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Criminal Profiling in the Investigative Process

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"Criminal profiling will never take the place of a thorough and well planned investigation nor will it eliminate the seasoned, highly trained, and skilled detective. Criminal profiling has, however, developed itself to a level where the detective has another investigative weapon available to him in solving a violent crime." [1]

In recent years, criminal profiling has received a great deal of attention from both the popular media and professional circles. However, the application of criminal profiling to the investigative process is still misunderstood. A criminal profile can offer more to an investigation than is realised by many individuals. These services include, but are by no means limited to, victimological assessments, an equivocal death analysis, a threshold assessment, as well as a fully rendered criminal profile. It is the purpose of this paper to examine the role of criminal profiling in the operational phase of an investigation. In doing so, a recent case example will be used.

Criminal Profiling

Criminal profiling refers to the process of inferring distinctive personality characteristics of individuals responsible for committing criminal acts based on the crime-scene behaviour of the offender.[2] Criminal profiling is built on the premise that "proper interpretation of crime scene evidence can indicate the personality type of the individual(s) who committed the offence".[3] While some proponents stress that profiling is more like an art than a science,[4] others regard criminal profiling as a multi-disciplinary forensic practice, requiring applied knowledge in forensic science, medico-legal death investigation, and psychology[5] to provide investigative agencies with information regarding the perpetrator of a crime.

While profiling is not a new technique, having its earliest documented use during the Whitechapel Murders in Great Britain in 1888,[6] it has only been in the last few decades that it has reached recognition as a "useful and promising investigative methodology".[7] In particular, profiling has achieved a reputation of being an effective technique for investigating crimes of violence such as homicides, sadistic crimes, sex crimes, arson without apparent motive, and crimes of a serial or ritual nature.[8] While these crimes may be the fortÈ of criminal profiling, due to the large amount of behavioural evidence available at the crime scene, the application of this investigative approach is far more diverse and can encompass a myriad of other crimes, including vandalism, computer crimes and armed robbery.

CASE STUDY: State of California v. Louis J. PEOPLES.

Location: Stockton California, USA.
Date: September 29 - November 11, 1997.
Profiler: Brent Turvey, MS.[9]

Stockton Police Department were investigating a series of potentially related cases in late 1997 involving the same .40 calibre firearm, later determined to be a Glock pistol. The cases in question include:

September 16, 1997 - An employee of California Spray Dry Company (Cal. Spray) was shot while investigating the vandalism of several cars in the company car park.[10] The man was struck in the hip as he dove for the ground, but was not seriously injured.[11]

October 29, 1997 - Tow-truck driver James Loper, 29, was shot and killed after being called out to a rural area in the middle of the night by a fictitious caller.[12] Loper was shot nine times in the chest, sides and back.[13] Deputies said that they didn't think robbery was the motive, as Loper's wallet was not taken.[14]

November 4, 1997 - Stephen Chacko, 39, co-owner of MFL Liquor and Tobacco, was shot and killed during a robbery.[15] Chacko had been shot five times through the chest and back.[16]

November 11, 1997 - Besun Yu, 56, and Jun Gao, 46, were killed during a robbery of Yu's Village Oaks Market.[17] Gao was shot once in the head, and Yu, who had been kneeling behind the counter, was shot twice in the back.[18]

Deputy Mike Padilla of the San Joaquin County Sheriff's Department, described the robberies as "brutal attacks, no 'give me the money or I'll shoot', he would just go in blasting ... He would come in, shoot to kill, then take some money."[19]

The increasing frequency of the attacks pressured local authorities to use any means necessary to identify the offender. On November 11, 1997, Detective Rick Ragsdale of the Stockton Police Department contacted Brent Turvey, a forensic scientist and criminal profiler, for investigative insight and direction.[20] Turvey suggested that the detectives should focus in the earliest case, at Cal. Spray on September 16, because the offender demonstrated knowledge of the premises and had some personal connection to the place of business and might have been a former employee.[21] The investigators attended the factory and, with the assistance of the company's human resource director, reviewed all employee files. A suspect was generated from this review, other case facts, and witness statements. The suspect was taken into custody that same day.[22]

The suspect was a local Stockton man, Louis Peoples. Peoples had previously been employed by both Cal Spray and a local towing company. It is believed that Peoples killed James Loper to create a job vacancy for himself.[23] When arrested, Peoples was carrying a journal titled "Biography of a Crime Spree" that described the details of the killings, identifying that some were committed for money and some for revenge.[24] He also had a map that pinpointed other possible robbery targets including two convenience stores, a liquor store, a strip mall and a commercial area.[25] Peoples was also charged with an early October 1997 bank robbery after police identified him from security camera footage.[26]

Although the profiler was only actively involved in the

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investigation for a total of one day, this case represents the positive role a criminal profiler may have on an investigative effort. The profiler was able to offer useful recommendations based on behavioural evidence at the crime scene, facilitating the development of a suspect for the offences. The rapid progression of the case and other factors did not allow Turvey to submit a written document regarding offender behaviour for the investigators[27], however he still played an active role in the investigative effort. After reviewing the initial evidence, Turvey applied the behavioural evidence found at the crime scene to offer investigative direction so that a suspect may be developed. Although this approach strays from the traditional approach of providing a list of personality characteristics or traits (for example, the offender is a white male, aged thirty-five to forty, of unsteady employment history), as profiling is typified, it is arguably of more use to investigators.

Criminal Profiling in the Investigative Phase

A criminal profile can provide many services to investigators. These include, but are by no means limited to, a victimological assessment, an equivocal death analysis, a threshold assessment and a fully rendered criminal profile, all of which may provide investigators with another technique to assist in the inquiry.

Victimology

A victimology is best described as a thorough study of all available victim information. It is widely acknowledged that conducting a detailed victimology is often one of the most beneficial investigative tools in classifying and solving violent crime.[28] A victimology can help provide three things: context, connections, and investigative direction.[29] Essentially, a victimology entails "getting to know the victim as a real person. Unless we know who a victim is, or was, and how they lived, we cannot say that we truly know the context of their demise, or the events leading up to it".[30] A victimology includes information such as sex, height, weight, family, friends, acquaintances, education, employment, residence, and neighbourhood.[31] It also includes background information on the lifestyle of the victim such as personal habits, hobbies, and medical histories.[32]

Formulating a victimology allows an examiner to make an informed assessment of an individuals risk of becoming a victim of a particular type of crime in regards to their overall lifestyle, as well as during the events preceding the offence.[33] By learning about and understanding the victim, it is also hoped that an investigator can come to understand how and why an offender has selected the victim, so that a relational link of some kind between the victim and that offender may be established.[34] These links between the offender and the victim "may be geographical, work related, schedule orientated, school related, hobby related, or they may even know each other somehow. The possibilities are without limit".[35]

Equivocal Death Analysis

Equivocal refers to anything that can be "interpreted in more than one way or anything where the interpretation is questioned".[36] An equivocal death analysis is an "opinion as to the manner of death (homicide, suicide, accident) based on careful post-mortem evaluation of the victim and characteristics of the death",[37] where the manner of death is unknown or open to multiple interpretations. Often an equivocal death analysis becomes a consideration if there are elements of staging, manipulations of the crime scene, and other suspicious or questionable aspects. An offender may stage a crime scene to steer investigators in another direction. Alternatively, in cases of suicide or autoerotic deaths[38], a family member may alter the crime scene to protect the dignity of the deceased.[39] Using crime scene reconstruction techniques, physical evidence and victimological assessment, a criminal profiler may examine any discrepancies and recommend investigative strategies to determine the meaning of the available evidence.[40]

Threshold Assessment

A threshold assessment is an "investigative document that reviews the initial physical evidence of behaviour, victimology, and crime-scene characteristics for a particular case, or a series of related cases, in order to provide immediate direction".[41] A threshold assessment is made up of questions, suggestions, and first impressions to give some direction to a case regarding evidence collection or investigative steps.[42] It makes assessments of "what is currently understood to be fact. It may also include insight into interview strategy, and any investigatively relevant first impressions that the profiler has regarding investigative priority and direction".[43] A threshold assessment can be compiled in any phase of a case, outlining what is known and what needs to be investigated further.[44]

Criminal Profile

A criminal profile outlines the "characteristics and traits of an unidentified offender that differentiates [them] from the general population".[45] A criminal profile is based upon a good crime scene examination and adequate information supplied to the profiler, making it one of "many tools available to detectives who frequently undertake complex, difficult and often frustrating tasks".[46] A criminal profile may be used by investigators to direct resources where they might do the most good, saving investigative time.[47]

A profile can be used to determine if a behavioural link exists between similar cases, in the absence of physical evidence, by analysing the offender's *modus operandi*[48] and *signature*[49] behaviours. A complete and well-informed criminal profile may also be instrumental in providing the investigator with information that narrows down leads allowing the investigative strategy to be formulated.[50] Although profiling does not provide the identity of the offender, it can effectively direct the investigation by identifying certain unique behavioural characteristics of the perpetrator,[51] providing avenues of investigation that had not been previously considered. These avenues may involve pre-offence or post-offence behaviour that may have brought the offender to the attention of the police, or drawn suspicion from members of the public, which may have seemed to be unrelated to the case under investigation.

Conclusion

Criminal profiling is emerging as a promising investigative technique. However, the applications of the criminal profiling process are not always understood. The services of a criminal profiler during the operational phase of an investigative effort can extend further than providing a fully ren-

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dered criminal profile, and into the realm of performing a victimology, an equivocal death analysis, or a threshold assessment. It is important to have an accurate understanding of the facets of criminal profiling so that it can be best utilised in the process of investigation and resolution of a case.

[1]Douglas, J.E. & Burgess, A.E. (1986) *Criminal Profiling:* a viable investigative tool against violent crime; F.B.I. Law Enforcement Bulletin, December 1, p.3

[2]Turvey, B.E. (1999) *Criminal Profiling: An Introduction to Behavioural Evidence Analysis*, London: Academic Press, p.1

[3] Rossmo, D.K. (2000) *Geographic Profiling*, Boca Raton: CRC Press, p.68

[4]Homant, R.J., & Kennedy, D.B. (1998) "Psychological Aspects of Crime Scene Profiling", *Criminal Justice and Behaviour*, Vol. 25, No. 3, p.321

[5]Turvey, (1999) p.xxvii

[6]Petherick, W. (1999) *Criminal Profiling: How it Got Started and How it is Used*, Available Online at http://crimelibrary.com/criminology/criminal-profiling

[7]Rossmo, (2000), p.86

[8]Bennett, W.W., & Hess, K.M. (1998) *Criminal Investigation* (5th Ed), Belmont: Wadsworth, p.242

[9]**Brent Turvey** is a forensic scientist and criminal profiler, operating from California. As a full partner and instructor with Knowledge Solutions LLC, Turvey works both for private clients and law enforcement agencies throughout the United States. The company's website can be found at http://www.corpus-delicti.com

[10]Associated Press (1997) *Daily News Release*, November 14

[11]The Record (1999) "Defence cites brain defect. Murder trial of Stockton man gets under way", in *The Record*, February 6, Available Online at http://www.recordnet.com/daily/1news060299.html

[12]Associated Press (1997)

[13]The Record (1999)

[14]Associated Press (1997)

[15]Associated Press (1997)

[16]The Record (1999)

[17]Associated Press (1997)

[18]The Record (1999)

[19]Reuters (1997) *Newswire*, November 14

[20]Turvey, B.E. (2002) *Personal Communication*, January 1

[21]Turvey, B.E. (1999) *MEMORANDUM - submitted to Mr. Michael Fox, Attorney*, June 22

[22]Turvey, B.E. (2002)

[23]The Record (1999)

[24]The Record (1999)

[25]Associated Press (1997)

[26]Reuters (1997)

[27]Turvey, B.E. (2002)

28Douglas, J.E., Burgess, A.W., Burgess, A.G., & Ressler, R.K. (1992) *Crime Classification Manual*, San Francisco: Jossey-Bass, p.7

[29]Turvey, B.E. (1999), p.106

[30]Turvey, (1999), p.107

[31]Turvey, (1999)

[32]Turvey, (1999)

[33]Baeza, J.J., Chisum, W.J., Chamberlain, T.M., McGrath, M., & Turvey, B.E. (2000) "Academy of Behavioural Profiling: Criminal Profiling Guidelines", *Journal of Behavioral Profiling*, Vol. 1, No. 1, January

[34]Turvey, (1999)

[35]Turvey, (1999), p.106

[36]Turvey, (1999), p.57

[37]Hazelwood, R.R., Ressler, R.K., Depue, R.L., & Douglas. J.E. (1999) "Criminal Investigative Analysis: An Overview", *in Practical Aspects of Rape Investigation: A Multidisciplinary Approach*, 2nd Ed, Boca Raton: CRC Press, p.116

[38]An **autoerotic death** refers to a death occurring during any sexual activity carried out alone, in which the mechanism that was employed to enhance sexual stimulation caused death.

[39]Douglas, J.E., & Munn, C.M. (1992) "The Detection of Staging and Personation at the Crime Scene", in Douglas, J.E., Burgess, A.W., Burgess, A.G., & Ressler, R.K. (Eds) *Crime Classification Manuel*, San Francisco: Jossey-Bass, p.252

[40]Turvey (1999)

[41]Turvey, (1999), p.42

[42]Turvey, (1999), p.42

[43]Turvey, (1999), p.42

[44]Turvey, (1999)

[45]Hazelwood *et al*, (1999), p.116

[46]Stevens, J.A. (1999) 'Standard Investigatory Tools and Offender Profiling', in Jackson, J.L., & Bekerian, D.A. (Eds) *Offender Profiling: Theory, Research and Practice*, Chichester: Wiley, p.77

[47]Douglas & Olshaker, (1999), p.57

[48] **Modus Operandi** (MO) refers to the behaviours that are committed by an offender for the purpose of successfully completing an offence. It concerns *how* the offender committed the crime.

[49]Signature refers to the emotional or psychological themes the offender satisfies by committing the offence. They include behaviours that are not necessary to complete the offence.

[50]Douglas & Burgess, (1986), p.9

[51]Douglas & Burgess, (1986), p.9

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