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THIRD EDITION

CRIME CLASSIFICATION MANUAL

A STANDARD SYSTEM FOR INVESTIGATING
AND CLASSIFYING VIOLENT CRIME

JOHN E. DOUGLAS · ANN W. BURGESS
ALLEN G. BURGESS · ROBERT K. RESSLER

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A Standard System for Investigating and Classifying Violent Crime

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**John E. Douglas, Ann W. Burgess,
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WILEY

Contents

PART III   LEGAL ISSUES

We dedicate this edition to chapter contributors

Peter Shellem, B. S. (1960–2009)
award-wining crime investigative reporter
in Pittsburgh, PA

and

Arthur E. Westveer, M.L.A. (1936–2010)
retired FBI supervisory special agent

Preface

Criminal trials in 2012 saw former Penn State assistant football coach Jerry Sandusky convicted of child sexual abuse and sanctions brought against the university. Drew Peterson was charged and convicted of killing his third wife, Kathleen Savio with no physical evidence linking Peterson to Savio's death, relying instead on a heavily circumstantial case on hearsay statements that Peterson threatened to kill Savio. Joran van der Sloot, a 23-year-old Dutchman, confessed to the slaying of a 21-year-old Peruvian business student Stephany Flores on May 30, 2010, after she used his laptop to find out about his involvement in the case of Natalee Holloway, an 18-year-old Alabama student who vanished in Aruba in May 2005. van der Sloot said he did not want to do it but the girl intruded into his private life.

The year 2012 also witnessed horrific mass shootings in the United States. Just minutes into a midnight showing on opening day of the latest Batman movie on July 20, 2012, a man dressed in tactical gear with bright dyed orange hair opened fire inside the Century 16 movie theater in Aurora, Colorado. Some initially thought it was a prank—smoke filled the theater, but then, shots were fired. Twelve people were killed and 58 injured. 24-year-old James Holmes was arrested minutes later outside. But right after the arrest, police went to his apartment, which they'd found rigged with explosives.

On August 6, 2012, there was a mass shooting by 40-year-old Wade Michael Page at the Sikh Temple in Oak Creek, Wisconsin. Six people died, and three people were injured before the gunman took the 9-millimeter handgun he had purchased just one week earlier to himself.

On December 14, 2012 a 20-year-old gunman, Adam Lanza, murdered his mother at home first, and then went into Sandy Hook Elementary School in Newtown, Connecticut where he shot 20 children and six adults, and finally, killed himself before police arrived.

This textbook is about classifying crime. Professions develop and advance their science, as they are able to organize and classify their work. The nature of science started when organisms began to generalize, to see similarities between themselves and members of their own species or to see differences and other similarities between other species and themselves. Thus, the nature of science requires that one first observe and then attempt to categorize, compare and classify observations. Classification is a process in data collection and analysis in which data are grouped according to previously determined characteristics.

The past four decades have witnessed the major advancement in investigative science. A series of FBI studies conducted in the 1980's on sexual murderers, rapists, child molesters and abductors, and arsonists described and identified critical characteristics of these crimes. These characteristics were initially used for profiling techniques. An additional use of the research findings has now been compiled into a crime classification manual. The advent of technology and forensic science has also strengthened the investigative skills for solving crime.

This is the third edition of the *Crime Classification Manual*, better known simply as CCM-III. The development of this manual over the years has received notice from FBI investigative profilers, law enforcement officers, corrections and parole staff, mental health staff and students in forensic studies and criminal justice studies.

The purpose of this manual is fourfold:

1. To standardize terminology within the criminal justice field;
2. To facilitate communication within the criminal justice field and between criminal justice and mental health;
3. To educate the criminal justice system and the public at large to the types of crimes being committed; and
4. To develop a database for investigative research.

In the development of the manual, a decision was made to base the classification on the primary intent of the criminal. The intent categories include: (1) criminal enterprise, (2) personal cause, (3) sexual intent, and (4) group cause.

Task force groups chaired by supervisory special agents at the FBI's National Center for the Analysis of Violent crime worked on refining the crime categories for the first edition. The preliminary draft of the manual was presented to an Advisory Committee who provided additional comments and suggestions for refinement of the manual.

The second edition of the CCM includes three new classifications contributed by experts in their field. Michael Welner, MD contributed the classification of Religion-Inspired Homicide and Neonaticide, Mark Safarik contributed Elder Sexual Homicide classification and Allen G. Burgess classified Computer Crimes.

The third edition includes three new chapters on the Impact of Internet, Technology & Forensics, Local, Federal and International Agencies, and Global Crimes.

Definitions

For the purposes of this book, the crime definitions are as follows:

Murder is the willful (nonnegligent) killing of one human being by another. The classification of this offense, as for all other Crime Index offenses, is based

solely on police investigation as opposed to the determination of a court, medical examiner, coroner, jury, or other judicial body. Not included in this classification are deaths caused by negligence, suicide, or accident; justifiable homicides; and attempts to murder or assaults to murder, which are scored as aggravated assaults.

In December 2011, FBI Director Robert S. Mueller III, approved revisions to the Uniform Crime Reporting (UCR) Program's 80-year-old definition of rape. As approved, the UCR Program's definition of rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. In January 2013 the FBI began collecting data using the new definition of rape.

Arson, as defined by UCR, is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another. Bombing has been added to the classification.

Computer crimes include crimes whereby the computer is the target or the mechanism for committing the crime or the computer user is the target. It also includes crimes committed over the Internet or whereby the Internet plays a role in the commission of the crime.

Organization of the Manual

This third edition of the Crime Classification Manual is divided into three major sections. The first section of the manual contains five chapters on Crime Analysis and Investigation. Part II includes the classification categories of Homicide, Arson/Bombing, Rape and Sexual Assault, Nonlethal Crimes, Computer Crimes, Global Crimes, Mass and Serial Homicide and Poisoning and Biological Agents as Weapons. Part III includes Legal Issues of Interviewing, Interrogation and Confessions, and Wrongful Convictions.

Our results have implications not only for law enforcement personnel who are responsible for the investigation of a crime, but for professionals in other disciplines who address the crime problem. These groups include criminal justice professionals directly involved with the legal aspects of crime; correction institution administrators and staff personnel, who not only have custody of criminals but also are responsible for decisions regarding these individuals' return to society; for mental health professionals, both those involved with offender treatment and those assisting victims and families affected by these crimes; for social service personnel working with juveniles, as they detect early signs and characteristics of violent individuals and seek to divert these individuals from criminal activity; for criminologists who study the problem of violent crime; and for public policymakers who attempt to address the problem through their decisions. It is our hope that this book will advance the

knowledge base of these professionals as they seek increased understanding of the nature of crime and of the individuals who commit such crime.

Acknowledgments

PART I

Crime Analysis and Investigation

Chapter 1

Crime Classification: Past and Present

Within hours, on July 23, 2011, the Internet detailed the crimes of a 32-year-old Norwegian, Anders Behring Breivik, who was accused of (and later confessed to) killing 77 people. He portrayed his acts as "atrocious" yet "necessary."

It took police over an hour to stop the massacre because of the problems with transport out to the island. Witnesses said the gunman, wearing a police uniform, was able to shoot unchallenged for a prolonged period, forcing youngsters to scatter in panic or to jump into the lake to swim for the mainland.

Breivik gave himself up after admitting to a massacre in which mostly young people died while attending a summer camp of the youth wing of Norway's ruling Labour Party on a peaceful island. Breivik was also arrested for the earlier bombing of Oslo's government district that killed seven people hours earlier.

A video posted to the YouTube Web site showed several pictures of Breivik, including one of him in a Navy Seal–type scuba diving outfit pointing an automatic weapon. "Before we can start our crusade we must do our duty by decimating cultural Marxism," said a caption under the video called "Knights Templar 2083" that also provided a link to a 1,500-page electronic manifesto stating that Breivik was the author.

Breivik, tall and blond, owned an organic farming company called Breivik Geofarm, which a supply firm said he had used to buy fertilizer—possibly to make the Oslo bomb. On August 23, 2012, a Norwegian court found that Anders Behring Breivik was sane when he killed 77 people in a bombing and shooting rampage, and sentenced him to a maximum of 21 years for "terrorist acts" (Criscione, 2012).

This case illustrates the planning, motive, and horrific actions of a mass murderer and the abject terror and panic in the words of the surviving victims. This type of antigovernment militant is not unique. It has struck also in the United States. Timothy McVeigh, 33, killed 168 people, between the ages of 4 months and 73 years, with a truck bomb in Oklahoma City in November 1995. Fort Hood, located near Killeen, Texas, was the site of another mass shooting on

October 16, 1991, when George Hennard, 35, drove his pickup truck through the windows of Luby Cafeteria's restaurant and shot and killed 23 people before turning the gun on himself. He also wounded 20 people. On November 8, 2009, a U.S. Army psychiatrist, Major Nidal Malik Hasan, 39, opened fire inside Fort Hood in Texas. Thirteen people were killed, and 30 people were injured.

When measuring crime and its victims, these four mass murderers claimed the lives of 281 victims. And for all the victims who died, many more were serious injured physically and, along with their families, were predicted to have long-lasting traumatic memories. Domestic terrorism, as a crime classification of extremist homicide, is increasing.

Violent crimes of murder and rape continue to be of increasing concern in our society. They represent serious interpersonal assaultive behaviors, and law enforcement officials feel public pressure to apprehend the perpetrators as quickly as possible.

Traditionally, most violent crimes such as murder were fairly easy for law enforcement to solve and make an arrest. However, there has been a changing nature of violent crime itself over the past several decades and law enforcement's ability to make arrests following crimes appears to have significantly diminished in recent years. This is especially true for homicide: From 1980 to 1996, the rate at which homicide cases were cleared nationally decreased more than 7% (Brown & Langan, 2001).

Clearance rates for murder and nonnegligent manslaughter, according to the Uniform Crime Reports, declined from 93% in 1961 to 65% in 1993. The most prevalent type of homicide 30 years ago was acquaintance homicide, involving the victim's knowing the assailant in some way. While the overall clearance rate of acquaintance homicide is increasing, the same cannot be said of stranger-to-stranger homicide. A wide range of social stressors, including guns and drugs, contribute to the rising incidence of stranger-to-stranger homicides. Investigators are faced with a type of homicide that has a high likelihood of never being solved (Richardson & Kosa, 2001).

A study of San Diego homicide trends between 1970 and 1980 (Gilbert, 1983) identified a marked increase in stranger-to-stranger homicides. While the proportion of acquaintance homicides decreased from 67% of all homicide cases in 1970 to 34% in 1980, the rate of felony homicides, specifically robbery-related homicides, increased significantly. The study concluded that the decline of homicide clearance rates can be attributed to an increase in stranger-to-stranger homicides.

Historical Perspective

Understanding behavior and methodology has been a challenge to the civilized world. The term *dangerous class* has been used throughout history to

describe individuals who are deemed a threat to law and order. Initially, the term described the environment in which one lived or was found to be living in versus the type of crime being committed. An example of this occurred in England at the end of the Hundred Years' War with France. The demobilization of thousands of soldiers, coupled with the changing economic trade market, saw the homeless population increase nationwide with the displacement of farmers (Rennie, 1977). During the reign of England's Henry VIII, 72,000 major and minor thieves were hanged. Under his daughter, Elizabeth I, vagabonds were strung up in rows, as many as 300 or 400 at a time (Rennie, 1977).

Categorizing these individuals began to change in 1838 when the winning entry at the French Académie des Sciences Morales et Politiques, the highly competitive academic society, was titled "The Dangerous Classes of the Population in the Great Cities, and the Means of Making Them Better" (Rennie, 1977). The term *dangerous class* was then used to describe individuals who were criminals or had such potential. Initially, these were the poor, homeless, and unemployed in the large cities.

Classification of offenders began with the work of statistics. This early work permitted a comparison of the incidence of crime with factors, such as race, age, sex, education, and geography (Rennie, 1977). Cesare Lombrosos, the famed Italian physician, is generally credited with launching the scientific era in criminology. In 1872 he differentiated five types of criminals—the born criminal, the insane criminal, the criminal by passion, the habitual criminal, and the occasional criminal (Lindesmith & Dunham, 1941)—based on Darwin's theory of evolution. The operational definitions for the five groups that were developed allowed subsequent investigators to test Lombrosos's formulations empirically. A majority of his hypotheses and theories proved to be invalid, but the fact that they were testable was an advancement for the science (Megargee & Bohn, 1979).

Englishman Charles Goring refuted the Lombrosian theory of the degenerate "criminal man" in 1913, concluding, "The one vital mental constitutional factor in the etiology of crime is defective intelligence" (Goring, 1913, p. 369). This concept persisted for several decades. Henry Goddard, who did his early work on feeblemindedness in 1914, reported that 50% of all offenders were defective (Goddard, 1914). As psychometric techniques improved, the finding of mental deficiency changed. Murchison in 1928 concluded that those in "the criminal group are superior in intelligence to the white draft group of WWI" (Bromberg, 1965). As studies progressed, it became obvious that a disordered personality organization (including psychoses, neuroses, and personality problems) was a more significant factor in crime than feeblemindedness.

With increasing rapidity, from the late 1930s to the World War II years to the present, interest has shifted away from insanity and mental defectiveness to

personality disturbances in analyzing the genesis of crime. In the decades before the report of Bernard Glueck (1918) from Sing Sing Prison in New York State, the focus in crime study was on subnormal mentality.

In 1932 the Psychiatric Clinic of the Court of General Sessions in New York began to classify each offender according to a personality evaluation, thus combining the insights of psychoanalysis, descriptive psychiatry, and behavioral phenomenology. Each convicted offender presented was analyzed in relation to four categories: (a) presence or absence of psychosis, (b) intellectual level, (c) presence of psychopathic or neurotic features and/or personality diagnosis, and (d) physical condition.

Typologies of crime traditionally have been developed addressing the criminal offense. The psychiatric perspective to understanding crime has used two approaches: scrutiny of the inner (mental and moral) world of the criminal offender and examination of the external (social) world in which he lives (Bromberg, 1965).

A project at the Bellevue Psychiatric Hospital in New York City, spanning 1932 to 1965 (Bromberg, 1965), found that the personality patterns of criminals far outshadowed the significance of psychotic or defective diagnoses in terms of analyzing criminal behavior and in assisting the court and probation department in estimating the potential or deficits of the individual offender. Fifteen personality diagnoses were established by this project.

The investigation of the psychological motivations and social stresses that underlie crime has proved that the behavior patterns involved in criminal acts are not far removed from those of normal behavior. Studies indicate that criminal behavior, as is true of all other behavior, is responsive to inner and outer stresses. The external realities of mental life—social pressures, cultural emphases, physical needs, subcultural patterns of life—precipitate criminal action. The inner realities of behavior—neurotic reactions, impulses, unconscious motivations, preconscious striving, eruption of infantile aggressions—represent a precondition to criminal acts. Criminal behavior is suggested to derive from three behavioral areas: (a) the aggressive tendency, both destructive and acquisitive; (b) passive, or subverted, aggression; and (c) psychological needs (Bromberg, 1965).

Several research-based classification typologies for offenders have been developed. Julian Roebuck in 1967 provided rules to classify offenders based on the frequency and recency of their offenses during their criminal career. According to this system, an offender can be classified into a single offense pattern. The function of his typology was in terms of explanatory theory rather than in terms of diagnostic systems used in treatment. Investigation into the offender's arrest history, regardless of length, was the primary tool used in developing a classification system. The total of known arrests, included with behavior, allowed for the observance of a pattern, if one existed. One basic assumption used was that the arrest pattern would indicate a pattern of

behavior or criminal career. The most frequent charge or charges in the history was the basis for classification (Roebuck, 1967). An obvious weakness is that not all criminals have accurate arrest histories.

Classification of criminal offenders has been and is an important component in correctional facilities throughout the United States. In 1973 the National Advisory Commission called for criminal classification programs to be initiated throughout the criminal justice system (Megargee & Bohn, 1979). This has not been an easy task. The correctional system is a complex, expanding, expensive operation that has accountability to society, individual communities, correctional staff, and the inmates themselves. The current trend within the correctional system has been growth of the inmate population with a modest growth in facilities. As the population within the system is faced with economic and now medical issues (such as AIDS), classification is a cost-effective and efficient management and treatment tool. It provides a common language for the various professional groups to communicate among themselves.

Megargee and Bohn (1979) found during their research project that a comprehensive classification system must take into account many different components of the criminal population. They stressed that an important element in any such system is the personality and behavioral pattern of the individual offender.

In the 1980s, a research team at the Massachusetts Treatment Center in Bridgewater, Massachusetts, began a research program to classify sexual offenders (Knight, Rosenberg, & Schneider, 1985). Their application of a programmatic approach to typology construction and validation has produced taxonomic systems for both child molesters and rapists. The classification for child molesters has demonstrated reasonable reliability and consistent ties to distinctive developmental antecedents. In addition, results of a 25-year recidivism study of child molesters indicate that aspects of the model have important prognostic implications (Knight & Prentky, 1990).

The classification of Internet child pornography in the 21st century indicates an increasing number of child pornography possessors who are being caught in a concerted effort to apprehend offenders. It is suggested that a "perfect i-storm," is being created characterized by a large but crudely estimated number of pedophiles involved in organized pornography rings, estimated between 50,000 and 100,000 worldwide, with roughly one third being in the United States (Wortley & Smallbone, 2006).

Crime Characteristics and Crime Classification Today

Crime statistics provide one type of social indicator for a community to assess its safety. The Wickersham Commission in 1929 worked two years and

published in 14 volumes the first U.S. comprehensive national study of crime and law enforcement. The work led to the development of a federal reporting system under the FBI as the Uniform Crime Report (UCR) (National Commission on Law Observance and Enforcement, 1931).

The UCR collects data on five general reporting forms: offenses known to police; property stolen and recovered; supplementary homicide report; age, sex, race, and ethnic origin of persons arrested; and police employees. These forms are completed monthly, submitted to the FBI or state-level UCR programs, and published yearly.

Cases can be cleared or closed in one of two ways: by arrest or by exceptional means. Three specific conditions need to be met for an offense to be cleared: (a) at least one person has been arrested; (b) the person has been charged with the offense; and (c) the person turned over to the court for prosecution.

Cases are cleared by exceptional means when there are factors beyond an agency's control preventing law enforcement from formally charging an offender. These conditions include: (a) the offender has been identified; (b) there is sufficient information upon which to make an arrest; (c) the location of the offender is known; and (d) there is a circumstance beyond the control of law enforcement that prohibits the agency from arresting, charging, and prosecuting the offender.

Crime victim surveys entered the criminology field in the mid-1960s with the goal to reduce the number of cases that were eluding police. Of note, the first victimization survey pilot indicated that, depending on the type of crime, there were 3 to 10 times as many crimes reported by victims than there were recorded by law enforcement through the UCR.

The National Crime Victims Survey (NCVS), now in its fourth generation of design, includes four primary objectives: (a) to develop detailed victim information and consequences of crime; (b) to estimate the number and types of crimes not reported to the police; (c) to provide uniform measures of selected types of crimes; and (d) to permit comparisons over time and types of areas.

The NCVS focuses on certain criminal offenses, completed or attempted, that are of major concern to the general public and law enforcement authorities. These are the personal crimes of rape, robbery, assault, and larceny and the household crimes of burglary, larceny, and motor vehicle theft. Definitions of the measured crimes generally are compatible with conventional use and with the definitions used by the FBI in its annual publication, *Crime in the United States: Uniform Crime Reports.* The NCVS reports on characteristics of personal crime victims, victim–offender relationships, offender characteristics in personal crimes of violence, and crime characteristics. The results of the NCVS indicated improved data regarding the victim–offender relationships when a crime was a nonstranger type.

CLASSIFICATION BY MOTIVATION

Identifying motivations in the investigation of a crime is a standard procedure for law enforcement. Typically, motivation provides police with the means to narrow the potential suspect pool. The classification of motivations should focus on observable behavior at the crime scene.

The work of investigative analysts at the FBI Academy with the large number of cases seen weekly has led to an expansion of these traditional crime categories. The *Crime Classification Manual* (CCM) makes explicit crime categories that have been used informally and attempts to standardized the language and terminology used throughout the criminal justice system. It classifies the critical characteristics of the perpetrators and victims of major crimes—murder, arson, sexual assault, and nonlethal acts—based on the motivation of the offender.

Douglas & Olshaker (1995), writing on the motivation for writing the CCM, observed that law enforcement had long tried to rely on the psychiatric *Diagnostic and Statistical Manual of Mental Disorders* (DSM) for guidance and definition about what constituted a serious mental disorder and what did not. But many at the FBI Academy found little value in understanding criminals through the DSM. A team of collaborators set out to organize and classify serious crimes by their behavioral characteristics and explain them in a way that a strictly psychological approach could not do. For example, the type of murder scenario of which O. J. Simpson was accused would not be found in the DSM, but it could be found in the CCM. The team's goal was to separate the wheat from the chaff as far as behavioral evidence was concerned and to help investigators and the legal community focus in on which considerations could be relevant and which could not (Douglas & Olshaker, 1995, p. 347).

Jim Clemente, FBI retired special agent, describes the best way that agents in the FBI Behavioral Analysis Unit (BAU) view all human behavior on a continuum or spectrum of behavior. At any given time, an offender may find himself anywhere along that spectrum. He may change positions on that spectrum as time and circumstances change for him. Humans are not behaviorally stagnant. And it is important to remember that the classifications are not simply an intellectual exercise. They are meant as a way to help law enforcement understand pre-, post-, and offending behavior in an effort to identify and apprehend criminals.

Crime Classification: The Decision Process

To classify a crime using the CCM, an investigator needs to ask questions about the victim, the crime scene, and the nature of the victim–offender exchange. The answers to these questions will guide the investigator toward making a

decision on how best to classify the offense. However, the optimum use of this manual depends on the quality of information the investigator has concerning the crime.

DEFINING CHARACTERISTICS

The defining characteristics of each offense need to be as comprehensive and complete as possible. Victimology is an essential step in arriving at a possible motive. An investigator who fails to obtain complete victim histories may be overlooking information that could quickly direct the investigation to a motive and suspects.

As one looks through the classification sections in this book, it becomes apparent a blend of motivations inspires many violent crimes. This is especially true when multiple offenders are involved. There may be as many different reasons for the crime as there are offenders.

The approach taken in the CCM for multiple motives is to classify the offense according to the predominant motive. Consider a case in which a husband kills his wife for insurance money. He then attempts to cover the murder with a fire. In addition, he was having an affair, and his wife would not give him a divorce. This homicide has criminal enterprise (financial gain) and personal cause (domestic) motives. It also can be classified as crime concealment under the arson section. The financial considerations should be the primary criteria for classifying this crime. The other applicable categories would be subclassifications. So, once classified, this homicide would appear as follows. For example, the number 107 refers to the category "insurance-related death"; the subcategory of 107.01 refers to "individual profit motive." The number 122 refers to "domestic murder" and the 122.02 refers to "staged domestic homicide." The number 231 refers to the category "crime concealment, murder."

107.01 Individual profit motive
122.02 Staged domestic homicide
231.00 Crime concealment, murder

The investigator will now be able to consult the investigative considerations and search warrant suggestions for each of these categories for possible guidance. Prosecutors will also benefit from having all aspects of the crime detailed. Later, other investigators working cases with one or more elements of this offense can use this case or any others with the applicable heading for reference.

The main rule when several of the categories apply (e.g., murder and sexual assault, or sexual assault and arson) is to lead with the crime of highest lethality.

Homicide takes precedence. Next comes arson/bombing and then sexual assault, if applicable.

The following sections describe each of the key elements in categorizing a crime: victimology, crime scene indicators frequently noted, staging, common forensic findings, and investigative considerations.

VICTIMOLOGY

Victimology is the complete history of the victim. (If the crime is arson, then victimology includes targeted property.) It is often one of the most beneficial investigative tools in classifying and solving a violent crime. It is also a crucial part of crime analysis. Through it, the investigator tries to evaluate why this particular person was targeted for a violent crime. Often, just answering this question will lead the investigator to the motive, which will lead to the offender.

Was the victim known to the offender? What were the victim's chances of becoming a target for violent crime? What risk did the offender take in perpetrating this crime? These are some of the important questions investigators should keep in mind as they analyze the crime.

One of the most important aspects of classifying an offense and determining the motive is a thorough understanding of all offender activity with the victim (or targeted property). With sexual assault, this exchange between the victim and offender includes verbal interchange as well as physical and sexual activity.

The tone of the exchange between an offender and a victim of sexual assault is extremely helpful in directing the investigator to an appropriate classification. Excessively vulgar or abusive language, scripting, or apologetic language is common to a certain type of rapist.

A comprehensive victimology should include as much as possible of the information on the victim listed in the sample worksheet.

CRIME SCENE INDICATORS

Of the many elements that constitute the crime scene, not all will be present or recognizable with every offense. The following sections describe the major points investigators should consider when looking at the crime scene, especially as it pertains to crime classification.

Phases of a Crime   A crime can generally be divided into four phases. The first is the precrime stage, which takes into account the "antecedent behavior" of the offender. Often, this is the last stage to obtain knowledge, although it is first in temporal sequence. The second phase is the actual commission of the crime. In this stage there is victim selection as well as the criminal acts themselves, which

may include abduction, torture, or rape, as well as the killing. The third phase is the disposal of the body. Some murderers do not display any concern about having the victim's body found, while others go to great lengths to avoid its discovery. The fourth and final phase is postcrime behavior, which in some cases can be important, as some offenders attempt to interject themselves into the investigation of the murder or otherwise keep in touch with the crime to continue the fantasy that started it.

How Many Crime Scenes   How many crime scenes are involved with the offense? There may be one site, as in group excitement homicide. In contrast, the product tamperer may taint the product at one location and then put it on shelves in several stores. The victim may consume the product in one location but die in another location. In this case, there are at least four crime scenes.

The use of several locales during the commission of an offense frequently gives the investigator significant insight into the nature of the offender. One example is the disorganized sexual killer who may confront, assault, kill, and leave the body all in the same location. In contrast, the organized killer may abduct, assault, kill, and dispose of the victim using separate locations for each event.

Environment, Place, and Time   The environment of a crime scene refers to the conditions or circumstances in which the offense occurs. Is it indoors or outside? Was it during daylight hours or in the middle of the night? Did it happen on a busy street or a deserted country road? Answering these questions not only assists in defining the classification of an offense but also provides an assessment of the offender risk. Gauging these risk factors usually offers insight into an offender's motivations and behavioral patterns.

With some offenses, location may have more obvious bearing on the motive and classification than others. An example is street gang murder, in which the homicide is commonly a so-called drive-by in an area of known gang conflict. In other offenses, like arson for excitement, the investigator may not know that the typical location of this crime scene is residential property, as opposed to vandalism arson, which usually involves educational facilities. Adding this information to other characteristics of the arson will often lead the investigator to the classification and, most important, possible motives.

How long did the offender stay at the scene? Generally, the amount of time the offender spends at the scene is proportional to the degree of comfort he feels committing the offense at that particular location. Evidence of a lingering offender will often assist the investigation by directing it toward a subject who lives or works near the crime scene, knows the neighborhood, and consequently feels at ease there.

How Many Offenders?   The answer to this question will help the investigator determine whether to place the offense into the criminal enterprise category or

the group cause category. The motive in criminal enterprise murders is for profit. The motive in group cause is based on ideology. The offenses included in both groupings involve multiple offenders.

Organized or Disorganized, Physical Evidence, and Weapon   The general condition of the crime scene is important in classifying a crime. Is it like a group excitement killing: spontaneous and disarrayed with a great deal of physical evidence at the scene? Or does the crime scene reflect a methodical, well-organized subject who did not leave a single print or piece of physical evidence behind? The latter may be seen with an organized crime hit, as in the criminal competition category.

The amount of organization or disorganization at the crime scene will tell much about the offender's level of criminal sophistication. It will also demonstrate how well the offender was able to control the victim and how much premeditation was involved with the crime. It should be emphasized that the crime scene will rarely be completely organized or disorganized. It is more likely to be somewhere on a continuum between the two extremes of the orderly, neat crime scene and the disarrayed, sloppy one.

Another aspect of crime scene examination concerns the weapon. Questions the investigator needs to answer about the weapon include the following: Was it a weapon of choice, brought to the crime scene by the offender? Or was it a weapon of opportunity acquired at the scene? (With arson, did the fire start from materials at hand, or did the offender bring accelerants to the scene?) Is the weapon absent from the crime scene, or has it been left behind? Was there evidence of multiple weapons and ammunition? Multiple weaponry does not always signify multiple offenders. Authority killing and nonspecific motive killing are examples of offenses that often involve the use of multiple firearms and ammunition by a lone offender.

Body Disposition   Was the body openly displayed or otherwise placed in a deliberate manner to ensure discovery? Or was the body concealed or buried to prevent discovery? Did the offender seem to have no concern as to whether the body would be discovered? These are some questions whose answers will aid the classification of a homicide. Certain homicides (disorganized sexual homicide, for example) may involve the intentional arranging of the body in an unnatural or unusual position. In some homicides, like cult murder or drug murder, the body may be left in a degrading position or in a location to convey a message.

Items Left or Missing   The addition or absence of items at the crime scene often assists the investigator in classifying the offense. The presence of unusual artifacts, drawings, graffiti, or other items may be seen with offenses such as extremist murder or street gang murder. Offender communication (such as a

ransom demand or extortion note) frequently is associated with the crime scene of a kidnap murder or product tampering.

Items taken from the scene as a crime scene indicator is found in felony murder, breaking and entering, arson for crime concealment, and felony sexual assault. A victim's personal belongings may be taken from the scene of a sexual homicide. These so-called souvenirs (photos, a driver's license, or costume jewelry, for example, all belonging to victim) often may not be monetarily valuable.

Other Crime Scene Indicators   There are other crime scene indicators common to certain offenses that help investigators classify crimes and motives. Examples are wounded victims, no escape plan, and the probability of witnesses. The nature of the confrontation between the victim and offender is also important in determining the motive and classification. How did the offender control the victim? Are restraints present at the scene, or did the offender immediately blitz and incapacitate the victim?

STAGING

Staging is the purposeful alteration of a crime scene. For example, clothing on a victim may be arranged to make it appear to be a sexual assault. The detection and characteristics of staging are covered in Chapter 2.

FORENSIC FINDINGS

Forensic findings are the analysis of physical evidence pertaining to a crime, evidence that is used toward legal proof that a crime occurred. This evidence is often called a silent witness, offering objective facts specific to the commission of a crime. The primary sources of physical evidence are the victim, the suspect, and the crime scene. Secondary sources include the home or work environment of a suspect; however, search warrants are necessary for the collection of such evidence (Moreau, 1987).

Medical reports provide important evidence. These reports include toxicological results, X-ray films, and autopsy findings. In homicide cases, the forensic pathologist identifies and documents the postmortem findings present and interprets the findings within the context of the circumstances of death (Luke, 1988).

Cause of Death   The mechanism of death is often a determining factor when attempting to classify a homicide. The victim of a street gang murder almost always dies from gunshot wounds. Explosive trauma is a frequent forensic finding with many criminal competition and extremist murders. Strangulation is common to the more personal crimes such as domestic murder and sexual homicide.

Trauma   The type, extent, and focus of injury sustained by the victim are additional critical factors the investigator uses when classifying a crime. Overkill, facial battery, torture, bite marks, and mutilation are examples of forensic findings that will often lead the investigator to a specific homicide category and, thus, a possible motive for the offense.

Sexual Assault   Evidence of assault to the victim's sexual organs or body cavities has great bearing on motive and classification. The type and sequence of the assault is important, as well as the timing of the assault (before, during, or after death).

The investigator should remember that the apparent absence of penetration with the penis does not mean the victim was not sexually assaulted. Sexual assault also includes insertion of foreign objects, regressive necrophilia, and many activities that target the breasts, buttocks, and genitals.

INVESTIGATIVE CONSIDERATIONS AND SEARCH WARRANT SUGGESTIONS

Once the investigator has classified the offense (and thus the motive), the investigative considerations and search warrant suggestions can be used to give direction and assistance to the investigation. It should be emphasized that the considerations examined here are general suggestions and not absolutes that apply in every case.

There are 10 basic steps to a crime scene search:

1. Approach the scene.
2. Secure and protect the scene.
3. Conduct a preliminary survey.
4. Narratively describe the scene.
5. Photograph the scene.
6. Sketch the scene.
7. Evaluate latent fingerprint evidence and other forms of evidence.
8. Conduct a detailed search for evidence, and collect, preserve, document the evidence.
9. Make the final survey.
10. Release the scene.

The forensic analysis of physical evidence of hair and fibers, blood, semen, and saliva can provide the basis for critical testimony in court.

Exhibit 1.1 is a worksheet that outlines the defining characteristics of each of the categories. Under each characteristic are some of the aspects that will assist investigators in classifying the offense.

Classification by Type, Style, and Number of Victims

Crimes may be classified by type, style, and number of victims. Using the homicide classification as an example, the following definitions are used by the FBI BAU.

Single murder: Unlawful killing of one victim.

Double murder: Unlawful killing of two victims at the same location in a single continuous criminal episode.

Triple murder: Unlawful killing of three victims at the same location in a single continuous criminal episode.

Mass murder: Unlawful killing of four of more victims by the same offender(s) acting in concert, at one location in a single continuous event that may last minutes, hours, or days.

Serial murder: The unlawful killing of two or more victims by the same offender(s) in separate events. [A qualitative rather than a quantitative term related to the motivation and intent of the offender. It is time and circumstance dependent. That is, over time the number of victims may rise as the circumstances are such that a victim is available, vulnerable, and desirable and the offender is able to carry out his intended crimes. Research definitions may vary depending on available data sets and goals.] The "cooling off" period is now considered a historical term.

Spree murder: A historical term used to describe the killing of two or more victims in a single, extended criminal event at two or more locations over an uninterrupted period of time; typically, the killings serve a common purpose such as sensationalism, evading capture, and/or suicide by cop. [The uninterrupted period of time may vary in length, with the determinative factor being the ongoing nature of the crimes. One crime typically runs into the next, separated only by distance and travel time, forming an unbroken chain of criminal events.]

Serial killing: Title 18 USC: . . . A pattern of three or more murders, not less than one of which was committed within the United States, having common characteristics such as to suggest the reasonable possibility that the crimes were committed by the same actor or actors. [This statutory definition was created by Congress for the purpose of setting the jurisdictional standards for federal involvement in investigations of this nature.] (FBI BAU, 2008)

Crime Classification Numbering System

The numbering system for classifying crimes uses three digits, with the first digit representing the major crime category. All possible codes are not currently assigned in anticipation of future editions. There are five major crime categories in this edition: homicide, arson/bombing, rape and sexual assault, nonlethal crimes, and computer crime, with the last two new to this edition. The homicide category is identified by the number 1 (codes 100 to 199), arson/bombing by the number 2 (codes 200 to 299), rape and sexual assault by the number 3 (codes 300 to 399), nonlethal crimes by the number 4 (codes 400 to 499), computer crimes by the number 5 (codes 500 to 599), and global crimes by the number 6 (codes 600 to 699). As other major crimes categories are classified, they will be assigned appropriate identification codes.

The second digit of the code represents further grouping of the major crimes. Homicides are divided into four groups: criminal enterprise (100 to 109), personal cause (120 to 129), sexual (130 to 139), and group cause (140 to 149). There are unassigned numbers that allow for future editions within specific categories and additional groups within a major category. The third digit of the code represents specific classifications within these groups.

Individual classifications within these groups are further divided into subgroups using two additional digits following a decimal point after the code. The division into subgroups occurs when there are unique characteristics within a factor that clearly identify a major difference with the group. For example, domestic homicide (code 122) has two subgroups: spontaneous domestic homicide (122.01) and staged domestic homicide (122.02). Additional codes are added after the subgroup to identify crimes by the type of victim (child, adolescent, adult ages 20 to 59, and elder adults age 60 and over) if there are unique characteristics associate with the age of victims.

Exhibit 1.1

    I. Victimology: Why did this person become the victim of a violent crime?

       A. About the victim

          Lifestyle

          Employment

          Personality

          Friends (type, number)

          Income (amount, source)

          Family

          Alcohol/drug use or abuse

          Normal dress

          Handicaps

   Transportation used
   Reputation, habits, fears
   Marital status
   Dating habits
   Leisure activities
   Criminal history
   Assertiveness
   Likes and dislikes
   Significant events prior to the crime
   Activities prior to the crime

B. Sexual assault: verbal interaction
   Excessively vulgar or abusive
   Scripting
   Apologetic

C. Arson and bombing: targeted property
   Residential
   Commercial
   Educational
   Mobile, vehicle
   Forest, fields

II. Crime scene
 How many?
 Environment, time, place
 How many offenders?
 Organized, disorganized
 Physical evidence
 Weapon
 Body disposition
 Items left/missing
 Other (e.g., witnesses, escape plan, wounded victims)

III. Staging
 Natural death
 Accidental
 Suicide
 Criminal activity (i.e., robbery, rape/homicide)

IV. Forensic findings
 A. Forensic analysis
   Hair/fibers