killing contributes to a lack of a common understanding of the term. As a result, while most research definitions require physical evidence of sexual activity to classify a killing as sexual (Kerr, Beech & Murphy, 2013), in the majority of cases sexual killers are charged only with murder and not with the sexual offence. Due to the lack of a legal classification, various terminology has been used for research purposes, describing the phenomenon as ‘sexual killing’, ‘sexual homicide’, or ‘sexual murder’. Correspondingly, this thesis will also use the terms interchangeably, although the criteria of sexual killing used by the National Offender Management Service state that a sexual element and/or a sexual motivation for the murder (or manslaughter) needs to be evidenced, suspected or admitted.

A typological profiling approach was used as the framework for this chapter. This approach is one of many profiling methods and was used solely to provide structure to the arguments presented. The list of topics discussed here is not exhaustive, but will introduce to the reader the main concepts related to sexual homicide, which formed the basis of this thesis.

**Stage 1: Data assimilation** - *Investigators gather together information from multiple sources*

The first task entails classifying killing as sexual in nature which, in the absence of guidance with regards to legal definition, can be problematic. Some of the definitions appear to be overly simplistic, suggesting that sexual homicide should be viewed as a combination of lethal violence and a sexual element (Holmes & Holmes, 2001). Others appear complex but imprecise looking for a context of “power, control, sexuality and aggressive brutality” (Burgess, Hartman, Ressler, Douglas, & McCormack, 1986; p.252). Ultimately, the most widely used definition proposed by Ressler, Burgess and Douglas (1988) relies entirely on physical evidence readily available at the crime scene or obtained during the investigation (e.g. pathologist examination). It requires at least one of the following criteria to be met: (a) victim lacks attire (totally or partially), (b) exposure of the sexual parts of the victim’s body, (c) the body is found in a sexually explicit position, (d) an object has been inserted into a body cavity (anus, vagina, or mouth), (e) there is evidence of sexual intercourse, (f) there is evidence of substitutive sexual activity (e.g., masturbation and ejaculation at the crime scene), or of sadistic sexual fantasies (e.g., genital mutilation).

Sole reliance on the physical evidence has its limitations, especially when the evidence is not sufficient or readily available at the crime scene (Clarke & Carter, 2000). This reliance does not allow investigators to accurately capture the dynamics of the offence; therefore placing the killing within a situational context should be considered (Carter & Hollin, 2014). Cusson

and Proulx (2007) emphasised that sexual killers are human beings and accordingly their actions have motivations. These motivations should be accounted for when classifying a murder as sexual in nature. If the motivation for the murder was a partner's jealousy, would we regard the killing as sexual? In the absence of crime scene evidence pointing to a sexual aspect, most likely not. The situation would change if a sexual element was disclosed by the offender. Intent, however, is difficult to prove when the sexual nature of the crime is not immediately obvious. While confessions could help in deciding whether the killing was sexual, disclosures from suspects are not easy to obtain and in such cases the true sexual motivation often remains hidden (Folino, 2000).

In contrast, if a victim was killed following an argument and the forensic evidence of sexual contact was easily ascertained the case would be assessed as a sex-related killing. This is despite the fact that the violence was not necessarily sexually driven, for example in cases where the killing occurred following a consensual sexual activity (Clarke & Carter, 2000). Thus, understanding the context, that is, the scenario in which the sexual element occurred, is important as it allows investigators to consider if the sexual aspect and the killing were closely related (Carter & Hollin, 2014; Stefanska, Carter, Higgs, Bishopp & Beech, 2015).

**Stage 2: Crime classification** – *Data inputs (i.e. information gathered by the investigators) are organised and arranged into significant patterns*

One of the first and most well-known examples of a classification system of sexual murder based its typology on the crime scene behaviour and classified perpetrators as organised or disorganised (Ressler et al., 1988). This research was originally conducted to examine lust and sexual sadistic murderers, given that “the lust murder is unique and is distinguished from the sadistic homicide by the involvement of a mutilating attack or displacement of the

breasts, rectum, or genitals” (Hazelwood & Douglas, 1980, p. 18). According to the model, the organised murderer is in control, which is reflected in the fact that his crimes generally show evidence of careful planning (e.g. the victim is targeted and the necessary materials such as restraints and weapons are brought to the crime scene). The methodical approach could also be noted in the post-offence behaviour, such as incriminating evidence having been removed or the body concealed. The disorganised murderer, in contrast, leaves a chaotic crime scene displaying little planning of the offence, such as leaving the body in open view with little effort to remove evidence (Ressler et al., 1988).

Since then, other classifications have been put forward and although they vary in their use of terminology when describing different types of sexual killers, generally they identify two subgroups (Proulx, 2008). The first subgroup is variously termed: ‘compulsive’ (Meloy, 2000; Revitch & Schlesinger, 1981); ‘angry-excitation’ (Keppel & Walter, 1999); ‘predator /pervert’ (Kocsis, 1999); ‘sexually motivated’ (Clarke & Carter, 2000); ‘sadistic’ (Beauregard & Proulx, 2002; Beech, Fisher & Ward, 2005); and ‘deviance driven’ (Stefanska et al., 2015) shared some similarities with the original organised type. The underlying concept is that the act of killing was sexually gratifying and it enabled the perpetrator to enact a sexual fantasy (Carter & Hollin, 2014). The second subgroup is variously termed: ‘catathymic’ (Meloy, 2000; Revitch & Schlesinger, 1981); ‘angry-retaliatory’ (Keppel & Walter, 1999); ‘fury’ (Kocsis, 1999); ‘anger dyscontrol’ (Clarke & Carter, 2000); ‘angry’ (Beauregard & Proulx, 2002); and ‘grievance motivated’ (Beech et al., 2005; Stefanska et al., 2015) shared some similarities with the original disorganised type. The underlying concept is that the act of killing was triggered by anger, usually in response to something a victim said or did (Beech et al., 2005; Carter & Hollin, 2014; Stefanska et al., 2015).

Some studies additionally identified a third subgroup is variously termed: ‘aggressive control’ (Clarke & Carter, 2000); ‘rape’ (Kocsis, 1999); ‘sexually motivated’ (Beech et al., 2005; Stefanska et al., 2015). Here the primary objective was sexual assault and the perpetrator killed his victim in order to silence then ensure submission, or to eliminate a witness of the attack. As such the killing was merely instrumental (Carter & Hollin, 2014).

Carter and Hollin (2014) pointed out that while classification helps to capture motivations behind the different types of perpetrators, in some cases it does not adequately explain the way the sexual element and the killing are related. Specifically, for the sadistic perpetrator, murder is sexually arousing and thus the sexual aspect and the killing are closely bound. However, in the second group, the angry perpetrator, anger represents a characteristic of the perpetrator without capturing the sexual aspect of the offence. The authors discussed two ways (direct and indirect) in which sex and killing may be connected. In direct attachment killing is integral in the pursuit of sexual gratification, whereas in indirect attachment killing is not a source of sexual stimulation.

**Stage 3: Crime reconstruction** – *Hypotheses are generated about what happened during the crime*

The dynamic nature of the interaction between the perpetrator and his victim during the crime event should not be overlooked (Kennedy & Forde, 1999). Presence of a weapon (Chéné & Cusson, 2007); choice of weapon (Chan & Beauregard, 2016); victim characteristics (e.g. victim background; Mieczkowski & Beauregard, 2010); presence of disinhibitors and the combination of disinhibitors present at the time of the crime (Mieczkowski & Beauregard, 2012) are some of the situational factors associated with the lethality of the outcome. Studies examining such associations generally examined sexual assault in two ways, first by

comparing the crime event in terms of severity of the assault and secondly by looking at the outcome of the crime (i.e. if it was lethal or non-lethal).

In order to further understand what discriminates lethal from a non-lethal sexual assault, and whether sexual killers represent a distinct group of sexual perpetrators, research also compared sexual killers with sexual aggressors (specifically perpetrators of rape or attempted rape). The studies examined the two groups in isolation or directly compared these two types of sexual offenders. Some differences have been noted. For example, Langevin, Ben-Aron, Wright, Marchese and Handy (1988) and Proulx and Sauvêtre (2007) found that sexual killers were more often diagnosed with sadism. Grubin (1994) and Milsom, Beech, and Webster (2003) reported higher prevalence of emotional loneliness in sexual killers, whereas Nicole and Proulx (2007) noted high levels of social isolation in sexual killers. However, as overall the groups appeared to have more similarities than differences. As such, some scholars proposed conceptualising the offences as occurring on a continuum with the level of violence distinguishing between the types of the offence (Oliver, Beech, Fisher, & Beckett, 2007; Proulx, Cusson, & Beauregard, 2007; Salfati & Taylor, 2006). It is possible that rape offenders tend to adopt a more controlled approach in comparison to the expressive violence of the sexual killers (Salfati & Taylor, 2006). Anger of course could be one of the factors leading to expressive violence thereby increasing the chances of fatality of a sexual assault (Mieczkowski & Beauregard, 2010).

Considering their criminal career, sexual killers tend to be viewed as polymorphic offenders where murder is the culmination of a series of different crimes (Cusson & Proulx, 2007). In contrast to the specialization hypothesis (which states that sexual offenders are specialists who repeat sexual crimes [e.g. Lussier & Cale, 2013]) sexual aggressors and sexual killers

usually cannot be distinguished on the basis of the type of sexual crime they committed. However, when looking at subgroups of sexual killers some specialisation can be noted, as for serial sexual killers and sadistic sexual killers the crime appears to lie on the spectrum of their past sexual crimes given that they commit primarily sexual crimes (Cusson & Proulx, 2007). These offenders also do not fit the continuum model (i.e. sexual aggression and sexual killing occurring at the extreme ends of a single continuum) given that killing is a source of sexual excitement (Carter & Hollin, 2014; Oliver et al., 2007; Stefanska et al., 2015). On the other hand, some sexual killings resemble sexual assaults that resulted in murder (Beech et al., 2005; Carter & Hollin, 2014). Indeed, perhaps for some perpetrators rape was the primary intention or the offence was driven by intense emotions (such as anger) but the victim was killed for non-sexual reasons. Arguably, these offenders fit the continuum conceptualisation and as such they may be more akin to non-homicide sexual aggressors (Stefanska et al., 2015).

#### **Stage 4: Profile generation**

The deconstruction of the sexual killing will concentrate on two concepts: 1) the validity of conceptualising sexual offending on a continuum and 2) the validity of categorising a killing as sexual without analysing the functional significance of the act of killing (i.e. the different attachment the killing may have to sexual arousal within the offence process).

In the next chapter a systematic review considers what is known about the characteristics of sexual killers as compared to sexual aggressors. Given that studies comparing sexual killers and sexual aggressors overall fail to detect differences between the groups leading to conceptualising sexual offending on a continuum (e.g. Oliver et al., 2007; Proulx et al., 2007; Salfati & Taylor, 2006), the aim of the review is to identify which characteristics have

consistently been shown to be similar (homogeneous) and which appear to be different (heterogeneous) across these two groups. As methodological issues of the studies on which this premise is based have rarely been considered, the review also addresses this. The chapter argues that by encompassing all sexual killers in a single group, the types of the sexual killer and, more importantly, killings that have different functional roles have been ignored which might introduce a confounding effect in the research. This is because when amalgamating all sexual killers into a single category and comparing them to rapists, the ability to detect any potential differences is arguably attenuated by the fact that the sample contained different types of sexual killer perpetrators. However, sexual homicide can be driven by various motivators: sexual, deviance or even grievance drive (Stefanska et al., 2015). Depending on the pathway being followed, the functional role of the killing within the criminal event may vary from instrumental (indirect link) to being crucial for sexual arousal (direct link). Based on this, those perpetrators who were sexually motivated but killed for instrumental reasons could in fact be more akin to non-homicide sexual aggressors whereas homicides where there was no sexual motivation and only an indirect link between sex and killing could be more akin to non-sexual homicide (Carter, Hollin, Stefanska, Higgs, & Bloomfield, 2016).

Chapter 3 is an empirical research study. Following the argument of chapter 2 regarding a possible confounding effect of including all sexual killers in one group, chapter 3 aims to capture the sexual aspect within the criminal event of sexual killers. By adopting a top-down approach, each case is assigned as belonging to either the direct or indirect group. The categories of indirect and direct groups are based on the definitions provided by Carter and Hollin (2014) and this decision is based on the evidence accepted by the court at trial and available in the lifer's files. Once classified, various factors related to the criminal events of the two groups are explored. Specifically, the research explores whether there are any



specific situational and *modus operandi* (MO) factors that can predict the membership of the indirect and the direct group and if Ressler et al. (1988) criteria for sexual murder can predict the membership of the groups. In order to gain an understanding of the dynamics of the criminal event, factors associated with the severity of the attack are examined. Furthermore, the ability to avoid detection and the specific precautions that the direct (i.e. sex and the killing are closely bound) and the indirect (i.e. killing is not a source of sexual arousal) perpetrators use during the criminal event are also looked at.

Chapter 4 discusses the diagnostic difficulties of sexual sadism and introduces the relatively newly developed instrument regarding the diagnosis of sexual sadism, the Severe Sexual Sadism Scale (SeSaS; Nitschke, Osterheider & Mokros, 2009). This topic is important given that sexual killers tend to be portrayed as sadists (despite only some acting on sadistic sexual urges; Cusson & Proulx, 2007) and given that a questionable level of agreement of the clinical diagnosis of sadism has been found among professionals (Nitschke, Mokros, Osterheider & Marshall, 2013). The SeSaS aims to rely not on the perpetrator's self-report but rather use the behavioural indicators available from the crime scene in order to guide the assessment of sexual sadism. This chapter reviews the studies that, to date, examined psychometric properties of the instrument.

Chapter 5 is a summary of all findings of this thesis. Research and practical implications of the results obtained are discussed, and recommendations for future research are presented.

## **Chapter 2.**

**A systematic review of the literature comparing male non-serial sexual killers and sexual aggressors: examining homogeneous and heterogeneous characteristics of these groups**

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REVIEW ARTICLE

## A systematic review of the literature comparing male non-serial sexual killers and sexual aggressors: examining homogeneous and heterogeneous characteristics of these groups

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### ABSTRACT

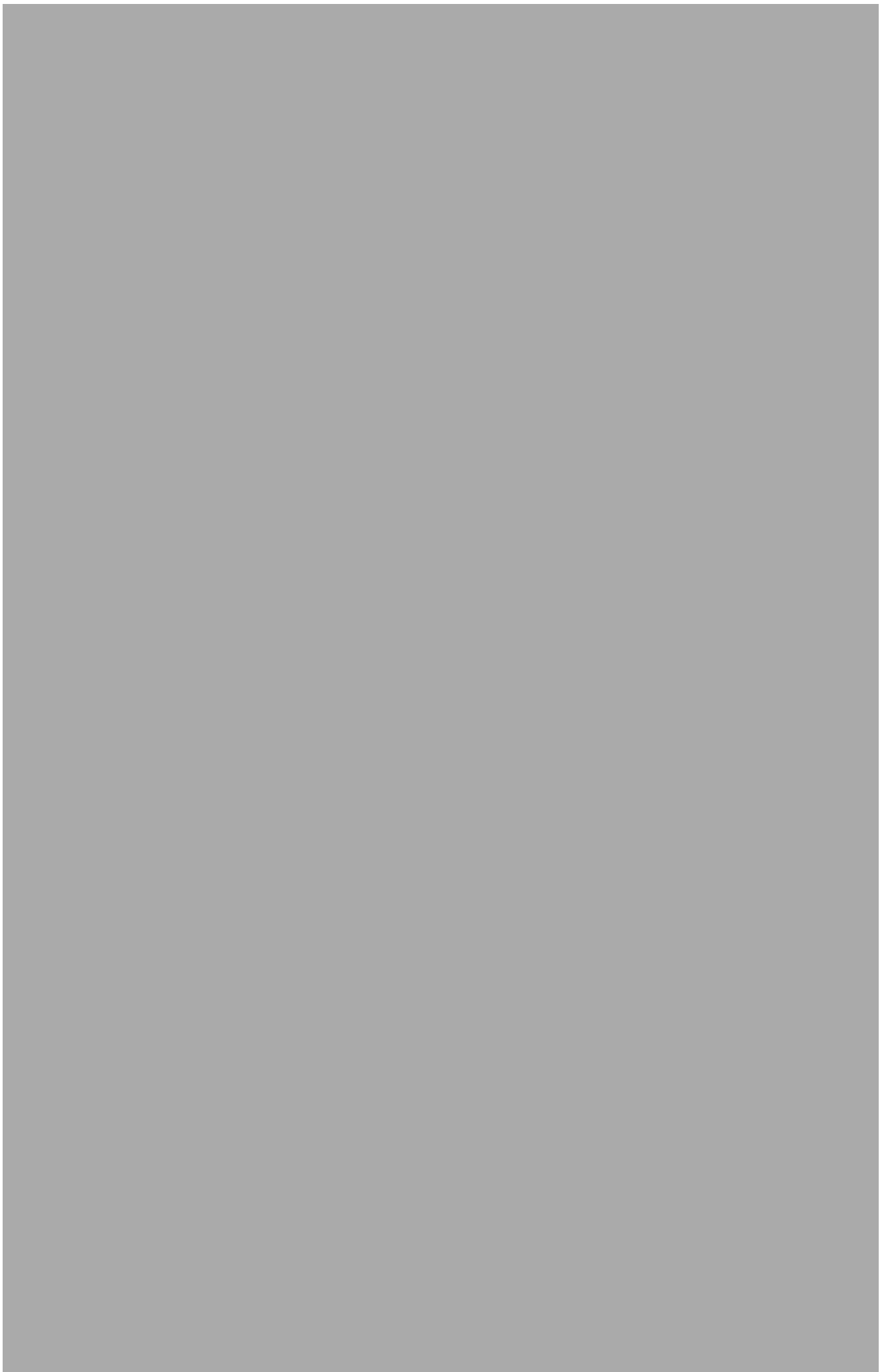
This systematic review considers what is known about the characteristics of sexual killers and sexual aggressors. The aim was to identify which characteristics have consistently been shown to be similar (homogeneous) and which are different (heterogeneous) across these two groups. Ten studies, including approximately 300 sexual killers, were analysed. Only studies where the samples were directly compared and where sexual killers were male, predominantly non-serial and perpetrated against adult female victims were included. Results indicate that levels of loneliness and anger appear to be more prevalent in the sexual killer sample while mental health disorders, criminal history, family structure and history of sexual abuse as well as some crime scene behaviours seem to be similar across the two groups. The results of this review have also highlighted some methodological problems inherent to these types of studies and these issues are discussed from the perspective of improving research on these crimes.

### ARTICLE HISTORY

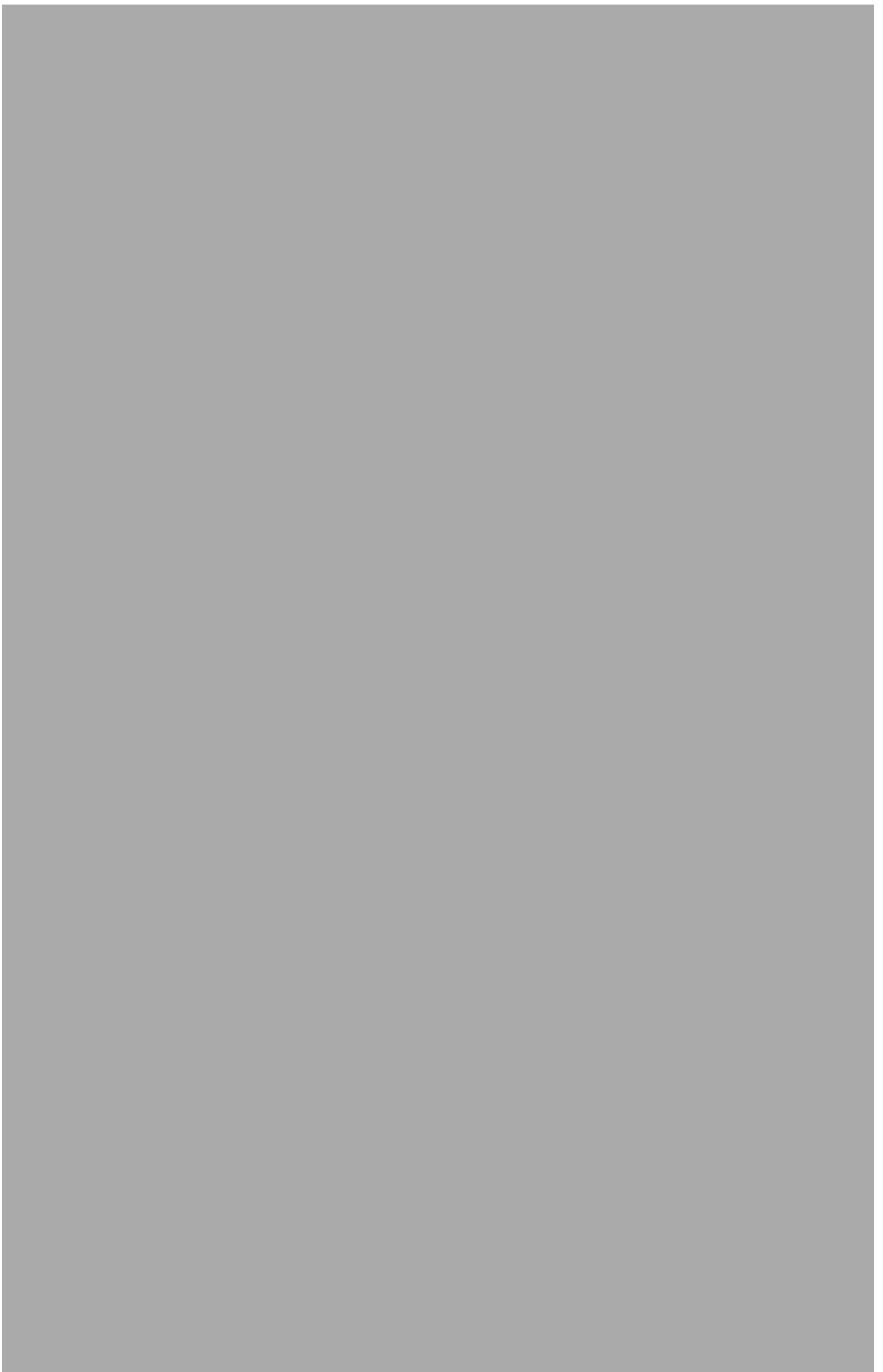
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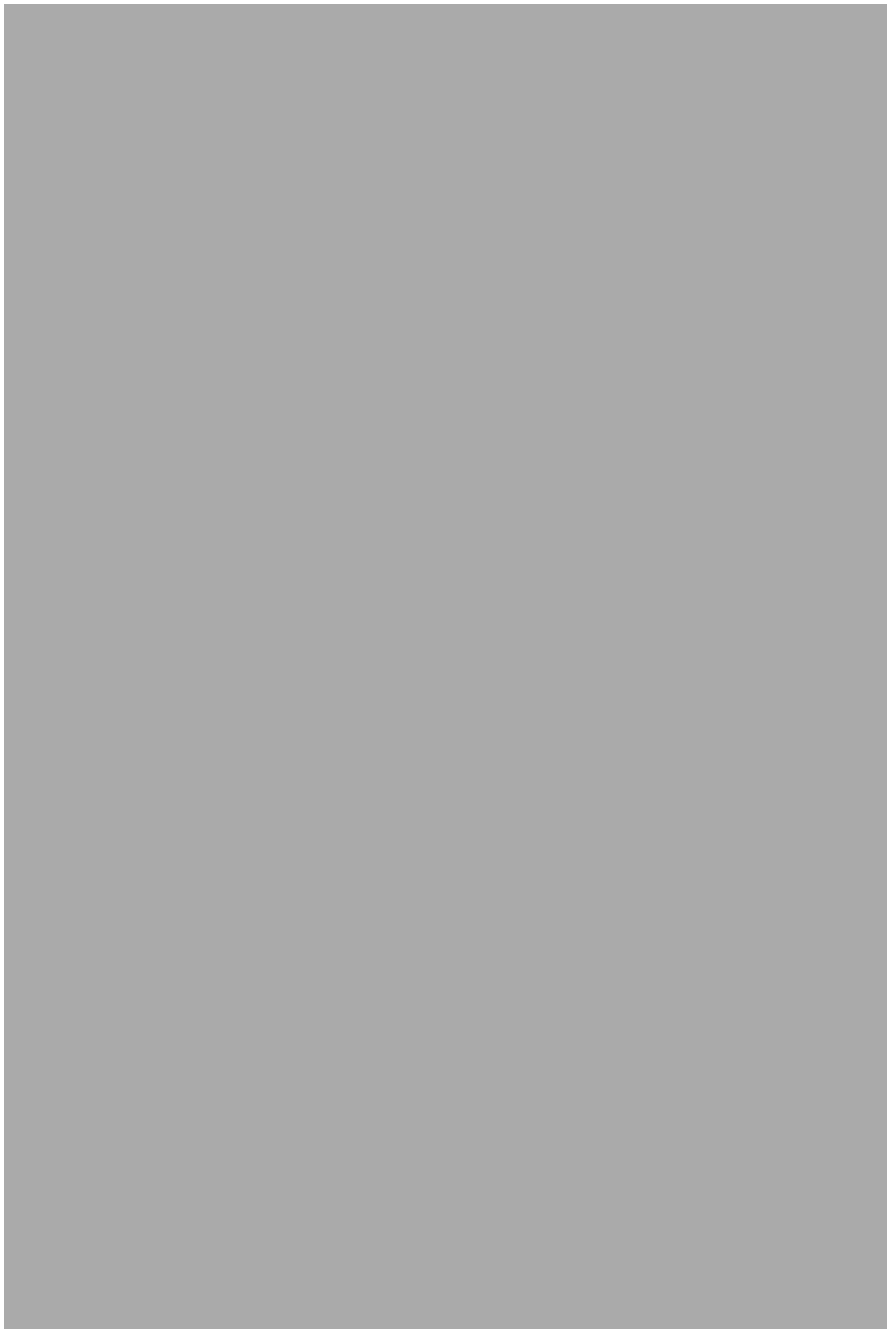
### KEYWORDS

Sexual killers; homicide; sexual aggressors; offender characteristics; crime scene behaviours



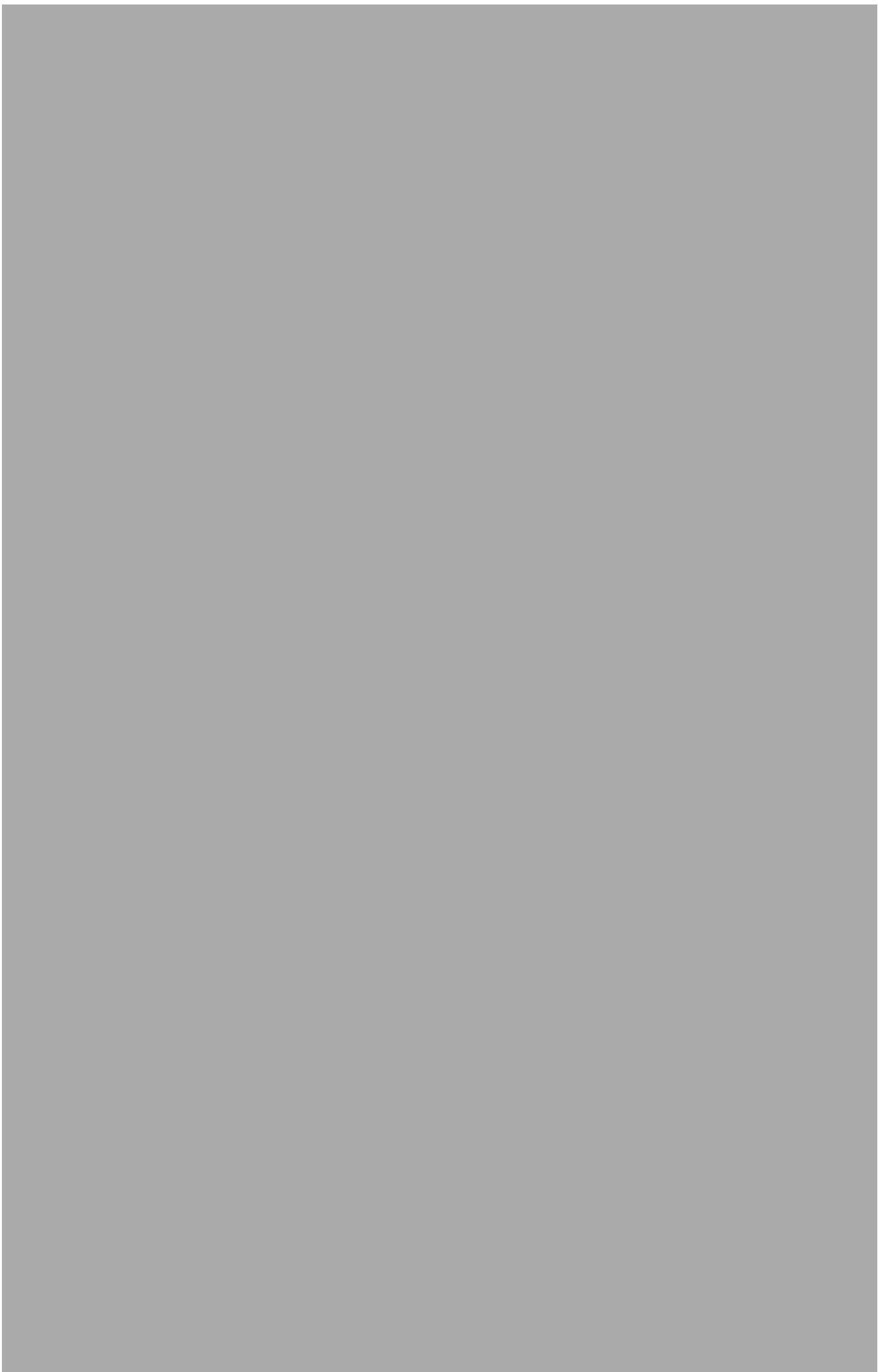


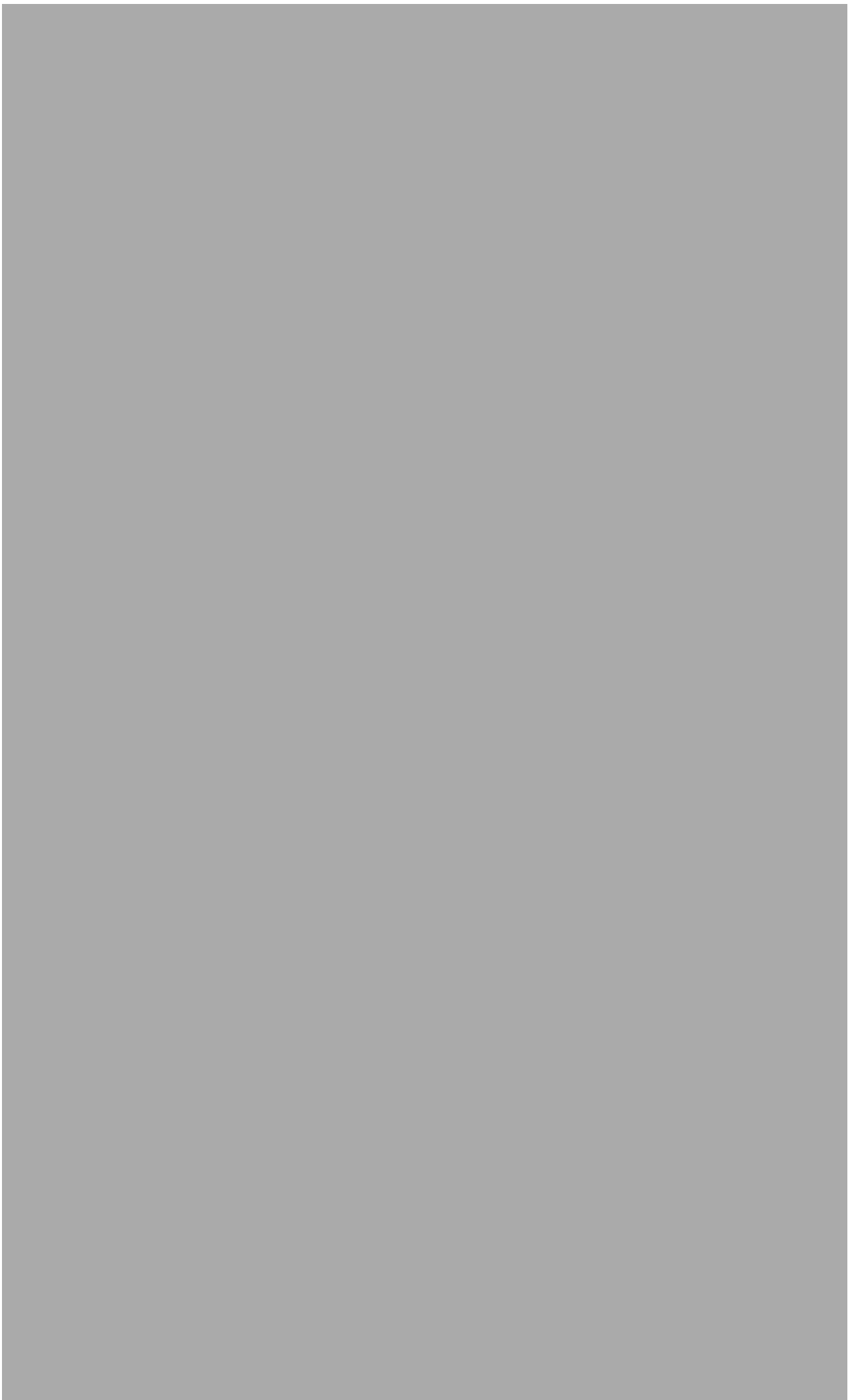


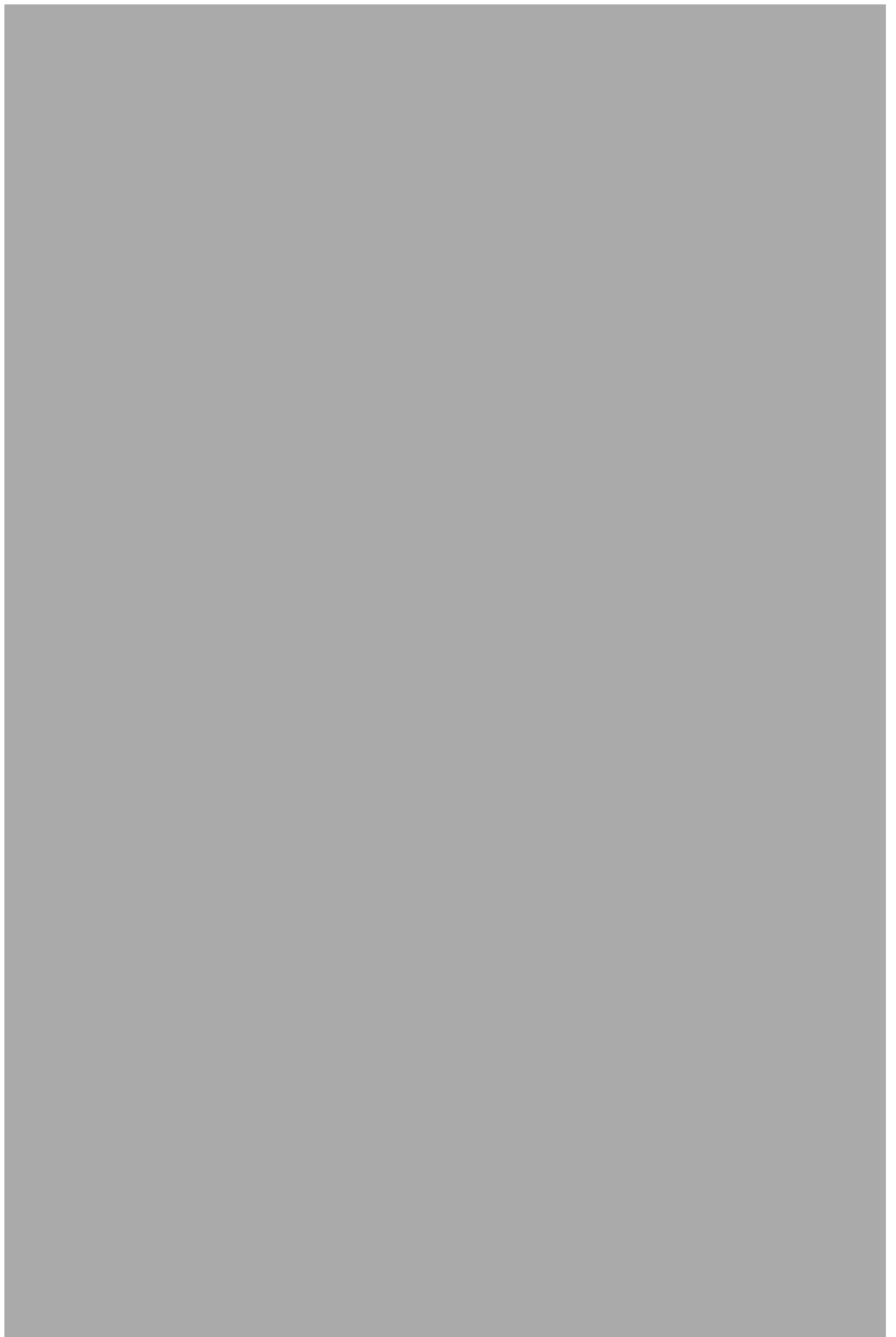


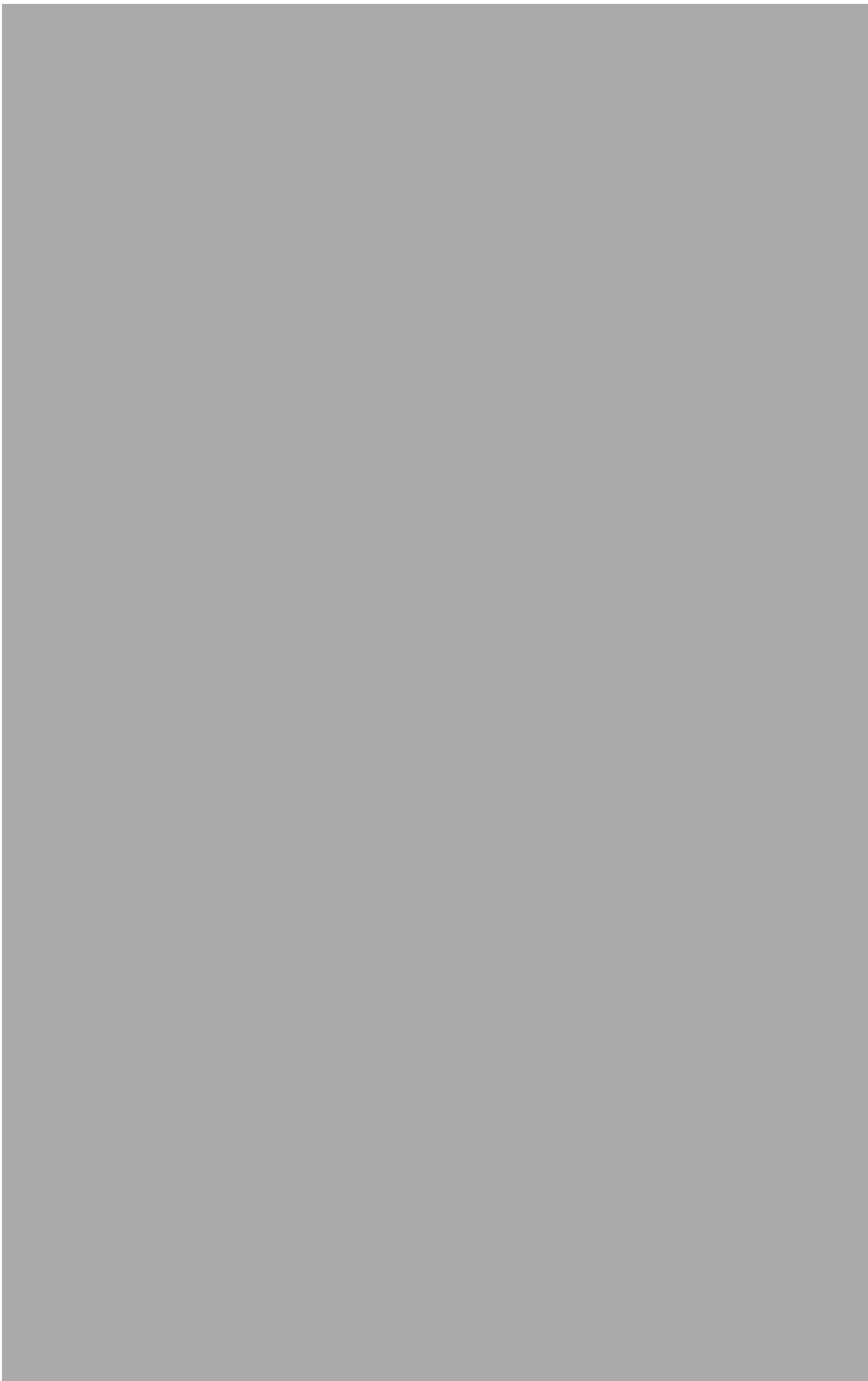






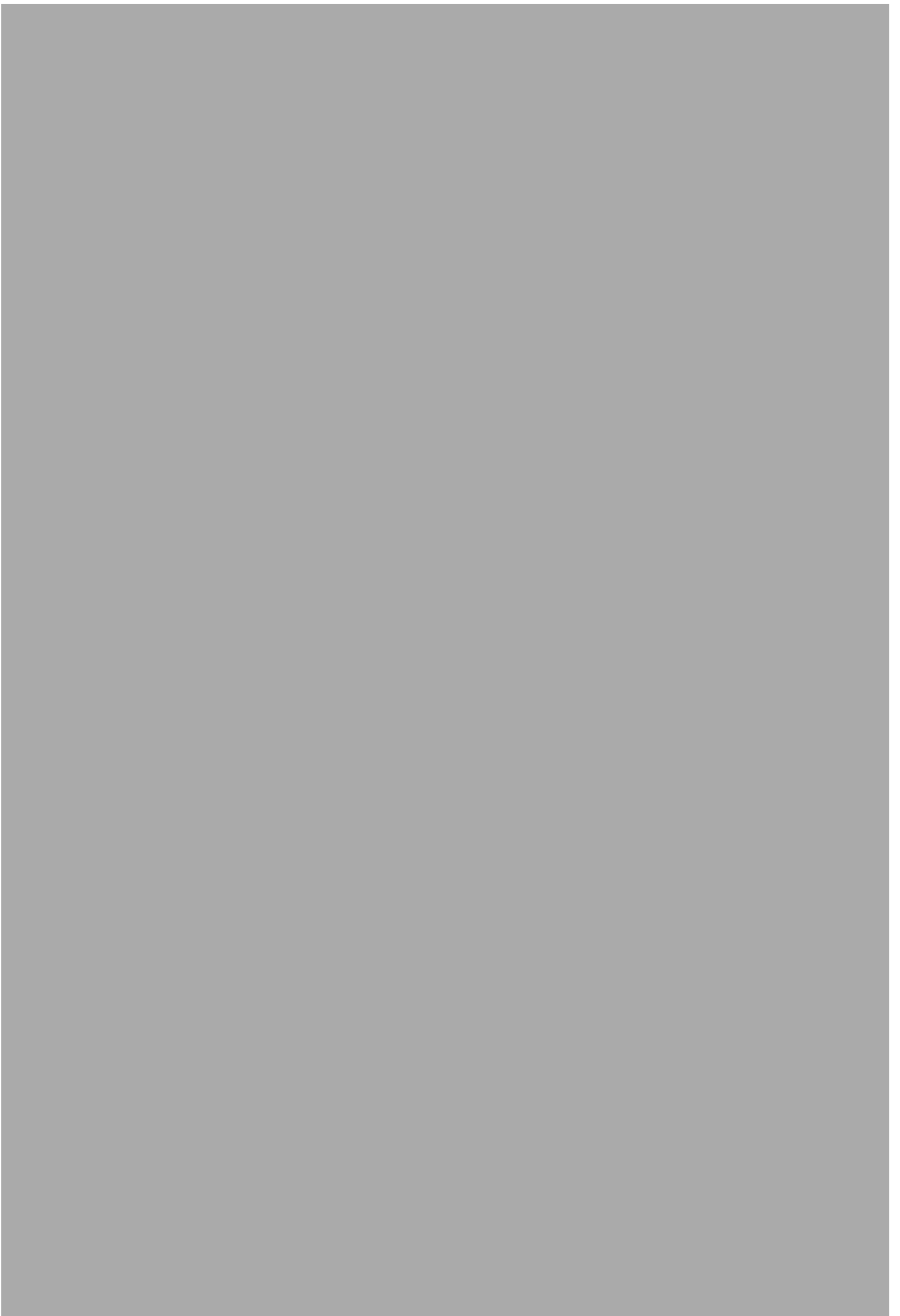


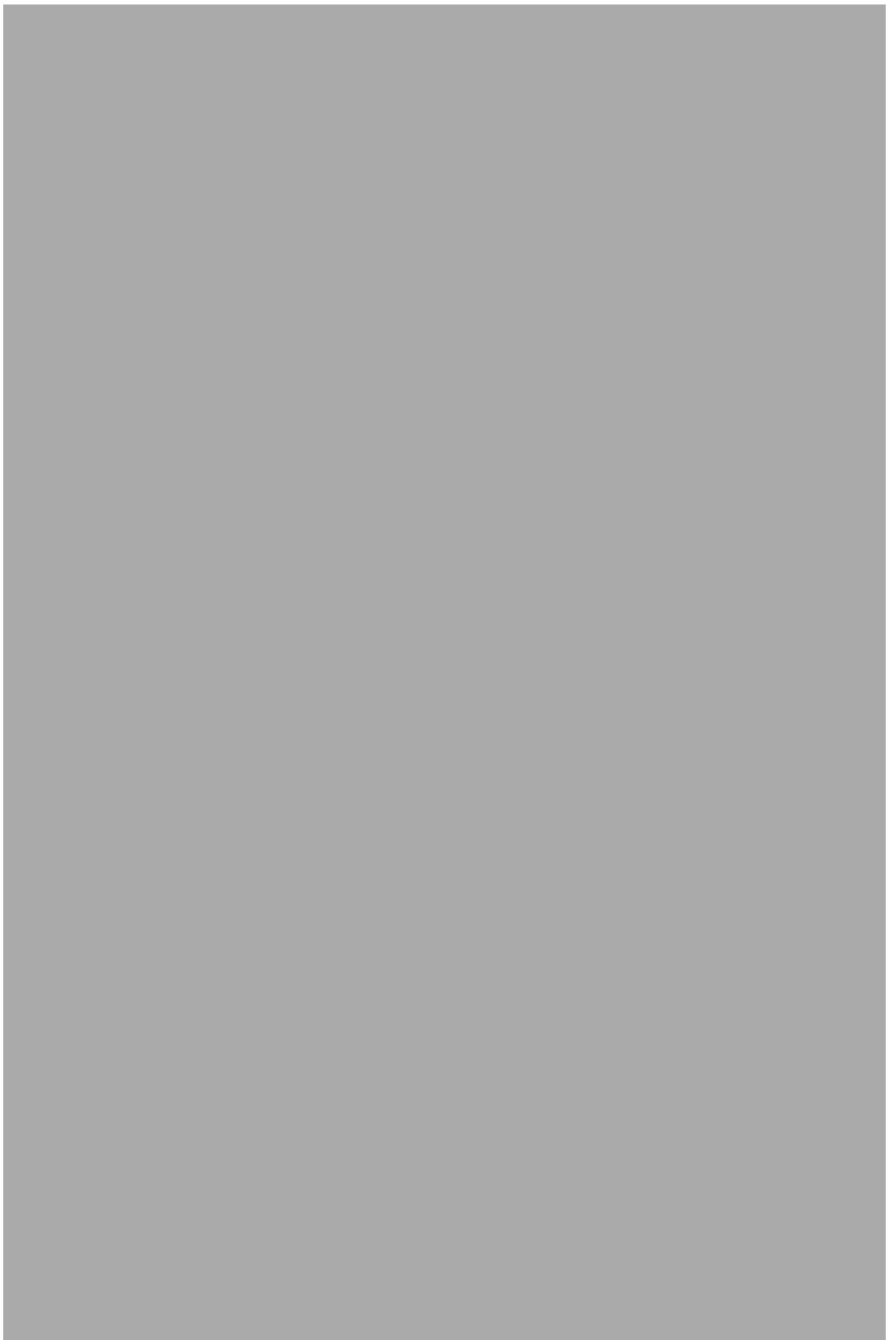






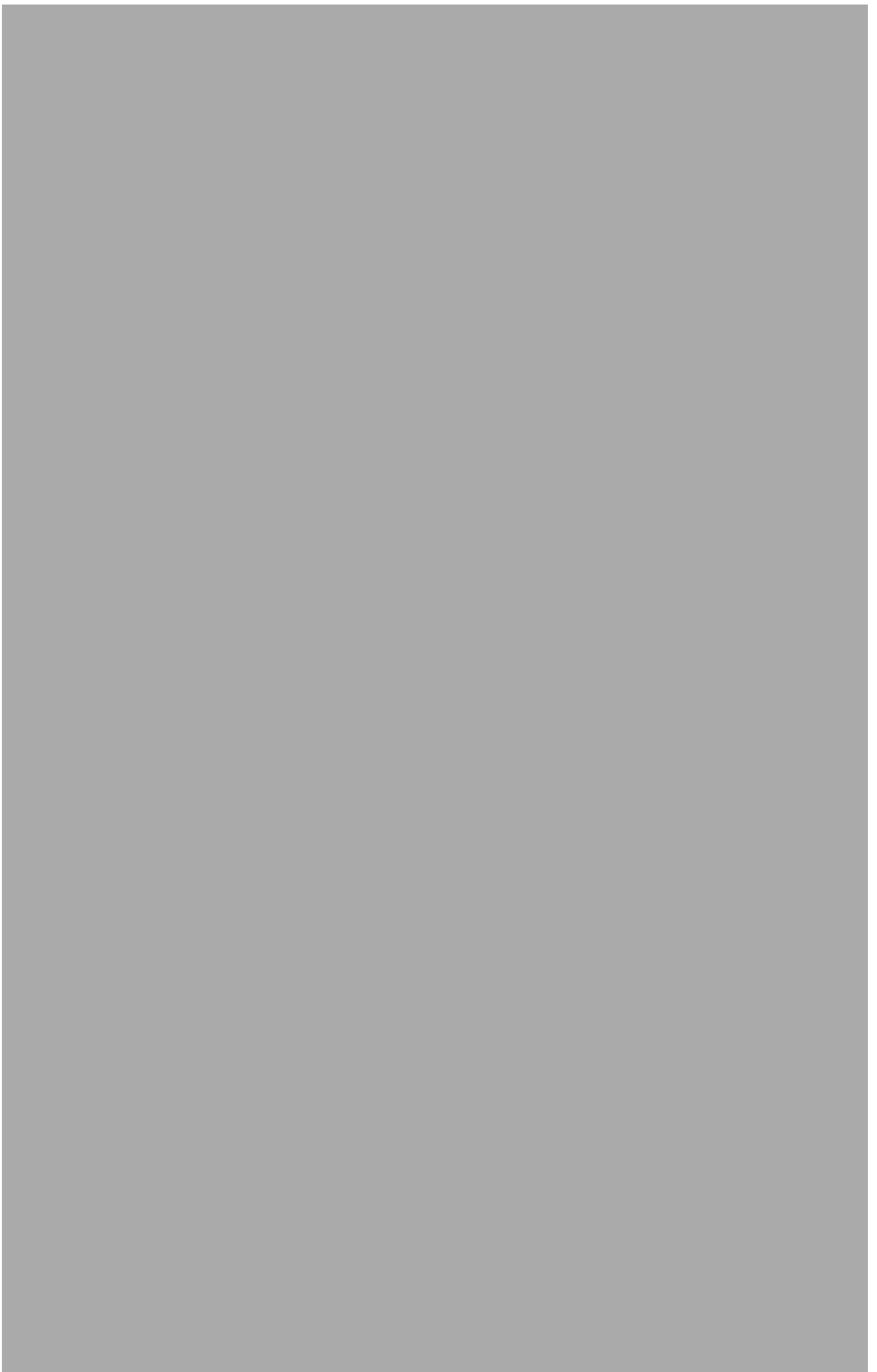


















## **Chapter 3.**

**When is a murder a sexual murder: Understanding the sexual element in  
the classification of sexually motivated killings**

## Abstract

This chapter considered the different ways the sexual element and the act of killing could be connected in sexual homicide cases by assigning each case as belonging to either the direct (the sexual aspect and killing were closely connected) or indirect (the killing was not a source of sexual stimulation) group. A total of 350 non-serial male sexual killers of females aged 14 years or over, who had been convicted and served a custodial sentence within UK Prison Service, were included in the study. Once classified, various analyses explored the factors related to the criminal events of the two perpetrator groups. The results noted predictors that could effectively differentiate between the indirect and the direct cases. The indirect perpetrators had higher odds of meeting their victim in a place different from the crime scene and becoming angry during the criminal event. They were more inclined to attack a stranger victim who died due to injuries sustained through a beating. Overall, this suggests that situational factors might be of relevance in this group. On the other hand, the presence of unusual crime scene behaviours (not necessarily ritualistic e.g. leaving notes or defecating at the crime scene) and higher SeSaS scores increased the odds of being a direct sexual killer, suggesting that enactment of a deviant fantasy was predictive of the membership of this group. Similar conclusions could be drawn from the analysis of the dynamics of the criminal events. The presence of two of Ressler et al.'s (1988) criteria (object insertion and substitute sexual activity/sadistic fantasy) lowered the odds of the case being classed as indirect. Along with the poor classification for the direct cases it raised the possibility that Ressler et al.'s criteria are overly inclusive. Finally, even though on the whole the indirect and the direct groups did not differ in the frequency of many of the precautions used, it took longer for the direct perpetrators to be arrested after the murder. This suggested that perhaps direct sexual

killers are more skilled at using the various precautions and thus, they are more forensically aware.



## Introduction

*“The difference between homicide and assault may simply be the intervention of a bystander, the accuracy of a gun, the weight of a frying pan, the speed of an ambulance or the availability of a trauma centre”* (Gottfredson & Hirshi, 1990, p. 34).

In the absence of a disclosure from the perpetrator, the over-riding issue is to reliably classify killings as sexual (Carter et al., 2016). Currently, in research, the most widely used definition of sexual homicide is a definition proposed by Ressler, Burgess and Douglas (1988). It relies entirely on physical evidence readily available at the crime scene or obtained during the investigation and requires at least one of the criteria to be met: (a) victim lacks clothing (b) exposure of the sexual parts of the victim’s body, (c) the body is found in a sexually explicit position, (d) an object has been inserted into a victim’s body cavity (anus, vagina, or mouth), (e) there is evidence of sexual intercourse, (f) there is evidence of substitutive sexual activity (e.g., masturbation and ejaculation at the crime scene), or of sadistic sexual fantasies (e.g., genital mutilation). A study by Carter et al. (2016) showed that using the Ressler et al. (1988) definition of sexual homicide to non-serial killers is useful when attempting to identify the likelihood of a sexual element to the murder. However, in some cases the forensic evidence of sexual contact might be misleading, suggesting that the murder should be assessed as a sexually-related homicide, even though the killing occurred following a consensual sexual activity (Clarke & Carter, 2000). Therefore, a thorough case formulation should not only focus on the motivation behind the killing but also it should place the offence within a situational context by examining the way the sexual element was related to the killing within the criminal event (Carter & Hollin, 2014).

When turning to the question of motivation, while killing in pursuit of sadistic pleasure is commonly noted in sexual homicide, it is not a feature of all cases. In classification studies, apart from the sadistic type, the angry sexual killers have also been consistently identified (Proulx, 2008) and some studies additionally describe a sexually motivated perpetrator. Clinical, statistical, and theory-led approaches have been used to examine prototypical characteristics of perpetrators differentiated by their motivation to sexually kill. Various aspects such as development, personality traits, crime situational factors and *modus operandi* have been considered depending on whether the focus of investigation was theoretical advancement, treatment or criminal profiling (Kerr et al., 2013).

### **Types of sexual killers**

To expand on this, for the sadistic sexual killers, the offence appeared to be a result of sexual excitement to sadistic fantasies reinforced by the use of pornography and compulsive masturbation. Accordingly, in most cases, their crime was planned, the victim was selected on the basis of specific criteria and a con strategy was used when the perpetrator first came in to contact with the victim. These offenders were more likely to exert control over their victim with the use of restraints. Victims might have been kidnapped, confined for long periods, humiliated and tortured. Incidences of post-mortem sexual interference, post-mortem mutilation as well as ritualistic elements (e.g. combing hair) and bizarre crime behaviour (e.g., cannibalism or positioning of a body) were also noted (Beauregard & Proulx, 2002; Beauregard, Proulx, & St-Yves, 2007; Beech et al., 2005; Clarke & Carter, 2000; Kocsis, 1999; Meloy, 2000; Stefanska et al., 2015). The unusual acts during the crime event are likely to represent enactment of a deviant fantasy (Ressler et al., 1988). In fact, a recent study by Higgs et al. (2016) found that a similar number of sexual aggressors and sexual killers engaged in unusual acts when offending but the psychological function of behaviours seemed

different. Overall, sexual aggressors were less ritualistic and tended to include acts such as attempting to engage the victim in conversation and offering to escort them home. In the post-crime phase, these offenders were more likely to destroy or remove incriminating evidence, clean the scene and conceal the victim's body (e.g., Beaugard & Proulx, 2002; Beaugard, Proulx, & St-Yves, 2007; Beech et al., 2005; Clarke & Carter, 2000; Kocsis, 1999; Meloy, 2000; Stefanska et al., 2015).

In contrast, the offence of the angry sexual killer tended to be triggered by something that a victim said or did which resulted in a violent attack with evidence of 'overkill' often being present. The spontaneity of the offence was reflected in the crime scene as the victim was not preselected and the killing was unplanned. As such, items enabling the perpetrator to facilitate the crime were absent and the weapon was often picked up at the crime scene. There was some evidence of post-mortem interference and post-mortem mutilation; although on average the prevalence of such incidents was lower than in the sadistic group. The crime scene was generally left uncleaned and the body was not moved (e.g.; Beaugard & Proulx, 2002; Beaugard et al., 2007; Beech et al., 2005; Clarke & Carter, 2000; Kocsis, 1999; Meloy, 2000; Stefanska et al., 2015).

For the sexually motivated killer, the main objective was sexual assault. While the offence might have been planned, victim selected and offence driven by prior fantasies, the offence was not characterised by post-mortem sexual interference, post-mortem mutilation or ritualistic behaviour. The killing appeared to be carried out either to silence the victim or to avoid detection (Beech et al., 2005; Clarke & Carter, 2000; Kocsis, 1999; Stefanska et al., 2015).

### **Sexually motivated sexual killers**

Proulx (2008) considered identification of sexually motivated perpetrators problematic.

Given that as a group they appear to be characterised by an absence rather than a presence of features (e.g., lack of post-mortem sexual interference or overkill) but at the same time they might share certain crime scene aspects with the other two groups (e.g., premeditation), they could be confused with either the sadistic or the angry type (Stefanska et al., 2015). Thus, considering whether or not the sexual aspect and the killing were closely bound could sometimes help in understanding the context in which the sexual element occurred (Carter & Hollin, 2014). For example, premeditation or victim selection seems to be a shared feature of both sexually driven and sadistic perpetrators. However, contrary to the sadistic type, for the sexually driven perpetrator killing plays an instrumental role with no evidence suggesting that the act of murder was sexually gratifying (Stefanska et al., 2015).

Indeed, the instrumental killing in the sexually driven group makes these perpetrators more akin to non-homicide sexual aggressors. The offence itself could be understood as evolving in the context of victim-aggressor dynamic (Polaschek & Hudson, 2004) fitting the continuum conceptualization of sexual aggression (i.e., that rape and sexual killing should be viewed as occurring at extreme ends of a single continuum with the level of violence distinguishing between the types of offence, Oliver et al., 2007; Proulx et al., 2007; Salfati & Taylor, 2006). In a study by Stefanska et al. (2015) the majority of offenders who killed for instrumental reasons had a previous offence for rape or attempted rape, suggesting that in the index offence the perpetrator perhaps sought to repeat that behaviour but killed under the circumstances of perceived personal threat (Polaschek & Hudson, 2004). A rational choice perspective (investigating the decision-making process of the perpetrators) considers the crime to be dynamic. It expects the aggressor to modify their behaviour in response to

various situational components at the crime scene. As such, the behaviour is regarded as instrumental, adapted to the particular offending situation in order to achieve the desired goal of the criminal act (Cornish & Clarke, 2002).

In sexual assaults, several situational factors encountered at the crime scene appear to influence the decision-making process that is associated with the greater level of violence used by the perpetrator. Disinhibitors such as alcohol and drugs, for example, were shown to increase both the likelihood of victim physical injury and victim death, although the effect of drugs was less definitive (Beauregard & Leclerc, 2007; Chéné & Cusson, 2007; Mieczkowski & Beauregard, 2012; Reid & Beauregard, 2015). The likelihood of victim's death increased with victim's age (Reid & Beauregard, 2015). The presence of a weapon, even if it was initially carried for control purposes, increased the risk of a lethal outcome (Beauregard & Leclerc, 2007; Chéné & Cusson, 2007; Mieczkowski & Beauregard, 2012; Reid & Beauregard, 2015). Victim resistance has been found to increase the level of force used by the aggressor although its type in combination with various types of weapon were differentially associated with the outcome of the crime. When a weapon was absent, verbal resistance had no impact on severity of the attack but physical resistance was associated with greater injury and fatality. Examination of accounts of repeat sex offenders who injured or killed one victim but not another pointed to instrumental reasons such as victim resistance and elimination of a witness were common, although anger and evolving sexual fantasies were also noted (Reid & Beauregard, 2015). Safarik and Jarvis (2005) further highlighted that while the cause of death is an important component of homicide that needs to be considered, it is also important to consider the severity of injuries sustained by the victim, as it helps to gain an understanding of the dynamics of the criminal event. The authors argued that the

behaviour of the perpetrator who kills with little injury differs from the behaviour of the perpetrator who spends considerable time and effort in inflicting excessive injuries.

### **Anger as a motivator**

As with the instrumental killings, the dynamic nature of interaction between the perpetrator and his victim appears to be important in the anger group as many of these offences tended to be triggered by the victim's actions (e.g., Beech et al., 2005; Carter & Hollin, 2014; Stefanska et al., 2015). However, anger as a motivational drive in the typology of sexual killers has been questioned due to the unclear connection between the perpetrator's mood and the sexual component of the offence (Myers, Husted, Safarik, & O'Toole, 2006). At a physiological level, Myers et al. (2006) argued that sexual arousal and anger are negatively related (i.e. that a fit of rage would inhibit sexual erection). Hypothalamus, amygdala, and orbitofrontal cortex are some of the brain structures in the central nervous system that appear to be implicated in the regulation of excitatory and inhibitory systems during sexual arousal. The same brain structures, especially the orbitofrontal cortex, have been known to regulate anger. Controlled by the central nervous system, an erection reflects a series of events between exciting and inhibiting forces of the autonomic nervous system. The parasympathetic system is one of several excitatory pathways leading to a release of pro-erectile neurotransmitters, whereas the sympathetic system is considered to be involved in penile detumescence. In order to initiate and sustain an erection, among other physiological mechanisms, cerebral impulses via the sympathetic system inhibit the release of norepinephrine (responsible for penile detumescence; Myers et al., 2006). However, anger induces the release of catecholamines (including norepinephrine) through the sympathetic system and studies show that compared to anxiety, anger had the most pronounced effect in

the decrease of penile tumescence (Bozman & Beck, 1991; Beck & Bozman, 1995; Myers et al., 2006). This means that physiologically, anger inhibits the ability to sustain an erection.

The picture however, could be more complex. Yates, Barbaree & Marshall (1984) examined the effects of anger on deviant sexual arousal. The study consisted of two stages: The first stage was used as a control in order to determine a baseline pattern of sexual arousal to both consenting and rape scenarios; In the second stage, participants were either insulted or not and their physiological responsiveness was again measured by penile plethysmography. The overall results suggested that anger enhanced sexual arousal to forced sex, which was in line with earlier reports (e.g. Wolchick, Beggs, Wincze, Sakheim, Barlow, & Mavissakalian, 1980).

As Myers et al. (2006) point out, some men find subjecting another person to pain and even killing erotic. This could be because sexual arousal and aggression are processed in the same brain structures which sometimes, due to a pathological functioning, may result in both systems becoming activated at the same time (Money, 1990). The nexus between sexual excitement and the act of killing varies depending on the perpetrator's personality and specific deviant interests but such cases are considered to represent sexual sadism regardless of whether anger initially played a part in the offence (Myers et al., 2006). With regards to the above described study by Yates et al. (1984), the participants were male university students. However, the wider literature indicates no differences in penile responses between sadists and non-sadists. This could be because phallometric rape scenarios might be better suited to assess lower intensity sadistic behaviours, or because phallometry does not tap into idiosyncratic sadistic fantasies (Longpré, Proulx, and Brouillette-Alarie, 2016). Therefore,

while the effects of anger on low intensity non-consenting sexual arousal can be shown, at the moment it is difficult to measure the possible effects of anger and sadistic behaviour.

Capturing anger as a motivation in sexual killings describes a characteristic of the perpetrator but does not adequately explain the way the sexual element and the killing were related (Carter & Hollin, 2014). In contrast to sadistic offences, where the act of killing and sexual excitement were closely bound, and in contrast to instrumental killings, where the murder was not a source of sexual stimulation, the sexual aspect in an angry perpetrator is not addressed. When looking at a sample of 26 murders, of which 12 were primarily motivated by rage, Cusson and Proulx (2007) found that the typical scenario included murder after a victim rebuffed the perpetrator's sexual advances. There were also cases of murder after an argument which originally did not have sexual overtones but the sexual aspect of the offence occurred soon after the physical attack. In line with these results, Stefanska et al. (2015) noted that for some perpetrators motivated by anger, violence took place subsequent to the sexual acts, typically in response to something the victim said or did. For others, the sexual attack occurred after the victim was severely beaten and in some cases knowing that the victim was dying or being unsure if the victim was still alive.

### **Considering the sexual element when classifying sexual killers**

Taking into account the negative relationship between sexual arousal and anger in physiological terms and the connection which might exist between sexual excitement and the act of killing (Myers et al., 2006), it could be argued that while in the first scenario (violence taking place subsequent to sexual attack) the killing was not a source of sexual stimulation, in the second scenario (sexual attack occurring after the victim was severely beaten and in some cases knowing that the victim was dying), it was. Although the Ressler et al. (1988)



definition can be useful when identifying the likelihood of a sexual element to the murder (Carter et al., 2016), in some cases, the forensic evidence of sexual contact might be misleading for example if the killing occurred following a consensual sexual activity (Clarke & Carter, 2000). As such, when classifying sexual killing, Carter and Hollin (2014) suggested placing the offence within a situational context by considering the different ways the killing and sex can be related within the criminal event. The authors further noted that the killing and the sexual element could be directly or indirectly related. Direct cases are defined as those where,

“the killing is integral to the perpetrator’s pursuit of sexual gratification and the sexual aspect of the offense can be demonstrably connected to the death: Such cases include those where the act of killing is itself sexually gratifying, or where the purpose is to enable sexual acts to be carried out with the victim’s body. In indirect attachment the killing is not a source of stimulation, rather the offense occurs in a sexual context: The context may be the elimination of a victim, and hence witness, of a sexual assault, or where the victim is killed as they try to escape from a sexual attack” (p. 287).

While the sadistic aggressor represents a direct killing, murder for instrumental reasons makes the killing indirect. In the case of angry perpetrators, as a group they appear to be comprised of both direct and indirect cases (Stefanska et al., 2015). Carter and Hollin (2014) described cases with a mixture of direct and indirect types when for example “the victim dies while trying to escape and the perpetrator carries out a sexual assault after death” (p. 287). However, following Myers et al.’s (2006) premise, cases where sexual excitement and the act of killing were linked should be considered as driven by sadism regardless of whether anger initially motivated the offence. In a similar vein, it could be argued that once there is

evidence of the direct link, the offence should be regarded as direct regardless of if it initially started as indirect. Thus, offences where there is evidence of sexual excitement to the act of killing or the perpetrator had sex with a dying or dead victim (but still manages an erection knowing he had just killed) should be considered direct.

To conclude, the research suggests that for the sexual killers belonging to the sadistic group, the act of killing is integral to the sexual element of the offense, and these arguably represent 'true' cases of sexual killing. For the perpetrators murdering for instrumental reasons (e.g. to eliminate witness) the act killing and the sexual element are not closely bound and these offenders might be more aligned to non-homicidal sexual aggressors (namely perpetrators of rape and/or attempted rape). Perpetrators driven to kill due to anger appear to include a mixture of cases, with either a close or not close association. Cases where the act of killing and the sexual aspect are not related could be more aligned to non-sexual homicides (Carter et al., 2016) whereas cases where there is evidence of sexual excitement at the time or following the killing should be viewed as closely bound even if the murder was initially driven by anger. Indeed, in order to adequately capture the sexual aspect within the criminal event of sexual killers, it would perhaps be more advantageous to regard the cases as either directly or indirectly related (Carter & Hollin, 2014) and this is the aim of the current study.

### **Research aims:**

The research adopted a top-down approach i.e. a deductive approach that uses the assumptions driven from theory (Goddard & Melville, 2004). Following Carter and Hollin's (2014) argument of considering the different ways the killing and sex can be related within the criminal event when classifying sexual killers, the cases in the current research were

classified as either direct or indirect. Following this, various factors related to the criminal events of the two groups were explored. Specifically, the research aimed to explore:

- 1) Whether there are any specific situational and MO factors that can predict the membership of the indirect and the direct group;
- 2) Whether Ressler criteria for sexual murder can predict the membership of the indirect or the direct group;
- 3) What the relationship is between the predictor variables (factors that in previous research have been shown to be associated with the increased severity of the attack) and the severity of the attack in the indirect and in the direct sexual killings;
- 4) Whether direct and indirect sexual killers differ in their ability to avoid detection and what specific precautions they use during the criminal event.

## **Method**

### **Sample**

The sample was comprised of non-serial sexual killers, who had female victims aged 14 years<sup>1</sup> or above, who served a custodial sentence for murder or manslaughter within HM Prison Service. Non-serial homicide was defined as killing of one or two victims without an emotional cool-off period (i.e. two victims killed at the same time or within a period indicative of a single event, Proulx et al., 2007). This was applied as research suggests that

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<sup>1</sup> The age of the victim was set at 14 years old in order to offer consistency with previous research (Carter & Hollin, 2010; Stefanska et al., 2015).

serial offenders appear to differ in important ways from non-serial offenders (Carter & Hollin, 2010; James & Proulx, 2014; Proulx et al., 2007). The criteria for sexual homicide was in line with the National Offender Management Service, OASys research database and included offences where a sexual element and/or a sexual motivation for the murder was evidenced, suspected or admitted. The search identified 916 offenders who were then checked against the Public Protection Unit Database (PPUD) for availability of the Lifer files. Where electronic version of the files was not available, physical files were requested from the Branston File Registry Office, leaving a final sample size of 350 cases.

The perpetrators' age at the time of offence ranged from 18 to 59 years with an average age of 28.33 (SD 8.79) whereas victims' ages ranged from 14 to 94 with a mean of 33.88 (SD 19.97). The majority (89.4%) of offenders were white, 44% were unemployed while 38.3% were in full-time employment. Most of the offences in the sample occurred in the 1990's, 1980's and 2000's.

Table 1. *Sample Characteristics*

Variable	N	%	
Perpetrator's ethnicity			
White	313	89.4	
Black	31	8.9	
Asian	6	1.7	
Perpetrator's employment			
Full-time	134	38.3	
Part-time	12	3.4	
Student	5	1.4	
Unemployed	154	44	
Casual	42	12	
Other	3	0.9	
	Range	Mean (SD)	Median
Perpetrator's age at the time of offence	18-59	28.33 (8.8)	26

Victim's age at the time of offence	14-94	33.88 (19.9)	25
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## Procedure

Information was gathered from the electronic or physical Lifer files held by the PPUD. The files varied in their content but typically consisted of pre-sentence reports, the offender's police interrogation files, sentencing remarks and offence summaries as well as various reports written post-sentence. A coding framework was designed and evidence for each variable was coded as either absent or present (0 = no, 1 = yes) for each offender in the sample. Two experts in the field were asked for their advice on the inclusion of variables present in the scoring grid. They both provided detailed commentaries as to the usefulness of variables and suggested scoring for additional information. This resulted in the grid comprising a total of 111 variables, including two scales, the Homicide Index Scale (HIS; Safarik & Jarvis; 2005) and the Sexual Sadism Scale (SeSaS; Nitschke et al., 2009) (*see Appendix 1*). Cases were completed using accompanying guideline notes (*see Appendix 2*). Two raters blind-coded ten percent of the same cases in order to establish the inter-rater reliability of the framework, and the strength of agreement was excellent (Fliess criteria, 1981) (Cohen's Kappa = .91).

A top-down approach was used with the aim of assigning each case as belonging to either direct or indirect group. This decision was based on the evidence accepted by the court at trial and available in the lifer's files. In general, three different types of evidence were available; 1) disclosure from the perpetrator; 2) forensic evidence; 3) judge's remarks (summarising the evidence accepted).

The categories of indirect and direct groups were based on the definitions provided by Carter and Hollin (2014). In indirect attachment the authors noted that "the killing is not a source of stimulation, rather the offence occurs in a sexual context" (p. 287) and three typical scenarios

were apparent: 1) victim is killed in order to eliminate witness (48 cases, 27.3%); 2) victim killed trying to escape a sexual assault (97 cases, 55.1%); 3) there was no sexual violence but killing occurred in a sexual context (31 cases, 17.6%). In total, 174 cases were classed as belonging to the indirect group. The direct cases were defined as those where, “the killing is integral to the perpetrator’s pursuit of sexual gratification and the sexual aspect of the offense can be demonstrably connected to the death (p. 287) and included two typical scenarios where the evidence indicated that: 1) the act of killing was itself sexually gratifying (82 cases, 47.1%) or 2) the purpose was to enable sexual acts to be carried out with the victim’s body (37 cases, 21,3%). Of note is the fact that according to Aggrawal’s (2009) classification, the second scenario of the direct cases included both homicidal and opportunistic necrophiles.

Homicidal necrophiles are those who kill in order to have sex with the corpse whereas opportunistic necrophiles are satisfied with having sex with the living and would generally not think of having intercourse with the corpse. They would, however, if the opportunity arose. This means that opportunistic necrophiles in this group did not kill specifically for the purpose of sexual intercourse but were included on the basis that at some point during or after the killing they became sexually aroused and gained sexual gratification from performing sexual acts with the victim’s body.

When a case could not be classified (55 cases) as belonging to either of the two groups, it was assigned to the third group of cases where a ‘decision about the group could not be reached’. It should be highlighted that cases where the perpetrator appeared to deviate from indirect to direct pattern were not included here. Instead, once there was evidence of a direct link, the offence was regarded as direct regardless of whether it initially started as indirect (Myers et al., 2006). Rather, this group included cases where either the indirect or the direct hypothesis

of the events could apply but (often in light of perpetrator's denial) a decision about which hypothesis was more likely could not be reached. However, given that at this stage the research is exploratory, these cases were included as direct in the analysis based on the fact that there was a possibility of a direct link. Although, as a result, a certain degree of 'noise' was expected, this ensured that all of the possible cases were included in the direct group. As a result, in total, 174 cases were classed as belonging to the direct group.

Short examples of the different types of evidence for the groups discussed are presented below:

1) Indirect cases:

*Elimination of a witness:* Cases where sexual violence was intended (regardless of whether or not the sexual assault actually occurred) and it was deemed that the victim most likely was killed in order to eliminate her as a witness.

Disclosure from the perpetrator: "I ripped her things down... I thought of killing her so she wouldn't tell anybody what happened. Last time I attacked a girl I told her not to tell anybody, but she went to the police..."

Forensic evidence: "The post mortem and subsequent forensic examinations established that sexual intercourse had taken place at some point before her death with traces of sperm indicating that she lived for a few hours after the rape... there were no signs typical of forcible sexual intercourse: but there were traces of adhesive tape on her wrists with probability that she was raped either when immobilised in some way, or unresisting through

fear, or, a combination of both... the blood staining was consistent with her lying when killed...”

Judge’s remarks: “The offence is mitigated to some degree by the lack of pre-meditation as it would appear the killing was precipitated by the victim’s reaction to rape... when she threatened to report him for rape...”

*Victim killed trying to escape a sexual assault*: Cases where sexual violence was intended (regardless of whether or not the sexual assault actually occurred) and it was deemed that the victim most likely was killed while defending herself or trying to escape. This was either because of the perpetrator’s excessive anger, or because the victim was physically vulnerable and therefore more likely to die from injuries sustained during the attack.

Disclosure from the perpetrator: “I started to have intercourse with her and she started panicking and she slapped my face so I hit her with my open hand. I tried to have intercourse with her again, she wouldn’t let me so I hit her and she banged her head on a wall... I tried again and she struggled and screamed so I dragged her on the floor and tried to have intercourse properly, she struggled but I held her down... I picked up a stick and hit her with it a few times and she was quiet then. I realised I had really hurt her so I ran off...”

Forensic evidence: “The defendant did her [the victim’s] gardening on a handful of occasions. Witness statements along with the CCTV evidence shows that during the afternoon [date] the defendant visited the deceased at her home, but it is not known why – no gardening was done or planned. The body of the deceased was found the following day. She had been severely beaten, probably to unconsciousness and then strangled. Her brassiere had



been lifted over her breasts and her trousers and underwear had been pulled down to below her knees. Although there was no evidence she had been sexually interfered with, the defence wounds and bruising indicates an attempt. The defendant left behind his spectacles, fingerprint and an organiser where messages were found to the effect: [victim's name] is sex".

Judge's remarks: This was a violent crime involving sexual motivation. The killing appears to be a spur of the moment and not pre-meditated... It is clear that during the course of the evening both the deceased and the defendant had had a good deal of alcohol to drink... The circumstances of the killing leave me in no doubt that the deceased died defending herself from the sexual assault..."

*Not sexual violence but killing occurred in a sexual context:* Cases where it was accepted that sexual encounter was consensual. Therefore, the violence was not sexually driven but the killing occurred within a sexual context e.g. an argument commenced following consensual sex. Although violence was not sexually driven, such cases would be categorised as sexual killing because of forensic evidence e.g. victim was found naked, genitals were exposed or there was evidence of sexual contact.

Disclosure from the perpetrator (as summarised by the judge): "The defendant and the deceased had had an affair for approximately 2 years... He described how, on the day in question, they had walked from a car park to a wooded area. They had had sexual intercourse although she had been distant with him throughout the meeting. She had wanted to put her clothes back on but he had not allowed her to do that and he felt not adequate when she had not answered his queries about how he compared to the other man in her life. Something

inside him snapped and he went crazy. He picked up whatever was around and hit her with it...”

Forensic evidence: “Once back at his home, both the defendant and the victim had consumed alcohol and had consensual sexual intercourse. Around 2am the defendant strangled the victim and smothered her by putting a hand across her face... When found dead by police she was on the bed, with blankets over her naked body... The defendant admitted at trial that they had argued over a photograph of a woman the deceased found in his bedroom (he had previously admitted to the police that he had had a casual affair but denied the deceased had knowledge of it). The case rested on several registered phone calls where the defendant had confessed to his crime. Post mortem confirmed death by strangulation and suffocation. There was no evidence of excessive battery or of sexual assault”.

Judge’s remarks: The defendant strangled ... [the victim]... A few hours before the killing they had sexual intercourse, after which she stayed at the house where he otherwise lived alone. The killing seems to have been unpremeditated, the result of a spur-of-the-moment loss of temper, according to him because of a belittling comment she made about him.

2) Direct cases:

*Act of killing is itself sexually gratifying*: Cases where enough evidence suggested that there was a link between the act of killing and sexual gratification and at some point during the offence the killing was sexually exciting for the perpetrator regardless of the initial intention for the crime.

Disclosure from the perpetrator (as summarised by the judge): “The defendant admitted that he gagged the victim, tied her wrists, strangled her, stabbed and repeatedly with a pair of scissors... Although he denied sexual assault there was forensic evidence of a sexual assault before and possibly shortly after the death occurred... He denied the offence at trial, claiming that the confession was extracted from him under pressure. Forensic evidence found at his home showed that he masturbated to the images of the deceased in the newspapers”

Forensic evidence: ‘A post mortem examination revealed: I. a number of superficial incised wounds on the trunk. These included cuts near the vagina and a rough attempt to carve a {pattern} and were more likely to have been caused before the death than after. II. That her pubic hair was partially shaved. III. Cigarette deep in the vagina.’

Judge’s remarks: “The assault was obviously pre-planned in that he had rehearsed it in fantasy previously and had then dressed especially for the event and had collected and adapted tools for his use. It was also means of acting out his sadistic sexual fantasies”.

*Killing enabled the perpetrator to carry out sexual acts with the victim’s body*: Cases where the purpose of killing was to enable sexual acts to be carried out with the victim’s body or where the court accepted that regardless of initial intension for the crime it was evident that at some point in the offence, sexual gratification came from a sexual act with the victim’s dead body.

Disclosure from the perpetrator: “I know something about that murder, I remember it very well... I looked through the curtains and I saw a girl, she was combing her hair... she opened the door and I tried to kiss her... she was resisting... I put my hands round her neck... I was

fully sure she was dead, I took her jumper off, pulled her brassiere... I bolted the room and took my trousers off...

Forensic evidence: “The intercourse had taken place approximately half an hour after the death and the body was then re-dressed”

Judge’s remarks: “It is clear that at present you are unfit to be at liberty... I accept the evidence that the defendant... hit the victim, put hands to her throat, took off her stocking and strangled her with it and then removed her clothing and proceeded to sexually assault her body... It is clear that she was not alive at this point”

3) Decision about the group could not be reached: Cases

“Over 100 stab wounds and cuts had been inflicted by a knife on her body, some of them after her death, and there was evidence of some strangulation and sexual intercourse. Some of the wounds around the breasts were caused after death. Vaginal and anal swabs indicated that a considerable quantity of semen was present and this was proved to have emanated from the defendant. Medical evidence suggested that she had not moved after sexual intercourse, which was therefore contemporaneous with or immediately prior to the killing... The defendant denies the killing.”

“Victim number one [defendant was tried for rape] accepted the defendant’s help when she became unwell in the street. He accompanied her to her flat where upon entering he put his hands tightly round her neck. Later during a struggle he placed a duvet over her face, at which point she lost consciousness. He then proceeded to manually strangle her. A few hours

later the victim awoke to realise she had been raped and physically assaulted. Whether at the time of the act of intercourse he thought she was unconscious or dead was not determined by the jury. The second offence occurred approximately a month later. The victim [believed to be homeless at the time] joined the defendant in a hotel room he used under a false name using stolen credit cards for that purpose. He strangled the victim and left her body under the bed. The DNA profile and the forensic evidence showed that he had intercourse with her either prior or immediately after the murder”.

“Anus and anal canal were grossly dilated and bruised with superficial post-mortem tearing of the anal skin... The defendant denies the killing... no other motive is evident”.

**Analytical strategy of the research aims, see also p. 25)**

**Research aims 1 and 2 examined:**

- 1) Whether there are any specific situational and MO factors that can predict the membership of the indirect and the direct group.
- 2) Whether Ressler criteria for sexual murder can predict the membership of the indirect or the direct group.

Binominal logistic regression technique was employed to explore the indirect and the direct types of sexual killers as “It identifies patterns of variables which can effectively differentiate between the members of two different categories. That is, binominal logistic regression predicts category membership...” (Howitt & Cramer, 2005, p.219). Logistic regression has the capacity to analyse a mix of dichotomous and continuous predictors. The analysis assumes an absence of multicollinearity among independent variables, an absence of outliers,

and an appropriate ratio of independent variables to the number of cases (Tabachnick & Fidell, 2014). The guidance on the sample size required to carry out a meaningful logistic regression ranges from 10 to 15 cases for each predictor variable studied (Field, 2009). The number of variables that can be entered into the models is based on a formula cited in Harrell, Lee, and Mark (1996) which states that the number of predictor variables that can be entered into the model is  $m/10$ , where  $m$  is the number of people in the less-frequent outcome category. Multicollinearity was assessed by the variance of inflation (VIF) and the tolerance (T) statistic.

The forced entry method was used so that all predictors were placed into the regression model in one block (Field, 2009). Before the analysis of Question 1, the relationship between each independent variable against the dependent variable was assessed using Chi-square tests or Independent t-tests. Only the factors identified as significant ( $p < .05$ ) in distinguishing the indirect from the direct cases were chosen for logistic regression. NOTE: post mortem sexual activity was excluded from the modelling analysis given that the variable is captured in the definition of direct cases. For Question 2, all of the Ressler criteria were entered.

**Research aim 3 examined:**

The relationship between the predictor variables (factors that in previous research have been shown to be associated with the increased severity of the attack) and the severity of the attack in the indirect and in the direct sexual killings.

Multiple linear regression examined the relationship between the level of the injury and the variables that, based on the previous research, have been shown to be associated with the

increased severity of the attack. Using the same set of the variables, two multiple linear regressions were employed to separately look at the indirect and the direct sexual killings.

**Research aim 4 examined:**

Whether direct and indirect sexual killers differ in their ability to avoid detection and what specific precautions they use during the criminal event.

The analysis explored whether direct and indirect sexual killers differed in their ability to delay detection. It also looked at the specific precautions used by the offenders. Delaying detection was measured by the time (in days) it took from the murder to arrest although time from the murder to recovery of the body and the time from recovery of the body to the arrest was additionally examined. Mann Whitney U test was used as the distribution of these variables was highly skewed (with a large proportion of the cases being solved during the first few weeks) violating the normality assumption of the data. Given that the Mann Whitney U test converts the scores to ranks when comparing the groups (Pallant, 2007), it is not sensitive to the outliers, which have been included in the analysis. However, cases where the perpetrator turned himself in almost immediately after the murder were excluded from this part of the analysis.

Chi-square tests examined whether offenders differed in the precautions they used. All cases (N=350) were included in this part of the analysis however, variables with characteristics present or absent in almost all subjects (frequency below 5% and above 95%) were excluded.

## Results

### Tests of research aim 1:

A logistic regression was carried out to determine whether situational factors and MO for which there was a significant association with either the indirect (1) or the direct (0) link can predict the membership of these groups. All of the predictor variables were binary, coded as either present (1) or absent (0), except for a SeSaS score (ranging from 0 to 11).

Multicollinearity was checked for all variables included in the analysis. The variance of inflation (VIF) ranged from 1.063 to 1.480, and the tolerance statistics (T) were between 0.676 - 0.941 indicating a low likelihood of issues relating to multicollinearity affecting the regression model (Field, 2009).

The variables produced a good model fit (i.e. discrimination between the outcome groups) as measured by the Hosmer and Lemeshow Test:  $\chi^2 (8, N = 350) = 6.64$ , non-significant. The model was significantly better than a constant-only model containing only the intercept, but no predictor variables:  $\chi^2 (16, N = 350) = 191.02$ ,  $p < .0001$ . The Cox and Snell R square was .42 and the Nagelkerke R square was .56 indicating that between 42% and 56% of variability of whether it was an indirect or a direct link was explained by this model. The correct classification of cases overall was 80.3% and it was better for the indirect cases (85.2%) than the direct cases (75.3%).

Table 2 shows how the predictor variables contributed to the model, along with the Wald and Exp (B) statistics for these variables. As shown, six variables: (1) encounter scene was different than the crime scene i.e. the killing site, (2) victim was a stranger, (3) crime phase anger, (4) victim died of beating, (5) unusual crime scene, and (6) SeSaS score made a



statistically significant predictive contribution. This means that for sexual killers categorised as indirect the odds of meeting the victim at a place different from the crime scene were 2.01 the odds of encounter and the crime scene being the same. The odds of attacking a stranger victim were 2.55 times the odds of the victim being known. The odds of the perpetrator becoming angry during the attack were 2.46 the odds of not being angry. The odds of victim dying of beating were 2.70 the odds of not dying of beating. On the other hand, unusual crime scene behaviours decreased the odds of being classed as indirect and this variable in indirect cases was 12.5 times less than the odds in the direct cases (OR = .08). A decrease in a SeSaS score increased the odds of a case being classed as indirect by a factor of 2.63 (OR = .38).

Table 2 *Logistic regression of situational and MO factors for indirect and direct cases*

Predictor	B	S.E.	Wald	Sig.	Exp(B)	95% C.I. for EXP(B)	
						Lower	Upper
Secluded place	.18	.38	.21	.65	1.19	.56	2.53
Encounter different*	.70	.35	4.01	.04	2.01	1.02	4.00
Stranger*	.93	.36	6.94	.01	2.55	1.27	5.10
Victim target	-.38	.37	1.06	.30	.69	.33	1.41
Weapon taken to scene	.02	.38	.01	.95	1.03	.49	2.16
Sexually frustrated	-.22	.51	.19	.67	.80	.29	2.20
Crime phase anger*	.90	.33	7.25	.01	2.46	1.28	4.72
Pornography use	-.63	.41	2.38	.12	.53	.24	1.19
Use of restrains	.40	.39	1.06	.30	1.49	.70	3.16
Interrupted	.84	.51	2.69	.10	2.31	.85	6.31
Vaginal penetration	-.21	.32	.45	.50	.81	.43	1.51
Anal penetration	-.19	.41	.21	.65	.83	.37	1.84
Biting	-.90	.57	2.46	.12	.41	.13	1.25
Victim died of beating*	.99	.40	6.18	.01	2.70	1.23	5.90
Unusual crime scene***	-2.52	.83	9.33	.00	.08	.02	.41
SeSaS score***	-.96	.14	44.71	.00	.38	.29	.50
Constant	1.52	.47	10.62	.00	4.58		

\* p < .05, \*\*p < .01, \*\*\*p < .001

## **Tests of research aim 2:**

A logistic regression was carried out to determine whether Ressler criteria for sexual murder can predict the membership of the indirect (1) or the direct (0) group. The research suggests that although the Ressler et al. (1988) definition can be useful when identifying the possibility of the murder being sexual (Carter et al., 2016), in some cases, the forensic evidence of sexual contact might be misleading for example if the killing occurred following a consensual sexual activity (Clarke & Carter, 2000). Such cases were apparent in the indirect group, therefore the Ressler et al. (1988) criteria were expected to be more predictive of the direct cases. All of the predictor variables were binary, coded as either present (1) or absent (0). Multicollinearity was checked for all variables included in the analysis. The variance of inflation (VIF) ranged from 1.017 to 1.570, and the tolerance statistics (T) were between 0.637 - 0.983 indicating a low likelihood of issues relating to multicollinearity affecting the regression model (Field, 2009).

The variables produced a satisfactory model fit (i.e. discrimination between the outcome groups) as measured by the Hosmer and Lemeshow Test:  $\chi^2 (6, N = 350) = .27$ , non-significant. The model was significantly better than a constant-only model containing only the intercept, but no predictor variables:  $\chi^2 (6, N = 350) = 72.56$ ,  $p < .0001$ . The Cox and Snell R square was .19 and the Nagelkerke R square was 0.25, indicating that between 19% and 25% of variability of whether it was an indirect or a direct link was explained by this model. The correct classification of cases overall was 69.1% and it was better for the indirect cases (89.8%) as compared with the direct cases (48.3%).

Table 3 shows how the predictor variables contributed to the model, along with the Wald and Exp (B) statistics for these variables. As shown, two Ressler criteria: (1) object insertion and

(2) substitute sexual activity/sadistic fantasy made a statistically significant predictive contribution although both variables decreased the odds of being classed as indirect. Specifically, the odds of object insertion for indirect perpetrators were 11 times less than the odds of object insertion in the direct group (OR = .09). The odds of substitute activity or sadistic fantasy for indirect group were eight times less than the odds of this Ressler's criterion in the direct group (OR = .12).

Table 3 *Logistic regression of Ressler criteria for indirect and direct cases*

Predictor	B	S.E.	Wald	Sig.	Exp(B)	95% C.I. for EXP(B)	
						Lower	Upper
Naked	-.04	.37	.01	.92	.96	.47	1.97
Genitals	-.03	.31	.01	.93	.98	.54	1.77
Position	-.78	.49	2.57	.11	.46	.18	1.19
Object insertion***	-2.37	.51	21.47	.00	.09	.03	.26
Sexual activity	-.37	.26	2.14	.14	.69	.42	1.14
Substitute activity/fantasy***	-2.12	.42	25.64	.00	.12	.05	.27
Constant	.84	.32	7.07	.01	2.32		

\*  $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$

### Tests of research aim 3:

The focus was to examine the relationship between the predictor variables (factors that in previous research have been shown to be associated with the increased severity of the attack) and the severity of the attack in the indirect and in the direct sexual killings. The difference in the mean total score on the Homicide Injury Scale (Safarik & Jarvis, 2005) between the indirect and the direct groups was not significant ( $t = .682, p = .49$ ).

The first multiple linear regression examined the relationship between the predictor variables and the severity of the attack in the indirect sexual killings. Severity of the attack was measured by the HIS (Safarik & Jarvis; 2005, ranging from 0 to 6) whereas all of the predictor variables were binary, coded as either present (1) or absent (0). Preliminary

analyses were conducted to ensure no violation of the assumption of normality, linearity and homoscedasticity. The variance of inflation (VIF) ranged from 1.036 to 1.255, and the tolerance statistics (T) were between 0.797 - 0.965 indicating a low likelihood of issues relating to multicollinearity affecting the regression model (Field, 2009). However, using Mahalanobis Distance, four outliers were identified and these four cases were excluded from the analysis. This resulted in one of the variables (mutilation of sexual areas of the victim's body) having null frequency despite being included in the regression model.

A significant regression equation was found  $F(9, 162) = 2.8, p = .004$ , with  $R^2 = .135$ . Table 4 shows how the predictor variables contributed to the model. As shown: pre-crime anger; premeditation; biting; exertion of power, control and dominance; as well as degrading and humiliating behaviour towards victim did not contribute to the model. On the other hand, the severity of the crime was positively correlated with: (1) body being left as is at the crime scene ( $\beta = .21$ ), (2) use of a weapon ( $\beta = .19$ ); (3) crime phase anger ( $\beta = .18$ ); and (4) intoxication ( $\beta = .16$ ).

Table 4 *Multiple regression of the severity of the attack in indirect sexual killers*

Predictor	B	SE B	$\beta$	Sig.
Pre-crime anger	-.37	.26	-.13	.10
Crime phase anger*	.45	.20	.18	.027
Premeditation	.11	.24	.04	.64
Intoxication*	.37	.18	.16	.046
Use of a weapon*	.47	.19	.19	.014
Biting	-.12	.40	-.02	.77
Body left as is**	.50	.18	.21	.007
Exertion of power, control & dominance	.23	.19	.09	.21
Degrading & humiliating towards victim	-.27	.39	-.05	.49
Constant	2.14	.26		.00

\*  $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$

The second multiple linear regression examined the relationship between the predictor variables and the severity of the attack in direct sexual killings. Preliminary analyses were

conducted to ensure no violation of the assumption of normality, linearity and homoscedasticity. The variance of inflation (VIF) ranged from 1.067 to 1.298, and the tolerance statistics (T) were between 0.770 - 0.938 indicating a low likelihood of issues relating to multicollinearity affecting the regression model (Field, 2009).

A significant regression equation was found  $F(10, 163) = 6.29, p < .0001$ , with  $R^2 = .28$ .

Table 5 shows how the predictor variables contributed to the model. As shown: pre-crime anger; premeditation; intoxication; biting; body left as is; exertion of power, control and dominance; as well as degrading and humiliating behaviour towards victim did not contribute to the model. On the other hand, (1) mutilation of sexual parts and (2) use of a weapon were strongly correlated with severity of crime ( $\beta = .31$  and  $\beta = .30$  respectively). Severity of crime was also correlated with crime phase anger in the direct group ( $\beta = .18$ ).

Table 5 *Multiple regression of the severity of the attack in direct sexual killers*

Predictor	B	SE B	$\beta$	Sig.
Pre-crime anger	-.06	.24	-.02	.79
Crime phase anger*	.53	.23	.18	.022
Premeditation	.19	.25	.06	.45
Intoxication	.15	.22	.05	.48
Use of a weapon***	.96	.24	.30	.00
Biting	-.35	.31	-.08	.27
Body left as is	.31	.22	.10	.16
Exertion of power, control, dominance	.09	.25	.03	.72
Degrading, humiliating towards victim	.38	.25	.11	.12
Mutilation of sexual parts	1.04	.25	.31	.00
Constant	1.78	.33		.00

\*  $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$

#### **Tests of research aim 4:**

Descriptive statistics showed that the time from the killing to the arrest (measured in days) was longer for the direct (Md = 8.25, n = 146) than the indirect sexual killers (Md = 4.55, n=

154). Mann-Whitney U value was found to be statistically significant  $U = 8900$  ( $z = 3.12$ ),  $p < .01$ , although the effect size was small ( $r = .18$ ). Perhaps not surprisingly, a body was recovered quicker in the indirect than in the direct killings (Md = .5,  $n = 154$  vs Md = 1,  $n = 142$  respectively),  $U = 7948.5$  ( $z = 4.094$ ,  $p < .001$ ,  $r = .24$ ) and a perpetrator of the indirect rather than the direct killing was arrested faster after the body was recovered (Md = 3,  $n = 154$  vs Md = 5,  $n = 147$  respectively),  $U = 9643.5$  ( $z = 2.23$ ),  $p < .05$ ,  $r = .13$ .

When examining specific forensic awareness strategies used by indirect and direct sexual killers, results show that only three methods used by the perpetrators significantly differed between indirect and direct cases (*See Table 6*). Specifically, sexual killers classed as direct were significantly more likely to tie their victims ( $\chi^2 = 6.66$ ,  $p = .01$ ,  $phi = .14$ ) and gag them or cover their victim's eyes ( $\chi^2 = 8.82$ ,  $p = .003$ ,  $phi = .16$ ). On the other hand, sexual killers classed as indirect were significantly more likely to prepare an alibi ( $\chi^2 = 6.02$ ,  $p = .01$ ,  $phi = .13$ ).

Table 6 *Distribution of subjects in the direct and indirect profile of forensic awareness strategies*

	Indirect cases (n= 176) %	Direct cases (n= 174) %	$\chi^2$	Sig.	Effect size
Wearing gloves	6.8	6.9	.001	.98	.002
Cleaning crime scene	19.3	24.7	1.48	.22	.07
Disposing of crime scene evidence	28.4	29.3	.04	.85	.01
Setting fire to the crime scene	10.8	8	.76	.38	.05
Blocking access to doors or windows	12.6	14.9	.41	.52	.03
Tying up victim*	10.2	20.1	6.66	.01	.14
Gagging or covering victim's eyes**	8.5	19.5	8.82	.003	.16
Staging	4.0	7.5	1.9	.16	.08
Disposed of victim's body	34.1	32.2	.14	.71	
Changing residence after the crime	5.7	6.9	.22	.64	.03
Giving false statements	25.0	26.4	.09	.76	.02
Preparing alibi*	15.9	7.5	6.02	.01	.13

\*  $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$

## Discussion

The current classification system of sexual homicide does not adequately capture the sexual aspect within the criminal event. When considering the different scenarios of the sexual homicide cases, it becomes clear that while some perpetrators kill for sexual reasons, others do not. For some, for example, the motive to kill is pragmatic such as to eliminate the only witness of the crime. For others, killing is a violent response to a given situation, either because the victim resisted a sexual assault or because the perpetrator became enraged due to a rejection or an argument. However, even in such cases physical violence may precede the sexual assault raising the possibility that the killing was a source of sexual stimulation.

This research took into account the different ways the sexual element and the act of killing could be connected, and classified cases as either directly or indirectly related. The basis for the categories of the indirect and the direct groups were built on the definitions provided by Carter and Hollin (2014). In the indirect attachment, the killing was not a source of sexual stimulation. It included scenarios where the victim was killed in order to eliminate a witness, when resisting a sexual assault, or there was no sexual violence but the killing occurred in a sexual context. In the direct attachment, the sexual aspect of the offence was closely connected to the death. It included scenarios where the act of killing was itself sexually gratifying or the purpose was to enable sexual acts to be carried out with the victim's body (although opportunistic necrophiles who did not kill specifically for the purpose of sexual intercourse but nonetheless gained sexual gratification from performing sexual acts with the corpse [Aggrawal, 2009] were also recorded here).

## **Predicting the membership of the indirect and the direct group from the crime scene factors**

The analysis of the profiles of the crimes committed by sexual killers in this study indicated that certain predictors can effectively differentiate between the indirect and the direct cases. Specifically, for the indirect perpetrators the odds of meeting their victim in a place different from the crime scene and becoming angry during the criminal event were higher than for the direct perpetrators. The victims of the indirect perpetrators had greater odds of being a stranger and to die due to injuries sustained through a beating. On the contrary, the presence of unusual crime scene behaviours (such as leaving a note at the crime scene, defecating at crime scene, arranging victim's body into a sexually provocative position or more ritualistic behaviours for example cannibalism, piquerism) decreased the odds of the case being classed as indirect. Additionally, the higher the SeSaS score the lower the odds of being an indirect sexual killer.

The approach taken in this study permitted exploration of the way the sexual element was connected to the act of killing. However, it also made the comparison of the results obtained, with the results obtained in other studies, difficult. Research exploring escalation of sexual assaults to a fatal outcome compares violent sexual assaults that ended in the death of the victim with those that did not (e.g. Chéné & Cusson, 2007; Mieczkowski & Beauregard, 2010; Reid & Beauregard, 2015; Salfati & Taylor, 2006). However, much like comparison studies of sexual killers and sexual aggressors, all sexual killers tend to be amalgamated in a single group without acknowledging the different types of the sexual killer or the different roles that the killing could play in relation to the sexual behaviour (Stefanska et al., 2016).



Nevertheless, based on previous research a conceptualisation of the current findings could be offered. The indirect perpetrators had greater odds of encountering their victim at a place different from the crime scene. Yet these perpetrators did not differ from the direct cases in how they approached their victim suggesting a mixture of two most likely scenarios: either the victim was conned (a likely scenario of the sexually driven sexual killers; Stefanska et al., 2015) or the perpetrator and the victim met in a consensual situation (a likely scenario of the anger/grievance driven perpetrators; Stefanska et al., 2015). The greater odds of the victim dying from blunt force trauma might imply that many angry perpetrators have been classed in the indirect group (Beech et al., 2005). Additional higher odds of crime-phase anger might further point to angry perpetrators in the indirect group, although this is not necessarily the case as research exploring crime-scene criteria show that pre-crime anger tends to be a feature of the angry sexual killers (Beauregard & Proulx, 2002) and is positively correlated with a fatal outcome of the offence (Beauregard et al., 2007).

Chéné and Cusson (2007) noted that escalation from sexual assault to murder is first guided by intentional followed by situational factors. The high odds of crime-phase anger could highlight the importance of situational factors in this group when the original intention of the perpetrator (rape or consensual sex) altered. Certain types of victim's resistance for example were marked as crucial when considering the crime event of a sexual assault. While physical resistance and forceful verbal resistance seemed to effectively aid in avoiding rape (Ullman, 2007), physical resistance also increased the chances that the perpetrator was violent during the attack (e.g. Balemba, Beauregard, & Mieczkowski, 2012). Both physical and verbal resistance increased lethality of a sexual assault if the perpetrator had a weapon, however physical resistance increased the likelihood of the victim's death even when no weapon was present (Reid & Beauregard, 2015). In line with this, research considering rational choice

approach showed that during their decision-making process sexual offenders who used force did so mainly because of victim's resistance (Beauregard & Leclerc, 2007). Even though these studies did not look into the victim-offender relationship, research examining escalation from a sexual assault to a murder showed that severity of the attack and a fatal outcome was less likely if the victim was known (Chéné & Cusson, 2007). Increased probability of a fatal outcome if the victim was a stranger has also been reported by Beauregard and Mieczkowski (2012) as well as Mieczkowski and Beauregard (2010). Thus, it is possible that under situational circumstances that the perpetrator did not anticipate, a stranger victim is more vulnerable to a physical attack. This could account for the greater odds of stranger victims being found in the indirect group in the present study.

On the contrary, the results indicated that the presence of unusual crime scene behaviours decreased the odds of the case being classed as indirect. A study by Higgs et al. (2016) found that a similar number of sexual aggressors and sexual killers engaged in unusual acts during the crime event but the psychological function of behaviours seemed different. Sexual aggressors were less ritualistic and tended to include acts such as attempting to engage the victim in conversation and offering to escort them home, albeit behaviours that were mainly known from the victim's statements. The current study used the same definition of "unusual crime scene behaviours" as Higgs et al. (2016) in that it aimed to capture all unusual behaviours not necessarily ritualistic in nature. However, without witness statements, it is possible that apart from a few (e.g. leaving a note at the crime scene, defecating at crime scene), only the more ritualistic acts were in fact captured. Bizarre acts are likely to represent enactment of a deviant fantasy (Ressler et al., 1988) accounting for this feature being representative of the direct group. Furthermore, the current study found that the higher the SeSaS score the lower the odds of being an indirect sexual killer and this perhaps is not

surprising, given that items of the scale for crime scene factors aim to assess sexual sadism, which is yet again related to the enactment of a deviant fantasy (Nitschke, Osterheider & Mokros, 2009).

Even though the correct classification of cases was good (80.3%), it was better for the indirect cases (85.2%) than the direct cases (75.3%). This is possibly due to an inclusion in the direct group of cases where either direct or the indirect hypothesis of the events could be valid but a decision about which is more likely could not be reached. As such, a certain degree of 'noise' was expected and indeed has probably been reflected in the results.

### **Exploring whether Ressler criteria can predict the membership of the indirect or the direct group**

The only research testing the hypothesis that the majority of sexual homicide cases can be captured using the Ressler et al. (1988) definition is a study by Carter et al. (2016). By ensuring a high degree of certainty that a sexual element was associated with the killing in their sexual homicide sample, the authors examined whether these were the same characteristics highlighted by Ressler et al. Exposure of the lower half of the victim's body and evidence of sexual acts were found to be the most pronounced indicators of a sexual element thereby finding support for the usefulness of adapting the Ressler et al. definition. However, the authors noted that while the sexual element was captured, the criteria did not seem to allow for distinguishing between cases where the sexual element represented a salient factor in forensic case formulation and cases where the sexual act and the killing were not closely bound.

Such difficulties became apparent in the methodology of the current study where the indirect category included killings where the sexual encounter was, in fact, consensual. Despite the fact that the violence was not sexual in its nature, cases were categorised as sexual homicide because of forensic evidence (e.g. victim was found naked or there was evidence of a sexual contact). As such, based on this physical evidence, the case would meet one of the Ressler et al. (1988) criteria. The results highlighted further difficulties. Out of six criteria, object insertion and substitute sexual activity/sadistic fantasy made a significant predictive contribution. A presence of either variable lowered the odds of the case being classed as indirect. However, although the classification for the indirect cases was 89.8% correct, the classification for the direct cases (those where sexual element and the killing are closely associated) was very poor at 48.3%. All in all, this raises a possibility that Ressler et al. criteria are overly inclusive amalgamating various cases, direct and indirect some of which might not even represent sexual homicide cases.

### **Exploring predictor variables of the severity of the attack in the indirect and in the direct sexual killings**

Safarik and Jarvis (2005) highlighted that while the cause of death is an important component of homicide that needs to be considered, taking into account the severity of injuries sustained is also crucial as it helps to gain an understanding of the dynamics of the criminal event. The behaviour of the perpetrator who kills with little injury differs from the behaviour of the perpetrator who spends considerable time and effort in inflicting excessive injuries. The current study used the Homicide Injury Scale (HIS; Safarik & Jarvis, 2005) in order to examine the degree of injury inflicted on the victim. The scale has been adapted from the medical trauma-scoring systems that aim to assess living patients. It focuses solely on the anatomical scoring of injuries observed, with the aim to quantify and provide a dynamic

measurement of the injuries sustained by the homicide victim (for further details see Safarik & Jarvis, 2005).

Interestingly, there were no differences in the mean total HIS score between the indirect and the direct cases. If the severity of the attack captures the perpetrator's affect at the time of the homicide (occasionally manifesting in excessive violence or an overkill of the victim), the results suggest a comparable emotional intensity between the groups. This could also suggest a comparable distribution of the angry perpetrators between the two groups of the sexual killers. Of course, it is not possible to always define excessive violence as stemming from anger given that in some cases the severity of the attack could also represent more predatory, sadistic acts (Radojevic et al., 2013).

The analysis of the relationship between the level of injury and the variables associated with the severity of the attack showed that the use of a weapon and crime phase anger increased the risk of injury in both the indirect and the direct groups. Beauregard and Proulx (2002) found that pre-crime anger rather than crime-phase anger was more prevalent in the angry compared to the sadistic sexual killers whereas Beauregard et al. (2007) noted that severity of the attack was not significantly related to any type of the anger (although pre-crime anger was positively correlated with a fatal outcome). Thus, the results of this study are somewhat inconsistent with the previous research, although this could stem from the fact that different groups were compared. However, consistent with previous results, the use of a weapon during the criminal event increased the injury level (e.g. Beauregard et al. 2007; Reid & Beauregard, 2015).

In addition, the indirect perpetrators were more likely to be intoxicated and leave the body as it is at the crime scene. Taken together, these predictors might yet again highlight the importance of a situational component that plays the role in the crime event of the indirect sexual killers. If these perpetrators, for whatever reason, become angry when offending and they are intoxicated and happen to have or pick up a weapon, the risk of the victim sustaining more severe injuries increases. In the crime aftermath, indirect offenders are more likely to leave the body at the crime scene. On the other hand, for the direct sexual killers, severity of injuries was associated with mutilation of sexual body parts. According to Püschel and Koops (1987) there are four general motives that underpin mutilation. In defensive mutilation the reason is to dispose of the body or make the identification more difficult. In aggressive mutilation the killing is a consequence of a state of rage followed by mutilation. Offensive mutilation can stem from a necrophilic need to kill in order to carry out sexual activities with the dead body or a sexual urge to inflict pain where the mutilation may be initiated in a living person and continued after the killing. The fourth, necromaniac mutilation is carried out on an already dead body (with various causes of death not necessarily homicide cases).

Given that defensive mutilation was excluded and necromaniac mutilation would not be captured by the present study, the mutilation of sexual body parts noted in the current study most likely represents a mixture of aggressive and offensive mutilations. Rajs, Lidberg, Broberg, Lundström and Lindquist (1998) reported that in their sample the perpetrators of the aggressive mutilations tended to know their victim and even though the acts of mutilations were the continuation of an overkilling, they included mutilations of sexual areas. In the offensive mutilations in their series, the act of mutilation tended to form a fundamental part to the enactment of violent sexual sadistic fantasies or the enactment of necrosadistic fantasies. Mutilation of sexual areas was common and the authors noted a possibility of other

necrophilic acts such as penetration of the victim by foreign objects. Therefore, regardless of the underlying motive for the mutilation in homicide, it appears that mutilation of sexual body parts is relatively prevalent. As many of the mutilation acts stem from existing fantasies, it is perhaps no surprise that they were associated with the direct sexual killers.

### **Ability to delay detection and the specific precautions used by the direct and the indirect sexual killers**

The study examined the time it took from the killing to the arrest of the offender. It is worth noting that cases where the perpetrator turned himself in immediately after the murder were excluded from this part of the analysis (although cases where the perpetrator confessed later, generally due to police being on the right track, were retained). The analysis revealed that it took longer for the direct than the indirect sexual killers to be arrested after the murder. Both the time it took to recover the body and the time it took to arrest the perpetrator after the body was recovered was faster in the indirect compared to the direct homicides. However, despite the fact that the direct perpetrators were better at delaying detection, overall the indirect and the direct perpetrators did not differ in the use of many of the precautions. In fact, out of 13 forensic awareness strategies noted in the current study, only three differed in the frequency they were used between the groups.

Specifically, in the direct homicides the perpetrators were more likely to tie up their victim, gag, or cover their victim's eyes. While these strategies aid in gaining control over the victim, the advantage of using them in order to avoid apprehension is questionable. Beauregard and Martineau (2016) found that the use of restraints shortened the number of days until the body was recovered in sexual killers, and this also held true when victim's characteristics (i.e. whether the victim was a stranger or a sex trade worker) were considered. When looking at

solved/unsolved status of sexual homicide cases, Beauregard and Martineau (2014) also noted that acting upon the victim (including the use of restraints) increased the likelihood of the offender's apprehension. This could be due to the fact that using restraints belongs to acts that may potentially leave more evidence at the crime scene and therefore to increase police detection (Beauregard & Bouchard, 2010).

Furthermore, the current study found that the perpetrators categorised as indirect sexual killers were more likely to use an alibi. However, it could also be argued that such behaviour may have the potential to be incriminating given that it often relies on other people's statements. Again, although having an alibi per se was not examined, Beauregard and Martineau (2014) found that using other precautions (including an alibi) increased the likelihood of the offender apprehension. Not all precautions are ineffective however. For example, offenders who concealed the body after the crime increased their chances of delaying their apprehension although they did not avoid detection (Beauregard & Martineau, 2014; Beauregard & Martineau, 2016). On the other hand, moving the victim's body increased the likelihood of avoiding detection but the victim's body was more likely to be recovered faster. Selecting less risky location of the crime increased the likelihood of both delay and avoidance of detection (Beauregard & Martineau, 2016). Therefore, even though the results of this research showed that the indirect and the direct offenders did not differ in the frequency of many of the precautions used, it is possible that the direct perpetrators were simply more skilled at using them.

### ***Limitations***

The categories of the indirect and the direct groups which were subject to examination of this study were based on the definitions provided by Carter and Hollin (2014). A top-down



approach was used with the aim of assigning each case as belonging to either group and this decision was based on the evidence accepted by the court at trial and available in the lifer's files. Although using evidence accepted at trial ensured consistency when the homicides were categorised, it is possible that in some cases that decision would be different due to additional information that came to light after the trial.

A further limitation of this study was in the inconsistent content of the official documentation of each homicide case. While some files included robust information, in others some hypotheses remained unanswered as the evidence was not decisive. Where there was a discrepancy between the trial or the police information and the reports written post-sentence (with information often provided by the perpetrator) the study used the former statements. Additionally, the case files included reports which were written by various professionals whose focus would differ depending on their role in the case. In practice however, clinicians also need to overcome a similar problem and are likely to be restricted by incomplete access to reports, particularly police and trial reports. Thus, this study was able to bring together a range of sources rarely available to clinicians and as such it was able to improve the reliability of information through corroboration across sources.

## **Implications**

Implications of the research will be discussed in chapter five.

## **Chapter 4.**

### **A Critique of the Severe Sexual Sadism Scale**

## Introduction

Typically, sexual killers are portrayed as sadists even though homicides perpetrated by the offenders who act on their sadistic sexual urges are exceptions rather than the rule (Cusson & Proulx, 2007). Historically, sadism has been conceptualised as “*the experience of sexual, pleasurable sensations (including orgasm) produced by acts of cruelty, bodily punishment afflicted on one’s person or when witnessed in others, be they animals or human beings. It may also consist of an innate desire to humiliate, hurt, wound, or even destroy others in order, thereby, to create sexual pleasure in one’s self*” (Krafft-Ebing, 1865, p. 109).

Since then various definitions have been introduced with criteria that often disagree on the primary motivating force that drives sexual sadists (Marshall & Kennedy, 2003). Such motivating forces included: humiliation of the victim (e.g. Hollin, 1997; Ressler et al., 1988; Warren, Hazelwood & Dietz, 1996); control of the victim (e.g. Langevin et al., 1988); the use of aggression (e.g. Myers, Burgess, Burgess & Douglas, 1999); or infliction of pain and victim’s suffering (e.g. Seto & Kuban, 1996; Yarvis 1995). Thus, as noted by Marshall and Kennedy (2003), the dispute does not revolve around the range of typical behaviours enacted by sadists but rather around what constitutes the key element that elicits sexual excitement. However, Marshall and Kennedy questioned whether the already identified features are able to reliably discriminate sadists from other sexual offenders. The use of aggression for instance, does not appear to adequately differentiate between the expressive violence used by the angry perpetrators and the sadistic violence.

Similar difficulties stem from the clinical definitions of sadism included in the psychiatric diagnostic manuals. The International Classification of Mental and Behavioural Disorders

(ICD-10; World Health Organization, 1993) combines sadism and masochism into one diagnostic category of sadomasochism defining it as a preference for sexual activity involving the infliction of pain or humiliation, or bondage. A diagnosis is made when these activities are the primary source of stimulation or exclusive for sexual gratification. In contrast, the Diagnostic and Statistical Manual of Mental Disorder (DSM-V; American Psychiatric Association, 2013) differentiates between sadism and masochism by assigning them into separate diagnostic categories. Sadism is codified as a recurrent and intense sexual arousal commencing from either the physical or psychological suffering of another person. A diagnosis is made when the individual has acted on these sexual urges with a nonconsenting person, or the sexual urges cause clinically significant distress or impairment in important areas of functioning. Unfortunately, determining that sadism is the main source of sexual excitement is not only problematic but also subjective. It often requires reliance on the perpetrator's self-report which is questionable within forensic settings, especially when the person committed a violent attack (Nitschke et al., 2013).

Definitional and diagnostic challenges have led to differing levels of agreement among professionals when identifying sexual sadism, ultimately impacting its diagnostic reliability. Studies investigating the observer agreement of the psychiatric diagnosis in a forensic context showed a wide range of interrater reliability coefficients. For example, Marshall, Kennedy, Yates and Serran (2002) reported low rater agreement ( $\kappa = .14$ ), Thornton, Palmer and Ramsay (2011) moderate rater agreement ( $\kappa = .53$ ), and Nitschke et al. (2009) almost perfect rater agreement ( $\kappa = .86$ ). In fact, a study by Kingston, Seto, Firestone and Bradford (2010) showed that in comparison to a clinical diagnosis, behavioural indicators were better at predicting violent and sexual recidivism suggesting that indexing sadistic behaviour through crime scene actions might be more valuable when operationalising sexual sadism.

Marshall et al. (2002) identified specific offence features that expert psychiatrists involved in the study used in order to make a clinical diagnosis of sexual sadism. The results showed that exercising control, power, and domination over the victim as well as attempts to humiliate the victim and torture were the only features that most clinicians agreed on as relevant when identifying sadism. Conversely, features such as object insertion, anal rape, or mutilation of non-sexual body parts were marked as not important. The overall rater agreement regarding the diagnosis of sexual sadism was not satisfactory. Interestingly, Marshall et al. found a reasonably good agreement on the features of sadism but noted that experts did not apply these criteria when deriving their diagnoses. Thus, Marshall et al. deliberated whether the offence behaviour indicators would facilitate a better agreement on the diagnosis.

### *Overview of the SeSaS scale*

In response to these weaknesses, Nitschke et al. (2009) introduced a structured professional judgment instrument with regard to the diagnosis of sexual sadism, the Severe Sexual Sadism Scale (SeSaS). The diagnostic focus of the tool is on the offence-related behavioural aspects available from the crime scene. Its items were empirically derived from the criteria provided by Marshall et al. (2002) with the exception of ‘insertion of objects into victim’s bodily orifice(s)’. This was added as, based on a wider literature, Nitschke et al. speculated it could be relevant (e.g. Knight, Warren, Reboussin and Soley (1998) found that object insertion formed part of sadistic behaviour in rapists).

The SeSaS instrument consists of three parts. The first part includes 11 items coded for sexually sadistic crime scene behaviours. This assessment considers crime scene actions of the index offence and also previous offences. The second part includes three items relating to

offence planning and previous sadistic behaviour and as such the assessment looks beyond the convicted offences or current charges. The two items of the final part provide a summary evaluation, that is whether the individual reached a cut-off value. A total of four warrants a working hypothesis for the presence of sadism. All of the items of the scale are coded dichotomously (1= yes, 0= no) and the assessment is file based. Due to the early stages of the development of the English version of the manual, it has not been included in the attachment.

### **Psychometric properties of the SeSaS**

Given the relatively recent development of the instrument, to date there are only a few studies examining its psychometric properties, the results of which will be presented next.

#### **Reliability**

Reliability refers to the degree to which a given assessment produces stable and consistent results.

#### **Internal reliability**

Internal reliability measures the extent to which items within the instrument are consistent with one another and therefore measure the same construct. Nitschke et al.'s (2009) study used archival data of 100 male patients of a high-security forensic psychiatric hospital. All of the patients were admitted under the mandatory hospital treatment having committed grievous crimes. The authors used Mokken scaling in their analysis of the 11 items of the first part of the tool and reported a high level of internal reliability ( $r = .93$ ). The subsequent cross-validation study by Mokros, Schilling, Esher and Nitschke (2012) examined 105 male sexual offenders from a prison based population. Internal consistency was reported at Cronbach's  $\alpha = .75$  and Guttman's  $\lambda = .78$  thus, somewhat lower than the original study by

Nitschke et al. (2009). Pflugradt and Bradley (2011) extended the results to a sample of 90 female sexual offenders from a medium/maximum security prison reporting a good coefficient reliability (Rho) of .85 although the scale used by the authors consisted of only ten items. Further, two of the items differed from the original SeSaS namely, (1) offender has a relationship with the victim as well as (2) offends within pseudo-family unit. Therefore, it appears that only two studies looked into internal consistency of the scale requiring more research in this area.

### **Interrater reliability**

Interrater reliability measures agreement among observational ratings provided by multiple coders. It ranges from less than a chance to almost perfect (Landis & Koch, 1977). Interrater reliability was very high in the Nitschke et al. (2009) study ( $\kappa = .84$ ). However, this was the average agreement for the original 18 items noted by Marshall et al. (2002). While the agreement for the 11 SeSaS items was not reported, all of the single item levels exceeded  $\kappa > .60$  thus the concordance was substantial. On the other hand, Mokros et al. (2012) reported a moderate overall interrater reliability of the six cases selected from their sample on the 11 items ( $\kappa = .58$ ). The total score consistency measure by the intraclass correlation coefficient was very high at .82. Using a selection of 20 cases, Mokros, Schilling, Weiss, Nitschke and Esher (2014) reported an excellent total score agreement (ICC = .91). The single item levels showed the lowest, that is a moderate agreement for taking trophies ( $\kappa = .48$ ) and excessive physical violence ( $\kappa = .59$ ). The strongest concordance was noted for object insertion ( $\kappa = 1.00$ ), mutilation of sexual areas ( $\kappa = .83$ ) and non-sexual body parts ( $\kappa = .81$ ) as well as sexual arousal during the crime scene ( $\kappa = .81$ ). It should be noted that all of these studies used a German manual and the agreement using an English translation has not as yet been examined.

## **Validity**

Validity refers to the quality of the mapping between the test and the psychosocial construct (in this case sadism) that the test aims to measure.

### **Face and content validity**

A test can be regarded as having face validity when the items appear to measure what the test is aimed at measuring. Content validity is the extent to which the elements within the instrument represent all facets that are relevant and representative of the construct. There is no statistical way of measuring both face and content validity and thus the evaluation is subjective. Face validity requires assessment whether the test appears valid whereas content validity requires establishing if it covers all crucial and relevant aspects of the measured concept (Kline, 2000).

The original items for the scale were first identified by Marshall and Kennedy (2003) who used their observations of the results of the wider crime scene research as well as criteria that international experts used when diagnosing sexual sadism. Subsequently, Nitschke et al. (2009) compared 50 forensic hospital patients diagnosed with having repetitive sadistic fantasies, and who committed sadistic crimes, with 50 non-sadistic patients. Mokken scaling analyses using nonmetric item response theory methods derived the items of the scale. Mokken scaling is beneficial because it provides information about the relative importance of the analysed items and the overall strength of the instrument. The SeSaS includes the five core criteria that experts considered as highly relevant (Marshall et al., 2002). As such, the scale appears to have face and content validity, as the items seem to be relevant and address the range of the typical behaviours enacted by sadists.



Of course it could be argued that using a scale that focuses solely on crime scene behaviours is vulnerable to misuse. A diagnosis of an enduring trait of sexual sadism might be given on the basis of a single act. The SeSaS manual however is clear that the instrument is meant to be used before the clinical interview. While it should serve as an aide in structuring the interview, the actual assessment ought to be based on the coding of all items within parts I and II as well as the evaluator's additional comments. The tool's overall aim is to improve diagnostic accuracy with respect to sexual sadism.

### **Construct validity**

Cronbach and Meehl (1955) argued that investigating the construct validity of a measure involves articulating a set of theoretical concepts and developing ways to measure the hypothetical construct proposed. Nitschke et al. (2009) showed that the SeSaS fulfilled Guttman's (1950) scaling criteria (a deterministic order of items according to the difficulty level). The 11-item scale yielded a significant coefficient of scalability ( $H = .83, p < .001$ ). The cumulative properties of the scale mean a progression of the items with every behavioural indicator representing a higher level of the underlying trait. Thus, rarest items on the scale are more likely to fulfil the criteria in comparison to the more frequent ones. Nitschke et al. further found that the underlying structure of sadism represented by the SeSaS favoured dimensional rather than a categorical framework.

Using tetrachoric correlations, the one-factorial solution was later corroborated in a cross-validation study by Mokros et al. (2012). As the analysis focused on the 11-items of the first part of the SeSaS, Mokros et al. (2014) using different taxonomic analyses procedures and the latent profile analysis examined both crime scene indicators and the biographical items included in part two of the scale. The results again confirmed a better fit of the dimensional

solution overall suggesting that the SeSaS measures intensity of sadism. On the other hand, deterministic (Guttman scale) properties of the tool were not confirmed by the cross-validation study. The number of cases where less frequent behaviour was present when a more frequent was not, was too high. That being said, the cumulative properties of the SeSaS total score were retained (Mokros et al., 2012).

### **Criterion validity**

Within criterion validity it is important to consider both predictive validity (the ability of the measure to make accurate predictions about the construct it represents) and the concurrent validity (the extent to which the tool correlates with previously validated measures of the same construct; Howitt & Cramer, 2005). There are no other standalone extensively validated measures that use crime scene indicators in order to assess sexual sadism. Although two scales on the taxonomic system from classifying rapists, the Massachusetts Treatment Center: Rape3 (Knight & Prentky, 1990) aim to map sexual sadism, to date there are no studies assessing the relationship between the scales. As such, it is not possible to state the level of concurrent validity.

With regards to the predictive validity, in a forensic setting, psychometric tests generally aspire to predict violent (and/or sexual) recidivism. A study by Eher et al. (2016) examined the association between sadism and reoffending in a meta-analysis of the available empirical studies as well as their own sample. The results from meta-analysis indicated that sexual sadism did not increase the risk of violent and sexual recidivism to a clinically relevant degree, although the DSM-based definition (as opposed to behavioural criteria) showed a small but significant positive association of sadism and reoffending. However, sadistic perpetrator group class based on the behavioural criteria had the highest proportion of

offenders still incarcerated; limiting the opportunity to reoffend which most likely confounded the results obtained. The results from Eher et al.'s own sample (768 male perpetrators) found that the highest association for violent and sexual recidivism derived from actuarial measures used in the study, i.e. the Sexual Offender Risk Appraisal Guide (SORAG; Quinsey, Harris, Rice & Cormier, 2006) and the Static-99 (Hanson & Thornton, 2000). A medium-level reoffending relationship was found for the Psychopathy Checklist-Revised (PCL-R; Hare, 2003). The sadistic conduct based on the SeSaS criteria was associated with violent recidivism although the effect was small with the highest correlation with violent recidivism observed for item 3 (torture) followed by item 7 (excessive physical violence) and item 2 (exertion of power, control, dominance).

### **Convergent validity**

This type of validity differs from the concurrent validity in that it measures the extent to which theoretically related tests correlate. Given that psychopathic personality disorder and sexual sadism share several common characteristics (e.g. emotional detachment from the suffering of others or a willingness to inflict pain or injuries) Mokros, Osterheider, Hucker and Nitschke (2011) tested the association of the two concepts. The results indicated that psychopathy and sexual sadism are distinct constructs. Although the path model showed that affective deficits and behavioural disinhibition should have an effect on the expression of sadistic behaviour, the findings did not support the assumption that the thrill seeking component of psychopathy would predispose individuals towards sexual sadism (Porter & Woodworth, 2006).

More recently, Longpré et al. (2016) analysed the convergent validity of the SeSaS with phallometric evaluation and the DSM-IV diagnosis. The results showed not significant

correlations between the SeSaS scores and any of the phallometric rape indices as well as not significant correlations between the SeSaS scores and the deviance index for nonsexual violence (although as expected the phallometric indices were highly correlated with each other). Of the 20 perpetrators diagnosed as sadists or exhibiting sadistic traits according to the DSM-IV criteria, nine obtained a score of at least four on the SeSaS (which is the cut-off score). Overall, a moderate to strong correlation was noted between the SeSaS and the DSM-IV classifications. Interestingly, there were no significant relationships noted between those diagnosed as sadists, or exhibiting sadistic traits according to the DSM-IV criteria, and the mean phallometric scores. Although given the small sadistic sample Longpré et al. noted that the results should to be interpreted with caution, this finding was in line with the wider literature of finding no differences in penile responses between sadists and non-sadist. Given this, the authors concluded that the SeSaS appears to be more suited for the measurement of severe sadism whereas the phallometric rape scenarios might be better suited to assess lower intensity sadistic behaviours. Another explanation for the lack of convergence could be that phallometry does not tap into idiosyncratic sadistic fantasies.

### **Accuracy**

Using the cut-off of four, Nitschke et al. (2009) found that the scale perfectly distinguished sadists from non-sadists. There were no misclassifications, and in all non-sadists no more than three criteria were present. However, Mokros et al. (2012) established sensitivity at 83% and specificity at 58%. Thus, there were 17% chance of false negatives (i.e. individuals assessed as non-sadists when in fact they were) and 42% chance of false positives (i.e. individuals assessed as sadists when in fact they were not). Mokros et al. (2012) suggested that a cut-off at four might be too low. However, a meta-analysis of the two studies (Mokros et al., 2012; Nitschke et al., 2009) as well as two studies from the United States (Pflugradt &

Bradley, 2011; Wilson, Pake & Duffee, 2011) estimated sensitivity at 95% and specificity at 99% (Nitschke et al., 2011) and as such, the cut-off remained set at four.

Of further note is the fact that apart from the original study by Nitschke et al. (2009), the maximum score of 11 has rarely been obtained. Longpré et al. (2016) suggested that this could be due to the specific sample used when developing the SeSaS which consisted of highly sadistic psychiatric patients. The subsequent research tended to use correctional samples where possibly lower levels of sexual sadism are more prevalent (e.g. Longpré et al., 2016; Mokros et al., 2012; Pflugradt & Bradley, 2011).

### ***Summary of the sample used in this thesis***

There were 67 perpetrators that in the files had either a diagnosis of sexual sadism or it was noted that they exhibited sexual sadism traits. The original psychiatric report was not available in every case, and the information was then reported in the trial summary or the parole board reports (less often in other official documentation). However, because of that, it was not possible to establish what criteria were used when making the diagnosis. Out of these 67 perpetrators, 54 obtained a score of at least four on the SeSaS, constituting approximately 80% of the sample. Overall, of the 350 cases, 93 perpetrators obtained a score of at least four on the SeSaS.

Table 7 summarises the results of interrater reliability check for the sample used. The lowest, fair agreement was noted on item 2 exertion of power, control, domination. The manual describes the item as an exaggerated degree of intimidation of the victim (higher level of power exertion than usually would be necessary for committing a sexual offence). A score of one is awarded if the perpetrator demonstrated his control and superiority during the offence

however in homicide cases and without victim statements it appears that this is difficult to ascertain.

A moderate level of agreement was found between item four and item nine. Item nine refers to ritualistic behaviour although, depending on the case, what constitutes ritualistic behaviour could be difficult to determine for the non-serial homicides. Item four is defined in the manual as the behaviour that would typically invoke feelings of disgust in the victim but again without victim statements this might be difficult to assess. Despite reaching a substantial agreement a similar problem could be reflected in item three, torture. This is because the manual refers to that aim to elicit ultimate fear including verbal behaviour, which would most likely not be known without the victim statements. As such, it is possible that the frequency of some of the items might be lower than if the sample included cases where the victim statements were available (e.g. rape offences). Nevertheless, the agreement on the total score for part 1 of the SeSaS was found to be excellent.

*Table 7 Interrater reliability of the SeSaS items*

Part/No.	Variable	Value
Part1		Kappa
1	Sexual arousal during offence(s)	.78
2	Power/control/dominance	.39
3	Torture	.65
4	Degradation/humiliation	.51
5	Mutilation of genital areas	1.0
6	Mutilation of other body parts	.65
7	Excessive physical violence	.71
8	Object insertion	.87
9	Ritualistic behaviour	.42
10	Confinement	-
11	Taking trophies/keeping records	-
		ICC
	Sum score Part I (variables 1-11)	.89
Part 2		Kappa
1	Planful conduct	.75
2	Sadistic acts outside listed offences	.78
3	Arousability through sadistic acts/fantasies	.92

## Conclusion

The Severe Sexual Sadism Scale (Nitschke et al., 2009) is a relatively newly developed scale regarding the diagnosis of sexual sadism. The strength of the SeSaS is that it focuses on the offence-related behavioural indicators available from the crime scene and thus, it does not rely on a self-report information. As such, the instrument offers a standardized approach to the assessment of sadism, which is in contrast to the less clear diagnostic criteria often requiring subjective assessment from the professionals.

Overall, the instrument shows a good degree of reliability. Its items appear to retain the properties of a cumulative scale and they conform to a one-dimensional construct of sadism, suggesting that the SeSaS measures intensity of sadism. The predictive validity of the SeSaS as measured by recidivism rates shows a significant but small effect. However, sadistic sexual conduct, in general, appears to have a weak association with violent and sexual reoffending. Both the concurrent and the convergent validity have been assessed only to a very limited extent although this is perhaps not surprising given the recent development of the scale.

Given the questionable degree of agreement of the clinical diagnosis which has been found among the professionals (e.g. Marshall et al., 2002; Nitschke et al., 2009; Thornton et al., 2011) the structural approach of the SeSaS seems to improve the diagnostic reliability. Therefore, taken as a whole, the behavioural indicators obtained through indexing crime scene of the SeSaS appear to improve diagnostic accuracy with respect to sexual sadism.

The English version of the manual is explicit and allows the user to obtain a good interrater reliability. Although some of the items resulted in fair to moderate levels of agreement, the difficulty in reaching the consensus appeared to stem not from the manual itself but rather, from the data and the type of the sample used in the current study. Specifically, item 2 (exertion of power, control, domination) as well as item 4 (degradation and humiliation of the victim) would most likely be easier to ascertain based on the statements from the victim. Given that this sample included only homicide cases, such statements were inevitably not available.

As the homicides were non-serial, at times, it was also difficult to determine if a given behaviour of the perpetrator was ritualistic in its nature (item 9). Thus, the rater was required to make a judgement on whether the behaviour appeared to have been rehearsed or had some special significance. In line with this, at times, even the professional reports could not agree whether certain items were removed from the crime scene as part of record/trophy keeping or as a precaution when destroying or removing evidence (item 11).

Sexual killers are typically portrayed as sadists (Cusson & Proulx, 2007). However, the previous chapter of this thesis showed that the victim could be killed under various circumstances and that, in many of these cases, the killing was not in fact a source of sexual stimulation for the perpetrator. These typical scenarios included situations where the victim was killed in order to eliminate a witness, the victim was killed trying to escape a sexual assault, or in fact when there was no sexual violence but killing occurred in a sexual context. Indeed, out of the 350 cases in the sample, only 93 perpetrators obtained a score of at least four on the SeSaS (reaching the suggested cut-off score). This supports Cusson and Proulx's



(2007) notion that homicides perpetrated by the offenders who act on their sadistic sexual urges are exceptions rather than the rule.

## **Chapter 5.**

### **Discussion**

While there are multiple possible approaches to untangling the knotty problem of sexual killing, the line of attack this thesis chose to pursue is to consider what role the sexual aspect plays in the criminal event and to examine the validity of conceptualising sexual offending on a continuum.

## Chapter 2

In the first step, a systematic review considered what is known about the characteristics of sexual killers and sexual aggressors. A comparison of these two groups was carried out because research examining whether sexual killers are distinctive from other sexual offenders compared sexual homicide perpetrators to a group of sexual aggressors (namely rape or attempted rape). Overall, researchers reached a general conclusion that there are more similarities than differences between the groups. Subsequently, it has been proposed that sexual aggression and sexual killing should best be conceptualised as occurring along a single continuum of sexual offending, with the level of circumstantial violence discriminating between the fatal and non-fatal outcome (Oliver et al., 2007; Proulx et al., 2007; Salfati & Taylor, 2006).

The systematic review found some homogeneous (similar) and heterogeneous (different) offender characteristics as well as some heterogeneous crime scene characteristics. The results of some themes were contradictory and thus a firm conclusion about their relevance (about their affiliation) could not be reached. The review further highlighted some methodological problems of the studies including difficulties with availability of different sources of information, the need of relying on self-disclosure, differences when using clinical judgment or psychometric assessments as their data source or relying on evidence in proxy when coding some items. A process of data extraction was able to establish that because of

sample overlaps in the studies included, a relatively low number of sexual killers (approximately 300) were actually compared in total. However, perhaps most surprising was the finding that out of the studies that tended to examine a wide array of variables, only 15 themes could be established (on the basis that a given characteristic was reported in the results section of at least three different studies).

The small number of identifiable themes is important to consider in terms of conceptualising sexual aggression and sexual killing as occurring along a single continuum of sexual offending. Although a wide array of features has been examined, many of these features have not been corroborated by different studies. This finding combined with the methodological issues noted by the review suggest that comparison of sexual aggressors and sexual killers (giving the basis to the continuum premise) is actually not yet well researched.

### Chapter 3

In the next step, the different ways the sexual element and the act of killing could be attached in sexual homicide cases was accounted for. The research used a top-down approach and, based on the definitions provided by Carter and Hollin (2014), assigned each case as belonging to either directly or indirectly related groups. Overall, in the indirect attachment, the killing was not a source of sexual stimulation whereas in the direct attachment, the sexual aspect of the offence was closely connected to the death. Once classified, various analyses explored the factors related to the criminal events of the two groups.

The results found certain predictors that could effectively differentiate between the indirect and the direct cases. The indirect perpetrators had higher odds of meeting their victim in a place different from the crime scene, becoming angry during the criminal event and having a

stranger victim who died due to injuries sustained through a beating. As such, the features suggested that situational factors might be of relevance in this group, perhaps when the original intention of the perpetrator (rape or consensual sex) altered. On the other hand, a presence of unusual crime scene behaviours and higher SeSaS scores increased the odds of being a direct sexual killer. This suggested that crime scene features related to the enactment of a deviant fantasy are predictive of the membership of the direct group. Interestingly, out of the six of Ressler et al.'s (1988) criteria, only two, object insertion and substitute sexual activity/sadistic fantasy, were significant and lowered the odds of the case being classed as indirect. As the classification for the direct cases was very poor, and together with the issues noted in the methodology of this research, it raised a possibility that Ressler et al.'s criteria are overly inclusive, amalgamating various cases, some of which might not even represent sexual homicide cases.

When exploring the dynamics of the criminal event, the results indicated that the use of a weapon and crime phase anger increased the risk of injury in both the indirect and the direct groups. The indirect perpetrators were additionally more likely to be intoxicated and leave the body as it is at the crime scene which, all things considered, yet again points to the importance of a situational component playing the role in the crime event of these perpetrators. In contrast, for the direct sexual killers, severity of injuries was associated with mutilation of sexual body parts. The cases most likely included a mixture of both aggressive and offensive mutilation acts stemming from the existing fantasies (Puschel & Koops, 1987). In the direct homicides the perpetrators were more likely to tie their victims up, gag, or cover their victim's eyes whereas the indirect sexual killers were more likely to use an alibi. However, overall the indirect and the direct offenders did not differ in the frequency of many of the precautions used. Given that, in comparison, it took longer for the direct sexual killers

to be arrested after the murder, it is possible that those perpetrators were simply more skilled at using the various precautions and thus, they are more forensically aware.

#### Chapter 4

In the final step, psychometric properties of the Severe Sexual Sadism Scale (Nitschke et al., 2009) were examined. The topic was considered to be important since often sexual killers as a group tend to be portrayed as sadists regardless if the homicide was in fact an enactment of the sadistic sexual urges. Due to a questionable level of agreement of the clinical diagnosis of sadism amongst the professionals (Nitschke et al, 2013), the SeSaS aims to use the behavioural indicators available from the crime scene in order to guide the assessment of the sexual sadism.

Although the assessment has been developed relatively recently, overall it appears to have a good degree of reliability and validity. The structural approach of the SeSaS offers a standardized approach to the assessment of sadism. This is advantageous as it appears to promote a more accurate diagnostic criteria leaving less room for subjectivity.

#### **Implications**

There are several implications deriving from this thesis.

##### ***First:***

A continuum-based view of sexual aggression with sexual killing being at the extreme end, is largely formulated on the fact that comparison studies did not find many differences between the perpetrators of rape and the perpetrators of sexual homicide (Oliver et al., 2007; Proulx et al., 2007; Salfati & Taylor, 2006). However, as noted in the systematic review of this thesis,

the comparison studies encompassed all sexual homicide cases in a single group, thus ignoring both typology of sexual killers and the different roles that killing can play in relation to sexual behaviour. This, it is argued, most likely introduces a confounding effect, as not controlling for the make-up of the sexual killing sample most likely affects the conclusions drawn. For example, it could be hypothesised that anger driven perpetrators with an indirect link between sex and killing could be more aligned to non-sexual homicide perpetrators (Carter et al., 2016). Conversely, perpetrators with an indirect link between sex and killing who were sexually motivated to offend but killed, either to avoid detection or when the victim was trying to escape the sexual assault, may well be more akin to non-homicide sexual aggressors (Stefanska et al., 2015).

In line with this premise, if the sexual murder sample had happened to be comprised of more indirect sexual killers and was then compared to sexual aggressors, few differences could be expected. Indeed, even Oliver et al. (2007) concluded that on the whole sexual killers and sexual aggressors are similar with the exception of homicide perpetrators who find killing sexually arousing or who kill in order to engage in post-mortem sexual activity. The results of the empirical research of this thesis appear to support this as various differences have been noted between the indirect and the direct cases. All things considered, the crime scene features of the direct perpetrators were related to the enactment of a deviant fantasy. On the other hand, for the indirect perpetrators the crime scene acts were more related to the situational factors, perhaps as their behaviour modified during the encounter with the victim. Therefore, these perpetrators should best be viewed as being on a continuum of sexual offending.

***Second:***

Who is the ‘true’ sexual killer? This thesis argues that the direct sexual killer, for whom the sexual element and the act of killing were integral, and thus the killing at some point (either pre or post) provided a source of sexual stimulation. Indeed, if the perpetrator deviated from the indirect to the direct pattern they also ought to be regarded as direct since the association between sexual activity and murder became integral. By making such a distinction this thesis does not imply that the indirect sexual killers are somehow less dangerous or less culpable of the murder since they tended to kill under the situational circumstances. Rather, it argues that, in order for the sexual homicide to be regarded as a distinct type of sexual offence, direct perpetrators should be distinguished and examined separately.

The present study adds weight to the clinical application. In England and Wales a conviction for sexual assault (e.g. rape) linked to murder would lead to classification as a “sex offender” under The Sexual Offences Act 2003, which would likely lead to assessment and possibly treatment as part of their sentence plan (Carter & Hollin, 2014). Currently all sexual killers are likely to attend the same treatment programmes along with other sexual offenders. It appears however that the direct sexual homicide perpetrators are more likely to need work controlling and addressing their deviant sexual interests including sadism. This is a group of sexual killers where medication to reduce or control sexual arousal and interests could more frequently be employed. On the other hand, the indirect sexual homicide perpetrators could benefit from both the primary sexual offending treatment programme and secondary programmes that address dysfunctional schemas. It is of note that the motivation and treatment needs of these sexual killers may more easily be placed in treatment programmes with other sexual aggressors rather than programmes dealing specifically with sexual killers (Carter, Mann, & Wakeling, 2008).



A robust case formulation is important to treatment planning. Carter and Hollin (2014) suggest that in addition to thorough background details, the available crime scene information should be carefully reviewed in order to place the offence within a situational context. In fact, the authors postulate that a wide-ranging consideration of the situation would prove more useful than a narrow focus on whether the offence was motivated by the perpetrator's anger or sadistic pleasure. In fact, Myers et al. (2006) argued that offenders will often avoid addressing the sexual component of their acts and instead they will favour providing an anger motivation as an explanation for the killing. By doing so they are trying to avoid being labelled as a sex offender. It may also be preferable for their legal outcome, both in prison and after release, to be seen as "hot-headed" rather than as a "sexual deviant".

Therefore, when considering motivation, Carter and Hollin (2014) propose that the main question is to consider whether there was a sexual element to the killing and if so, whether the relation between the act of killing and the sexual element was direct or indirect.

Situational and *modus operandi* characteristics of the direct and the indirect sexual killers presented in this study could be drawn on in case formulation to generate hypotheses that can be explored with the offender in a forensic interview. This might be of particular utility in cases where the offender may deny certain aspects of the offence and motivations. Of course, differentiating sexual homicides where the sexual element was integral to the killing from homicides where the sexual element was not closely related might not always be a straightforward task. However, it appears that the crime scene indicators could guide both the clinicians and the researchers in making such distinctions, the same way the crime scene indicators help in guiding the diagnosis of sadism.

***Third:***

This thesis noted that Ressler et al.'s (1988) criteria for sexual homicide might be overly inclusive. Most of the criteria (victim found naked, victim found with genitals exposed, body found in sexually explicit position, evidence of a sexual contact) did not distinguish between the direct and the indirect cases. In some instances, they even led to the inclusion of some of the homicides that did not represent sexual murders. This was noted in one of the subcategories of the indirect sexual killings in the empirical research of this thesis where it was accepted that the sexual encounter was consensual and therefore violence was not sexually driven. However, because the killing occurred within a sexual context (e.g. an argument commenced following consensual sex), the cases were nevertheless categorised as sexual killing because of forensic evidence (e.g. evidence of a sexual contact). These examples ought to be acknowledged given that much of contemporary research uses Ressler et al.'s criteria in order to identify sexual homicide cases.

***Fourth:***

Are there perpetrators that are motivated by anger? Yes, however anger probably refers to the motivational force of the first violent attack on the victim or 'the first blow'. This thesis argues that there is a difference between an angry perpetrator who killed during a consensual sexual situation due to angry outbursts and an angry perpetrator who killed because of an angry outburst but who continued with the sexual attack knowing the victim was dying, or in fact knowing that the victim was dead. If at a physiological level sexual arousal and anger are negatively related (Myers et al., 2006), once the evidence suggests that the perpetrator found severe violence sexually arousing, surely that arousal was driven by specific deviant interests regardless of whether anger initially played part in the offence.

Unfortunately, the current classification of sexual killers does not account for these differences. This is in line with the argument by Carter and Hollin (2014) that capturing anger as a motivation in sexual killings simply describes a characteristic of the perpetrator but does not adequately explain the way the sexual element and the killing were related. Therefore, when examining sexual homicide, the priority should be on explaining the sexual aspect within the criminal event and researchers may wish to consider this in future methodological approaches.

Considering the association between the sexual aspect and the act of killing within the criminal event would also help in terms of treatment planning. As noted before, the indirect sexual killers being more easily placed in treatment programmes with other sexual aggressors rather than programmes dealing specifically with sexual killers.

***Fifth:***

The behavioural indicators obtained through indexing crime scene of the SeSaS appear to improve diagnostic accuracy of the sexually sadistic conduct. The English version of the manual is explicit and enables investigators to obtain a good interrater reliability. Although some difficulties in reaching the agreement were noted, they appeared to stem not from the manual itself but rather, from the data and the type of the sample used in the current study. Specifically, the use of sexual homicide cases (rather than the sexual assaults) meant that the victim statements were inevitably not available and a decision about certain behaviours (e.g. ritualistic behaviour) was still subject to the rater's judgement. Despite some difficulties, overall, the crime scene indicators were helpful in guiding the diagnosis of sadism.

When considering the criminal event of the sexual homicide, Carter and Hollin (2014) suggested assessing if it was a direct or indirect form of killing and whether there was a sadistic element to it. The current study found that higher SeSaS scores increased the odds of being a direct sexual killer. This result is perhaps not surprising, given that sexual sadism is related to the enactment of a deviant fantasy (Nitschke, Osterheider & Mokros, 2009). However, typically, all sexual killers are portrayed as sadists (Cusson & Proulx, 2007) regardless of the various circumstances in which the victim could be killed. Indeed, as noted before, out of the 350 cases in the sample, only 93 perpetrators obtained a score of at least four on the SeSaS (reaching the suggested cut-off score) supporting Cusson and Proulx's (2007) notion that homicides perpetrated by offenders who act on sadistic sexual urges are exceptions rather than the rule.

### **Future directions**

The novelty of the approach taken in this study leaves many aspects not yet explored. Direct and indirect perpetrators could be compared to sexual aggressors not only in terms of the crime scene features but also regarding the offender characteristics, their development and criminal careers. For example, Cusson and Proulx (2007) noted that the wider literature suggests that for the sadistic sexual killers the murder lies on the spectrum of their past criminal acts. As high SeSaS scores are predictive of the direct perpetrators, it would be interesting to examine whether the past criminal careers differ for the direct and the indirect groups.

However, within group comparisons should also be explored. The indirect group consisted of perpetrators who killed in order to eliminate a witness, the victim dies while trying to escape the sexual assault and the cases where the victim was killed in a sexual context. This final

scenario in fact represented cases where the violence was not sexual. Would these offenders be therefore more aligned to non-sexual homicide perpetrators? Finally, the direct group consisted of cases where the act of killing was itself sexually gratifying and the cases where the killing was carried out in order to commit sexual acts with the victim's body. As the second scenario also included opportunistic necrophiles (Aggrawal, 2009), it would be interesting to examine these perpetrators in more detail, for example whether their sadistic conduct is different or similar to those for whom the act of killing was sexually arousing.

Finally, the systematic review showed that the comparison studies of sexual killers and sexual aggressors encompassed all sexual killers in a single group. As such, they ignored the reasonably well established types of the sexual killer and indeed the different types of sexual aggressors since rapists also do not comprise a homogeneous group (Knight & Prentky, 1990). Although omitting typology when comparing the perpetrators of these crimes is perhaps inevitable in many studies due to the inherent limitations of the data (such as difficulties in access, small sample sizes of sexual homicide cases) it would be interesting to compare the direct sexual killers with rapists who were motivated by sadistic desires. It could be argued that the proposed continuum of sexual offending is more appropriate for killings that started out as sexual assault. Rapists who kill their victim to eliminate the only witness to the crime, or the sexual assaults that were particularly violent and the victim died from the injuries sustained may present as psychologically comparable to the non-homicide, non-sadistic sexual aggressors.

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Appendix 1  
Scoring Grid

Inter-rater reliability case

Rater .....

Case ID ..... Age of victim .....

Age at time of offence..... Race:..... Employment:.....

- Direct: Killing is integral to the pursuit of sexual gratification and the sexual aspect of the offence can be demonstrably connected to the death; such cases include those where the act of killing is itself sexually gratifying, or where the purpose is to enable sexual acts to be carried out with the victim's body (Carter & Hollin, 2014)
- Indirect: Killing is not a source of sexual stimulation, rather the offence occurs in a sexual context: this may be the elimination of a witness, or where the victim is killed trying to escape a sexual assault (Carter & Hollin, 2014)
- Cannot decide

	Variable	Yes	No
	1. Prior conviction for rape (or strong evidence/left on file)		
	2. Previous convictions for any other sexual assault (number)		
EARLY CRIME PHASE	3. In a relationship at time of offence		
	4. Time of offence – hours of daylight		
	5. Time of offence – hours of darkness		
	6. Time it took to recover body:		
	7. Time from body found to arrest (hours or days)§		
	8. Scene – home		
	9. Scene – secluded public place (include car)		
	10. Scene – publicly accessible place		
	11. Encounter scene different from killing site		
	12. Assault scene different from killing		
	13. Body disposal scene different from killing		
	14. Approach – con		
	15. Approach – blitz/immediate attack		
	16. Approach – situational		
	17. Victim: what was she doing when approached NOTE		

	18.	Victim – stranger		
	19.	Victim – known (non-sexual relationship)		
	20.	Victim – partner or former partner (prior sexual relationship)		
	21.	Victim from criminogenic environment: sex industry		
	22.	Victim from criminogenic environment: non-sex related (e.g. drugs)		
	23.	Pre-crime anger (48 hours)		
	24.	Crime phase anger (immediately preceding/during offence)		
	25.	Pre-crime: sexual arousal (24 hours)		
	26.	Pre-crime: depressed/anxiety (24 hours)		
	27.	Pre-crime: conflict (w/ sb else, or victim) 24 HOURS (went to sleep)		
	28.	Pre-crime: conflict (w/ sb else, or victim) LESS THAN 24 h		
	29.	Pre-crime: conflict (w/ sb else, or victim) IMMEDIATELY prior the offence		
	30.	Intoxication (exclude if not apparently relevant i.e. low levels one pint)		
	31.	Intoxication (present but not relevant i.e. one pint)		
	32.	Sexual related disinhibitors (e.g. porn, masturbation)		
	33.	Stalking, following or victim target		
	34.	Taking things to facilitate crime (other than weapon)		
	35.	Weapon: found at the scene		
	36.	Weapon: taken from victim		
	37.	Weapon: taken to crime scene		
	38.	Weapon: recovered		
MO	39.	Use of weapon (exclude if weapon picked up post mortem)		
	40.	Knife		
	41.	Ligature		
	42.	Other weapon (axe, hatchet, hammer)		
	43.	Pseudo-weapon (e.g. rock, lamp, scissors)		
	44.	Use of restraints/gagging/blindfold		
	45.	Sexual acts – vaginal penetration		
	46.	Sexual acts – anal penetration		
	47.	Digital penetration		
	48.	Sexual acts – evidence of other sexual activity at crime scene		
	49.	Sexual dysfunction before attack (erectile or ejaculatory problems) NOTE		
	50.	Ressler criteria: victim found naked: a) totally b) partially		

51.	Ressler criteria: genitals exposed		
52.	Ressler criteria: body found in sexually explicit position		
53.	Ressler criteria: object inserted into a body cavity		
54.	Ressler criteria: evidence of sexual contact		
55.	Ressler criteria: evidence of substitute sexual activity or sadistic sexual fantasy (semen/mutilation)		
56.	Victim died of – beating		
57.	Victim died of – stabbing		
58.	Victim died of – strangulation		
59.	Victim died of – asphyxiation		
60.	Victim died of – other (circle: struck over head / drowning / cut throat)		
61.	Other violence used during attack than victim died of		
62.	Biting (CIRCLE: pre-mortem / post-mortem)		
63.	Post mortem sexual activity NOTE		
64.	Post mortem mutilation SEXUAL BODY PART		
65.	Post mortem mutilation NON-GENITAL AREA		
66.	Other unusual crime scene behaviours: cannibalism, positioning etc NOTE		
67.	Precaution: Destroying or removing evidence  (CIRCLE: wearing gloves, using a condom, setting fire to the scene, and cleaning the scene)		
68.	Precaution: Protecting his identity  (CIRCLE: wearing of a mask, giving out a false name, attempting to disguise or altering their appearance, and changing residence after the crime)		
69.	Precaution: Acting on victim and/or the environment  (CIRCLE: disabling the lighting, the telephones, security system, and/or the victim's vehicle, administering a drug to the victim, tying up the victim, blocking access in and out of doors or windows)		
70.	Precaution: Staging the crime scene CIRCLE: <i>Environment</i> (acting on environment to deceive, pretending sth else happened)  <i>Verbal staging</i> is a conscious and intentional act of filing a false missing-person report about the victim in order to redirect the investigation away from the homicide that the author of the report knew occurred.		
71.	Precaution: Disposing of victim's body		
72.	Precaution: other (CIRCLE: using a scanner to ascertain police		

		activities, using a devise to alert them to anyone approaching, using or establishing a lookout location where he could observe the scene without being noticed, covering the victim's eyes, gagging the victim, and arranging an alibi, false statements, pretending just found body)		
	73.	Exigent circumstances (offender interrupted) NOTE		
	74.	Body "left as is"		
	75.	Body moved (non- transport): concealed or hidden SURFACE		
	76.	Body moved (non- transport): concealed or hidden BURIED		
	77.	Body moved (non-transport): dumped		
	78.	Body moved (transport): concealed or hidden SURFACE		
	79.	Body moved (transport): concealed or hidden BURIED		
	80.	Body moved (transport): dumped, depositing the victim's body with no apparent concern that the victim would be discovered (usually public places)		
Post-offence	81.	Post offence behaviour - carried on with work/routine activities		
	82.	Handed himself in to police		
	83.	Left area (i.e. travelled to another town)		
	84.	Told someone (family, friends etc)		
	85.	Returned to crime scene		
	86.	Other post-offence behaviour (e.g. follow media)		

SeSaS	PART 1			
	87.	Item 1: Sexual arousal during the crime scene behaviours		
	88.	Item 2: Exertion of power, control, dominance		
	89.	Item 3: Torturing the victim		
	90.	Item 4: Degrading, humiliating behaviour towards the victim		
	91.	Item 5: Mutilation of sexual areas		
	92.	Item 6: Mutilation of other body parts		
	93.	Item 7: Excessive physical violence		
	94.	Item 8: Insertion of objects		
	95.	Item 9: Ritualistic behaviour		
	96.	Item 10: Confinement		
	97.	Item 11: Trophies		
	PART 2			
98.	Item 1: Planful conduct			
99.	Item 2: Indications of sadistic acts in the past beyond the listed offences			

	100.	Item 3: Arousal through sadistic fantasies or acts		
	PART 3			
	101.	Part 1 score		
	102.	Part 1 score 0-3		
	103.	Part 1 score 4-11		
	104.	Presence of sadism - working hypothesis		

HIS	105.	Item 1: Single cause of death only: internal injuries only with no visible related external injuries (e.g., smothering, strangulation, ruptured organs resulting from blunt force trauma)		
	106.	Item 2: Single cause of death only: internal injuries only with minor related external injuries (e.g., smothered with related abrasions and/or contusions of mouth and face, strangled with related abrasions or ligature marks)		
	107.	Item 3: Single cause of death only: related external moderate to serious injuries not identified as either excessive or overkill		
	108.	Item 4: Two or more causes of death: related internal and/or external injuries not identified as either excessive or overkill		
	109.	Item 5: Single cause of death only: related external injuries identified as either excessive or overkill		
	110.	Item 6: Two or more causes of death: related internal and/or external injuries in at least one of the causes of death identified as either excessive or overkill		
	111.	Total score		

Appendix 2  
Scoring Guidance Notes

	Variable No	Guidance
	1.	Prior conviction for rape (or strong evidence/left on file)
	2.	Previous convictions for any other sexual assault (number)
EARLY CRIME PHASE	3.	Score No if the perpetrator was separated (despite being still officially married) or if the partner has left the perpetrator in the days preceding the offence
	4.	Take into account the time of year of the offence when deciding this
	5.	Take into account the time of year of the offence when deciding this
	6.	Note in hours, days or years (to be recalculated later) a) Give 0 if the perpetrator gave himself up and disclosed the whereabouts of the body at the same time b) Calculate if the perpetrator gave himself up but did not disclosed the whereabouts of the body c) Note if perpetrator disclosed whereabouts of the body upon arrest
	7.	Note in hours, days or years (to be recalculated later) a) Give 0 if the perpetrator gave himself up b) Note if arrested at scene when body discovered
	8.	Any home environment regardless of who it belongs to
	9.	Secluded public place would include a car parked in the public space and abandoned buildings
	10.	Publicly accessible place would include parks
	11.	Encounter within the offence event
	12.	Sexual assault scene (first sexual assault if more than one scene)
	13.	Look at disposal scene not if body moved (rate No if for example, body killed and hidden in the same house, building etc.) – body moved covered later  Thus, his is different from merely moving body, e.g. if body moved from bed to wardrobe, body was concealed (yes) but not disposed of (no)
	14.	Con approach requires subterfuge; perpetrator needs to openly approach the victim and manipulate her (needs to interact with her). Include seemingly situational approach when the evidence shows that the perpetrator planned the offence.



	15.	Type of approach that requires the perpetrator to act quickly and rely on physical assault to subdue the victim
	16.	Both the victim and the perpetrator find themselves in a mutually consenting situation for example, meet in a bar. If they leave together there is no evidence of conning from the perpetrator.
	18.	Treat the victim as a “stranger” if the victim was not known to the offender at the time of the offence. To count as “known”, the victim must have known the perpetrator 24 hours before the offence and the offender must have known the victim 24 hours before the offence.
	19.	Victim is known (at least 24 hours before the offence) and there was never a sexual relationship between her and the perpetrator
	20.	Victim is known (at least 24 hours before the offence) and there was sexual relationship between her and the perpetrator
	21.	Sexual: Prostitution, escort etc.
	22.	Non-sexual: Belonging to a gang, dealing drugs etc.
	23.	Included in this category are cases where the offender is jealous or seeking revenge
	24.	References to feeling angry during the offence – during the criminal event but before the killing
	25.	Present in the last 24 hours
	26.	Present in the last 24 hours
	30.	In the lead up to crime: seen drinking, blood tests etc., disclosed  Note, if perpetrator says he was drunk but victim statements and/or alcohol levels formally noted state different, go with official statements
	31.	In the lead up to crime: seen drinking, blood tests etc., disclosed
	32.	Disinhibitors used as a possible lead up, thus if this was a habit, disinhibitors still used in the last 24 hours
	33.	Defined as a situation where evidence exists that the perpetrator observed or followed victim for some time before the attack
	34.	Other equipment such as rape or torture kit etc
	38.	Before the trial and formed part of the evidence
MO	39.	Weapon was used in the lead-up to the killing thus exclude if evidence suggests that the weapon was picked up and used post mortem only
	49.	Sexual dysfunction before and during the criminal event NOTE what kind
	56.	Victim died of – official cause of death

62.	Bite marks noted by the pathologist
63.	Sexual contact with the dead body
64.	Mutilation refers to “the act of depriving an individual of a limb, member, or other important part of the body; or deprivation of an organ; or severe disfigurement.” (Dorland’s Illustrated Medical Dictionary). Cases where minor parts of the skin or other tissues were cut off as a result of slashing cuts within violent killing were not included in this study. Sexual body parts include breasts, buttocks, vulva/vaginal area and lower abdomen.
65.	Post mortem mutilation of non-genital area excludes cases where evidence suggests that body was dismembered was for disposal purposes only.
66.	Unusual crime scene behaviours include: defecating at crime scene, leaving a note, cannibalism, arranging victim’s body into a sexually provocative position, eye enucleation, piquerism, cutting patterns into victim’s body.
67.	Precaution: The perpetrator destroyed or removed evidence at or from the crime scene (e.g. wearing gloves, using a condom, setting fire to the scene, and cleaning the scene)
68.	Precaution: Perpetrator is protecting his own identity (wearing of a mask, giving out a false name, attempting to disguise or altering their appearance, and changing residence after the crime)
69.	Precaution: Perpetrator acting on victim and/or the environment of the crime scene (e.g. disabling the lighting, the telephones, security system, and/or the victim’s vehicle, administering a drug to the victim, tying up the victim, blocking access in and out of doors or windows, and killing the victim for the purpose of eliminating the witness)
70.	Precaution: Staging the crime scene <i>Environment</i> (acting on environment to deceive, pretending sth else happened) <i>Verbal staging</i> is a conscious and intentional act of filing a false missing-person report about the victim in order to redirect the investigation away from the homicide that the author of the report knew occurred.
71.	Precaution: Perpetrator disposed of victim’s body Differs from number 13, so any precaution used regardless body would be awarded yes, thus disposed and moved.
72.	Precaution: other (e.g. included using a scanner to ascertain police activities, using a device to alert them to anyone approaching, using or establishing a

		lookout location where he could observe the scene without being noticed, covering the victim's eyes, gagging the victim, and arranging an alibi, false statements, pretending just found body) NOTE
	73.	Exigent circumstances (offender interrupted) NOTE (Sore yes if the perpetrator thought someone was approaching)