

The Research of Motivational Factors and the Psycho-Behavioral Footprint of Sexually Motivated Homicide

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ABSTRACT: Sexually motivated homicides can be committed for a variety of reasons, rooted in the authors deviant personality, from reducing the victim to an object state and defeating its will to the violence of the sexual assault. The sexual assault, whether heterosexual or homosexual, and the manner of commission, involving sexual acts, sodomy or the insertion of objects, has a sexual motivation and the murder of the victim arises as a result of the brutality manifested through sadism and mutilation, specific for serial sexual abusers, or extreme violence in the case of non-serial sexual aggressors. Identifying the motivational factors of sexual abusers involves analyzing, from a psychological and criminological perspective, the way of committing the crime, the behavior of the attacker and his reporting to his acts, revealed during the interrogation. Knowing the motivational factors can play a fundamental role in shaping the psychological profile of the sexual aggressor. Corroborating the motivational factors with other elements of the authors criminal history or other behavioral marks of deviance leads to a psycho-footprint of the author, whose role can go beyond the strict investigation of the incriminated act, ranging from the identification of other acts previously committed by the assailant to anticipating its chances of rehabilitation. The present research brings to the forefront the interpretation of the motivational factors and their transposition into the criminal behavior of the authors and the general objective is to highlight the role of establishing their psycho-behavioral footprint in sexual crimes.

KEYWORDS: forensic, investigation, psycho-behavioral footprint, Romanian perpetrators, sexual homicide

Introduction

In the present paper we will analyze the role of identifying the psycho-behavioral footprint of the perpetrators of sexual offenses that result in the death of the victim in forensic investigations in Romania, referring in particular to the identification and interpretation of the motivational factors of the murderers resulting from their transposition into behavior criminal.

For this purpose, we will present the case of a sexually motivated serial killer, who acted in the year 2000 on the national territory and in whose identification the technique of the psychological profile was used. At the same time, we will address the subject of the probation value of the psychological profile of the author, in the criminal trial and the current status of the psycho-behavioral scientific research, in Romania.

The research of motivational factors of sexually motivated criminals. The psychological profile

We begin by mentioning that establishing the psycho-behavioral footprint of the sexual aggressor requires a multidisciplinary approach. The modern profiling techniques are based on the research conducted in fields such as psychology, criminology, psychiatry and forensics (Tănăsescu 2012, 2014).

The data used to generate the author's psychological profile comes from traces discovered at the crime scene, forensic reports, witness statements, and victim information (McCann 1992). In obtaining these elements, the findings of the forensic physician play a major role, given the presumed professional equilibrium and medical discipline (Benomran 2002). A crime is considered sexually motivated when the evidence directly or indirectly asserts the existence of an *ante* or *post-mortem* sexual activity. Such evidence may be: the absence or ripping of the victim's clothing, the presence of traces of seminal fluid on the body or in its cavities, injuries or mutilation produced to the victim's genital organs (including ritual ones), dismemberment of the victim, *ante* or *post-mortem* genital insertions. At the same time, the indications of photo-video recording of the act by the aggressor is very relevant (Warren, Dietz and Hazelwood 2013).

Sketching a psychological profile of the author can prove to be an important investigative component in the criminal investigation, its objectives being to identify and interpret the personality

traits of the offender, as they result from his behavior. The purpose of making a psycho-footprint is thus to indicate the possible typology of the person responsible for the criminal act and its possible individualization of the suspect circle (McClellan 2011). Current techniques used in the characterization and classification of sexually motivated crimes start from the analysis of the violent nature of the act, as to determine aspects of the psycho-behavioral footprint of the perpetrator, deduced from the preparatory stage, the tools used by him, and the specificity of the injuries sustained by the victim (McClellan 2011).

We will summarize in the following paragraphs the main accepted stages of the psychological profiling process, as highlighted by many authors, including Dietz and Reese (1986), Douglas et al. (1986), Geberth (1981), Pinizzotto (1984) and Holmes (1989). The first step consists in collecting all the data from the scene of the crime scene, the victim's anthropometric data, autopsy data and toxicological analysis, police reports, witness testimonies, photographs and other evidence. These data are then analyzed to classify the characteristics of the crime (e.g. organized or disorganized) and the types of circumstances in which it was committed. The next step is to reconstruct the way the crime was committed—*modus operandi*—generating a series of assumptions about the behavior of the victim and the author, the criteria for the choice of the victim and the potential reasons that led to the commission of the crime. Several hypotheses are built at this stage, their validity being constantly tested and compared against other assumptions.

Following the classification of the crime, the first hypotheses about the author's profile are generated, the main elements being the demographic and physiological characteristics, behavioral and personality aspects. And these assumptions are constantly checked against other evidence found, final forensic conclusions, and so on (Tănăsescu 2012).

After completing the psychological profile of the unknown author, which takes the form of a psychological assessment report, it is made available to the investigative team. Then the investigative team uses the data provided regarding the unknown author in reducing the number of possible suspects.

A standard profile contains information on age, race, professional training, marital status, living standards, intelligence level, psychopathology, criminal history, military training, family characteristics, habits and vices, possible used vehicles, and a number of suggestions regarding interrogation tactics to be used.

Despite the fact that the police practice has demonstrated the usefulness of profiling, this technique is not applicable to all types of offenses, being useful when evidence from the crime scenario investigation leads to the preliminary hypothesis of a certain psychopathology of the author, especially of a sexual nature (Pinizzotto 1984).

As mentioned above, examples of this may constitute crimes in which there is evidence of torture, sadism, masochism, ritualistic behavior (e.g. vampirism, cannibalism, satanism) or evisceration. In crimes against property, accidents, or if the author is under the influence of drugs, the use of profiling is not appropriate, since aspects of the author's personality are either not revealed or altered by drug use.

This strict applicability of the profiling techniques raised a number of criticisms, especially regarding the usefulness of the scientific research of sexopathology related issues of sexually motivated criminals, given the low incidence of such incidents (estimated at about 5% of total homicide in the United States - McClellan 2011).

Another recent criticism concerns the lack of a critical analysis of the rate of failure in assessing the psychological profile of sexually motivated criminals, with most of the literature being focused on presenting cases where this technique has been successfully applied (Chifflet 2014; Jackson, Wilson, Rana 2011).

Also some authors addressed the lack of an adequate and common scientific method in the realization of the psychological profiles of the unknown authors, considering that the positive feedback of the criminal investigation bodies does not remove the need for scientific validation of the results (Kocsis 2006).

Moreover, some critics are stating that the psychological profile is nothing more than a narrative product, the deductions of psychologists being based on disparate evidence and supplemented with personal assumptions (Godwin 2002).

In addition, some authors have raised the issue of cost-benefit ratio, given that most psychological profiles are made by private experts (Devery 2010).

Without arguing against these criticisms, a number of authors point out that the realization of psycho-behavioral profiles of perpetrators of unknown identity is not intended to identify the author without doubt but to reduce the number of suspects and conduct the forensic investigation (White et al. 2011), providing support for the police.

Using profiling techniques in Romania. The Bota Grigore case

One of the most violent cases of seriously sexually motivated murder in Romania is the case of Bota Grigore, who chose his victims from homeless people. Information on the case and the police investigation were described in an article published by the Head of the Criminal Bureau of the Police of the Municipality of Sighetu Marmăției, Ion Mihai (2014).

Between April and August 2000, on both banks of the Sasar River and near the Railway Station in Baia Mare, eleven corpses were found, all at different stages of decomposition. These findings have created a true psychosis in the city, as the place where the bodies were identified was a leisure area for the locals. All the bodies were unidentified at first, and were later identified by fingerprinting, except for the two bodies, still unknown, found on August 18, 2000.

The forensic conclusions highlighted a number of common characteristics regarding victims, particularly important in determining the circumstances of the murders, the *modus operandi* and the personality of the author. Most of the victims died as a result of the bruises produced by active and repeated strokes, made with a rough body of irregular shape (perhaps a stone). All victims were attacked as they were asleep, and their head resting on the ground. Some of the victims have been discovered undressed of their trousers and showed signs of anal sexual contact.

Following the conclusions drawn from the research of the crime scenes and the forensic conclusions, the police officers of the Maramureș Criminalistic Service elaborated the psycho-behavioral footprint of the murderer.

Psychological hypotheses described the portrait of a male homosexual offender, potentially mentally ill, sexually violent, opportunistic and cowardly - killing victims as they slept. Also, the psychological profile mentioned the hypothesis of an excessive timidity of the author and his use of alcohol to attract and subsequently bring unconscious victims.

As a result of the activities carried out by police officers, the author of the crimes, named Bota Grigore, 41 years old, was caught on the night of 21.08.2000, in the area of the Baia Mare Rail Station. He was surprised when he tried to hit a homeless person in the head with a stone. As he was detained by the police patrol, Bota Gregory denied committing any crime, stating that his gesture was motivated by the aversion that he has for the presence of homeless people in the train station Baia Mare and an alleged aggression committed by them against him.

The subsequent investigations established that the defendant was looking for sexual partners among the category of victims, a category against which he also had a great aversion, which explains his violent reactions when he was denied. The accused has been recognized by several witnesses as the person who has proposed to maintain sexual intercourse and killed the victim J. A. Also Bota Grigore admitted, in the course of the criminal investigation, that he committed two other crimes under similar circumstances. At the same time, following the examination of the defendant with the polygraph technique, it appeared that he sincerely acknowledged the commission of the two murders.

The author was subjected, during the criminal investigation, to a forensic psychiatric expertise, that concluded he presented the diagnosis of *homophilous sexual preference*, and also that he preserved the psychological ability to critically assess the content and consequences of his deeds. Reported to the findings of the psychological profile of the criminal investigation, identified by Bota Grigore, the research revealed that he had been sexually assaulted from minority without ever having

a normal sex life. He was known in the army as a homosexual, being surprised while having sex with other men. The author married at 26 years of age, but the marriage was formal, without having a normal sex life.

Before and after the marriage he attended the communal bath where he found male sex partners. In 1989, he was caught having oral sex with another man, having been convicted. As he grew older, it became increasingly difficult for him to find sex partners. He started attending remote venues, where he found partners among the homeless, who, for the most part, accepted an oral sex contact, for a glass of liquor. When the victims physically or verbally retaliated, Bota Grigore annihilated them by direct strikes with stones found in the crime scene.

Regarding the fact that Bota Grigore was sexually abused as a child, studies have shown a strong correlation between the abuse suffered in childhood by authors and the possibility of replicating the same behaviour, sometimes in the form of sexual assaults of extreme violence as an adult (Felson and Lane 2009).

In the case of Bota Grigore, we have a split personality. In his family and at work, he was a very good man: a good husband (outside the sexual orientation that the wife accepted because of his other qualities), a good cook and chef, a spirit partner with a fine and intelligent humor, a good colleague, and the other is the murderer who kills unscrupulously people without an effective opportunity to defend themselves.

Bota Grigore was tried at the Maramures Tribunal, being sued for committing murder, and in accordance with the Romanian Penal Code, he was sentenced to life imprisonment. Although, according to the place and the time frame in which the corpses were found, the injuries presented by them (broken wounds in the head region), it is more than likely that Bota Grigore killed several other people (even he declared this during the polygraph test), he was sued only in three cases, the other forensic findings not being firm and clear, due to the advanced degree of decay of the corpses.

The current state of psychological profiling scientific research in Romania

Despite the important role played by the psychological profile of violent sexual abusers in the criminal investigation of sexually motivated crimes, in the countries of the European Union and the United States of America, this subject has been treated so far with superficiality in Romania, a series of marginal theoretical approaches belonging to the psychologist Tudorel Butoi.

Judicial psychology research in Romania started with works by experimental psychologists, such as Ștefănescu Goangă, Alexandru Roșca, Zevedei Barbu or Tiberiu Bogdan. Another important work is "Judicial Psychology", belonging to the authors Nicolae Mitrofan, Voicu Zdrenghia and Tudorel Butoi, who have underlined the great importance of establishing the typologies of criminals, types of criminal personality and victimology. At the same time, in the paper "*Judicial Psychology*" by the authors Ioana-Teodora Butoi and Tudorel Butoi (2006), the importance of realizing a psychological profile of the authors, especially in the investigation of crimes with unknown authors, is approached.

Despite the inappropriate use of some terms taken from the Western scientific literature, the above-mentioned paper addresses the problem of establishing the psycho-professional footprint of the killer with professionalism. At present, we mention the contribution made in the field of profiling in Romania by the editorial staff of the magazine "*Criminalistica*", in which a series of topics related to profiling were covered, addressing a wide range of theoretical and conceptual fundamentals in the field.

At the same time, important information resources for the police force are provided by adjacent fields of scientific research such as legal medicine, anthropology, tanatology, or behavioral genetics.

However, as mentioned above, we cannot say that, in the strict sense of the concept, criminal profiling is a major concern for Romanian authors, unlike for those in the United States, Canada, Germany or other Western states. In spite the fact that investigations are particularly complex, especially in serial sex killings, using advanced knowledge of criminology, psychiatry and victimology in investigations, importance given to profiling in the conduct of criminal investigations

is low. Profiling is not approached regarding the scientific exigencies, and the result is the lack of a positive consequence in the investigation plan.

A series of actions in this regard were made by the psychologist Tudorel Butoi, mentioned above, but the intervention of predictive psychology in the investigation reduced to studying the offender after his identification and arrest. In this context, he points out that, unlike in Romania, in many American and Western European countries, the psychological profile of the author of homicides is accepted and used as a scientific method in forensic investigations, playing a real and undeniable role in identifying unknown authors. This reluctance to use psycho-footprint techniques in Romania can have countless causes, ranging from a certain rigidity of police bodies to deficient funding and the lack of professionals in the field.

We believe that, especially in the current national context, marked by some acts of alarming sexual violence, it is imperative that the criminal investigation bodies adopt both the latest technical achievements in the field of forensics and the processes used in the Western countries, proving their viability in time.

One of the most valuable methods, especially in the investigation of sexually motivated homicides, is the elaboration of the author's psycho-behavioral footprint. Despite the fact that such expertise in Romania is of no procedural and criminal relevance, having a legal regime similar to the use of polygraphic techniques to detect simulated behavior, we reiterate the cardinal importance of achieving a criminal personality profiling, major investigations. Unfortunately, in Romania this technique was applied sporadically and without the existence of specialists in the field or of criteria for their preparation, selection and evaluation.

Conclusions

In conclusion, establishing a psycho-behavioral footprint of extremely violent sexual abusers is of real use in the forensic investigation, in particular through its role of directing investigations to the most possible suspects or removing suspicions about unrelated suspects cause. Additionally, after identifying the authors, the psycho-behavioral footprint can lead to the explanation of their criminal behavior, while playing an important role in assessing their rehabilitation opportunities.

We can say that despite the scientific advances in the field, the modernization of the Romanian research institutions is a slow process in relation to the contemporary challenges and the lack of trained specialists in the field of profiling or reticence in adopting the modern forensic methods available and operable results in augmenting interpersonal violence and implicitly maintaining a climate of social insecurity.

Thus, one of the main objectives of the present paper is the opening of a debate on the imperative necessity of adopting profiling techniques and determining the main decision makers, as well as researchers from adjacent areas, to invest with credibly this method of investigation and to give it the role it deserves, especially in the investigation of sexually motivated homicide crimes.

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