

Themis: Research Journal of Justice Studies and Forensic Science

Volume 3 *Themis: Research Journal of Justice Studies and Forensic Science*, Spring 2015

Article 7

5-2015

The Use of Criminal Profilers in the Prosecution of Serial Killers

Chelsea van Aken
San Jose State University

Follow this and additional works at: <http://scholarworks.sjsu.edu/themis>

 Part of the [Criminal Procedure Commons](#), [Criminology and Criminal Justice Commons](#), [Evidence Commons](#), [Forensic Science and Technology Commons](#), and the [Psychological Phenomena and Processes Commons](#)

Recommended Citation

van Aken, Chelsea (2015) "The Use of Criminal Profilers in the Prosecution of Serial Killers," *Themis: Research Journal of Justice Studies and Forensic Science*: Vol. 3 , Article 7.

Available at: <http://scholarworks.sjsu.edu/themis/vol3/iss1/7>

This Peer-Reviewed Article is brought to you for free and open access by the Justice Studies at SJSU ScholarWorks. It has been accepted for inclusion in Themis: Research Journal of Justice Studies and Forensic Science by an authorized editor of SJSU ScholarWorks. For more information, please contact scholarworks@sjsu.edu.

The Use of Criminal Profilers in the Prosecution of Serial Killers

Abstract

The purpose of this paper is to analyze the concept of criminal profiling in terms of serial killers in the United States. The research provided in this paper was found using the most recent research available on the topic. The FBI's Behavioral Unit, or National Center for the Analysis of Violent Crime (NCAVC), is the current leading law enforcement agency that investigates these types of crimes. They utilize definitions, typographies, and motives to create a criminal profile to investigate serial killings. Ultimately, these profiles are inadequate because they are inconclusive and exclude multiple suspects that are potentially dangerous. Therefore, criminal profiling should be merely utilized as an investigative tool, rather than a prosecutorial tool. Ultimately, the F.B.I.'s NCAVC must create a universal definition, as well as a more detailed list of typographies to help law enforcement more accurately identify and investigate serial killers.

Keywords

criminal profiling, serial killers

The Use of Criminal Profilers in the Prosecution of Serial Killers

Chelsea van Aken

Abstract

The purpose of this paper is to analyze the concept of criminal profiling in terms of serial killers in the United States. The research provided in this paper was found using the most recent research available on the topic. The FBI's Behavioral Unit, or National Center for the Analysis of Violent Crime (NCAVC), is the current leading law enforcement agency that investigates these types of crimes. They utilize definitions, typographies, and motives to create a criminal profile to investigate serial killings. Ultimately, these profiles are inadequate because they are inconclusive and exclude multiple suspects that are potentially dangerous. Therefore, criminal profiling should be merely utilized as an investigative tool, rather than a prosecutorial tool. Ultimately, the F.B.I.'s NCAVC must create a universal definition, as well as a more detailed list of typographies to help law enforcement more accurately identify and investigate serial killers.

Introduction

Names such as Jack the Ripper, Ted Bundy, and the Zodiac Killer have instilled fear in Americans. The individuals attached to these names are often left unidentified, but are perceived as “typical” serial killers: middle-aged White males with varying degrees of personality disorders (Miller, 2014a). Serial murders are relatively rare; however, Americans are simultaneously horrified and fascinated by the concept. The notion of *serial killers* has existed throughout history. Although the exact origin of the term is unknown, many scholars believe the term may have originated in the 1970s within law enforcement circles (Morton & Hilts, 2005). The highly publicized “Son of Sam” killings lead to Special Agent Robert Ressler of the F.B.I. to coin the term *serial murderer* in New York City during the 1970s (Miller, 2014a). The qualifications for being labeled a serial killer have been debated throughout history. Serial killers are often confused with mass murderers due to similarities between the large numbers of victims as well as the time elapsed between crimes. The criminal prosecution of serial killers has become more difficult due to the influence of criminal profiling. The objective of this paper is to investigate the criminal profiling of serial killers in the United States, and determine the effectiveness of using definitions, typographies, and motives as investigative tools for law enforcement agencies.

Theoretical Framework

The current practices utilized by law enforcement agencies for prosecuting serial killers are best exemplified through Lombroso’s positivist school of thought theory. Lombroso’s theory explains that crimes occur due to inherently different biological, psychological, or sociological factors that affect an individual’s life (Frampton, 2013). Lombroso

THEMIS

attempted to identify the scientific causes of criminality and determined certain psychological and physiological defects or abnormalities among known criminals (Frampton, 2013). Some of these “defects” included being left handed, using obscenities, being impulsive or superstitious, and having predatory personalities (Devroye, 2010). The majority of research regarding serial killers points to psychological differences between serial murderers and the average person. Although the American judicial system has moved away from the idea of a “born criminal,” the profile of serial killers often relies on positivist thinking. Therefore, Lombroso’s theory will provide a baseline to discuss whether or not psychological profiling of serial killers is an effective criminal investigative tool.

History of Criminal Profiling

Historically, serial killers have been studied since the 1400s, beginning with French nobleman Gilles de Rais who reportedly tortured, raped, and murdered hundreds of children (Miller, 2014a). Arguably, the most well-known serial killer is Jack the Ripper, who murdered multiple women in England during the 1800s seemingly without motive, which helped to create the moral panic surrounding serial killings (Fox & Levin, 1998; Miller, 2014a). Even more telling is the lack of increasing knowledge on the topic. The majority of information law enforcement agencies use to apprehend serial killers dates back to 1866 when Von Krafft-Ebing published his book *Psychopathia Sexualis*, which detailed the different characteristics serial killers possess (Miller, 2014a). Von Krafft-Ebing detailed the following characteristics of serial killers: a tendency of lying, manipulation, taking souvenirs from crime scenes, using ligatures, torturing victims for sexual arousal, using pornography, humiliation or degradation of victims, and

130

careful planning in order to avoid detection (Von Krafft-Ebing, as cited in Miller, 2014a). He argued that serial killers have *signature* aspects in their crimes, which provides deeper understanding into the personality and psychology of serial killers (Hicks & Sales, 2006; Miller, 2014a). The characteristics detailed in Von Krafft-Ebing's book are still used as the basis of modern criminal profiling.

Criminal profiling, or "offender profiling," was used as an investigative tool in the 1960s when James A. Brussel helped New York police catch the "Mad Bomber" (Schefflin, 1998). For a short time, law enforcement agencies ceased using the investigative tool after psychologists and psychiatrists were unable to accurately profile a notorious serial killer, the Boston Strangler, but when "stranger murders" became much more prevalent in recent decades, law enforcement agencies returned to the concept of profiling (Schefflin, 1998). Special Agent Robert Ressler coined the term "serial killer" in order to replace the label of "stranger killings," as well as to show the repetitive nature of the murders (Pakhomou, 2004). Unfortunately, the current definitions of serial killings remain widely divided amongst all involved agencies.

Types of Profiling

Definitions

Characterizing an individual as a *serial killer* has become increasingly difficult due to the various definitions posed by law enforcement agencies and researchers. Scholars, law enforcement officers, and mental health professionals all agree that serial killers are inherently different than both mass murderers and spree killers, in that serial killers are driven by deep-seeded compulsions; mass murderers and spree killers are driven by greed, revenge, or hatred (Warf & Waddell, 2002).

THEMIS

The FBI characterizes a serial killer as an individual who has various degrees of a personality disorder and unlawfully kills two or more individuals at different times (Morton & Hilts, 2005). However, Holmes and Holmes (1998; 2010) define serial killers as individuals who have killed three or more victims with a “cooling off” period in between crimes (Holmes & Holmes, 1998; Holmes & Holmes, 2010; Taylor et al., 2012), while some believe that a serial killer is any individual who commits repetitive and sequential murders of any nature (Pakhomou, 2004). Since the F.B.I. is the leading organization in terms of profiling serial killers, most law enforcement agencies follow the definition provided by the FBI’s Behavioral Unit, also called the National Center for the Analysis of Violent Crime (NCAVC). However, having researchers use various definitions becomes a prosecutorial problem because expert witnesses may use different definitions during trial than law enforcement.

Typographies

Characterizing an individual as a specific kind of serial killer poses similar concerns as the aforementioned definitions. Typographies, or defining groups of individuals into specific “types,” have been a common way to differentiate between serial killers. Serial killers are often defined within the parameters of several typographies. For example, Holmes and De Burger (1985) proposed five typographies: the *visionary* types respond to delusional voices instructing them to commit murder; the *mission-oriented* types target specific victims who are viewed as “evil”, such as prostitutes or particular racial groups; the *hedonistic* serial killers seek pleasure or thrill from the killings; the *control* types desire power over their victims; and the *predator* types “hunt” for their victims and view the killings as a recreational activity (Dogra, Leenaars, Chadha, Manju, Lalwani,

Sood, Lester, Raina, & Behera, 2012). The collective group of typographies widely accepted by academia include sexual, paraphilic, sadistic, delusion, hate-oriented, thrill, attention seekers, cult-oriented, and instrumental (White, Lester, Gentile, & Jespersen, 2010). Similarly, the F.B.I. classifies serial killers as organized, methodical, careful, and purposeful—or disorganized, erratic and usually suffering from mental illness (Schefflin, 1998; Taylor et al., 2012; Warf & Waddell, 2002). These typographies are intended to gain better understanding of the motives and personalities of serial killers, as well as providing assistance for law enforcement agencies to apprehend the killers (Snook, Cullen, Mokros, & Harbort, 2005).

The F.B.I. most notably uses the Holmes and De Burger typologies: power/control killers, visionary killers, mission killers, and hedonistic killers (Taylor et al., 2012). However, these typographies do not account for the relationship between victim and murderer, environment, or time and therefore are not reliable for profiling every serial killer (Taylor et al., 2012). Therefore, it is difficult to create a concise definition for serial murderers, making criminal prosecution convoluted. Criminal profiling was initially created as a means to aid law enforcement agencies in apprehending and convicting serial killers (Lubaszka, Shon, & Hinch, 2014); however, the vast majority of research done on the topic lacks continuity. Ultimately, law enforcement agencies should not utilize profiling as a prosecutorial tool if there is no concrete definition.

General Profile of Serial Killers

Overall, research done on serial killers is extremely ambiguous. Law enforcement agencies, as well as psychologists or psychiatrists, have varying beliefs about the typographies, motives, and definitions pertaining to serial killers, so no

universal profile of serial killers exists. Instead, many mental health practitioners, law enforcement agents, and academics differ on the reason serial killers commit murders, and how their behaviors, before and after apprehension, affect their classification. This divide between agencies makes prosecuting serial killers in criminal court difficult because there is little information that is universally agreed upon.

Childhood Profile

Serial killers are often viewed as having dysfunctional childhoods or poor relationships between familial units, and stereotypically wet their beds, play with fire, and abuse animals (Miller, 2014b; Warf & Waddell, 2002). Similarly, many of them are thought to have grown up as highly sensitive children who harbored feelings of rejection, neglect, and loneliness, leading to high levels of hostility toward specific groups of people (Miller, 2014a). As children, these individuals are often abnormally engrossed in pornography and were sexually abused (Warf & Waddell, 2002). As they grow from adolescence and into adulthood, their crimes escalate from assault, slowly rising to battery, arson, sexual violence, and ultimately homicide (Miller, 2014b). During their childhoods, serial killers often live lonely lives with little or no support to help them mature into fully functioning members of society. These children often become anti-social adults because of their experiences growing up (Warf & Waddell, 2002). Researchers suggest that individual experiences influence the type of behavior children will exhibit in their adult lives, as well as their potential criminal behavior.

Adulthood Profile

Generally, serial killers are most often identified as middle-aged White males who blend easily with the crowd, but serial killers are all different, and therefore, many do not fit this

generic “profile” provided by law enforcement. Contrary to popular belief, serial killers are racially diverse and often mirror the United States’ population demographics (Morton & Hilts, 2005). Likewise, serial killers are often viewed as suffering from severe mental health problems, but studies done on current serial killers state that the vast majority of them do not suffer from any debilitating mental disorder (Pakhomou, 2004). Similarly, serial killers are thought of as nomads who choose their victims as he or she travels across state lines; however, only thirty-four percent of serial killers travel long distances to commit their crimes, while 52% confine their murders within a specific geographical location (Fox & Levin, 1998). According to the NCAVC, many serial killers are fully functioning adults who do not suffer from any outwardly apparent social or psychological disorders (Morton & Hilts, 2005). In fact, the notorious BTK killer, Dennis Rader, who taunted law enforcement agencies for 30 years, was married with two children, a Boy Scout leader, and a leader in his local church congregation during the times of his killings (Morton & Hilts, 2005). The fact that most profilers consider serial killers to be exceptionally ordinary could contribute to the increased societal fear associated with serial murders.

Motivation

Among the wildly debated aspects of serial killings, or serial murders, are the differences in the motives behind the crimes. In fact, many media outlets portray serial killers as mindless killers who possess no real motives, and that is what makes them so terrifying (Cameron, 2003; Warf & Waddell, 2002). However, most law enforcement agencies and psychological profilers disagree with the media’s portrayal of these individuals because they understand that serial killers are often driven to commit murder by the perverse logic known only to themselves (Warf &

Waddell, 2002). FBI profilers believe serial killers are driven to commit crimes by unique motives rather than no motivation at all. Thus, it is difficult to determine the general motives that drive most or all serial killers to commit crimes because considerable diversity exists between all serial killers (Warf & Waddell, 2002). The media most often depicts the average serial killer as a power-hungry sadist who derives immense sexual pleasure from inflicting pain on their victims, and is usually motivated by the desire to exert power over them (Fox & Levin, 1998; Ioana, 2013). The FBI recognizes seven general categories of motivation: anger, criminal enterprise, financial gain, ideology, power and thrill, psychosis, or sexually based motivation (Morton & Hilts, 2005). A serial killer motivated by *anger* may be driven by rage or hostility towards a specific population or society as a whole; a killer motivated by *criminal enterprise* is motivated by the supposed beneficial monetary outcome of his or her crime in relation to organized crime agencies; *financial gain* motivates some killers to commit murder for monetary benefits; killers motivated by *ideology* believe murder furthers their goals within a specific group; *power/thrill* motivates serial killers to feel empowered or excited during the crime; mental illness such as *psychosis* causes some serial killers to commit crimes; and serial killers are also affected by *sexually-based* motivations (Morton & Hilts, 2005). Although the FBI recognizes the aforementioned motivations for known serial killers to commit crimes, there is very little empirical data to suggest these are the only acceptable motives for serial killers.

Female Serial Killers

Virtually all research that has been done about serial killers focuses on male serial killers, which leaves out a small, but significant portion of suspects. In 1997, women committed

approximately 20% of all serial murders (Taylor et al., 2012). The typologies often attributed to male serial killers by Holmes and De Burger do not account for serial murders committed by women; instead, Kheller and Kheller (1998) proposed five alternative typologies for the motivations of female serial killers (Taylor et al., 2012). These typologies include black widow, angel of death, sexual predator, revenge, and profit for crime (K Heller & K Heller, 1998). A female serial killer who fits the profile of a *black widow* will kill multiple family members, her significant others, or spouses; an *angel of death* will attempt to gain attention from killing individuals under their medical care; a *sexual predator* will commit repetitive sexually motivated murders; a *revenge killer* will commit the crimes out of hatred or jealousy; and a *profit for crime* serial killer will seek monetary compensation or gain from their crimes (Taylor et al., 2012). Similarly, Holmes and Holmes (1994) proposed five typographies for female serial killers that parallel the motivations proposed for male serial killers: *visionary*, *comfort-oriented*, *power-seeking*, *hedonistic*, and *disciple* killers (Miller, 2014a). According to these typographies a *visionary* female killer responds to disillusioned voices; a *comfort-oriented* killer is also labeled a black widow killer who commits familial murder for monetary gain; a *power-seeking* killer derives pleasure from having complete control over their victim; a *hedonistic* killer will commit murder to achieve sexual gratification; and a *disciple* killer—although rare—will kill under the direction of a charismatic leader, as in a cult (Miller, 2014a). The Holmes and Holmes (1994) typographies for female serial killers are very similar to those proposed by Kheller and Kheller (1998), although they are named differently.

Policy Implications

Problems with Current Profiling Methods

Several problems exist with the current model of profiling used in the apprehension and prosecution of serial killers. Currently, the profile that exists for serial killers is extremely broad and vague. Especially problematic is the fact that law enforcement investigators—not psychologists—complete a majority of the research and education done on criminal profiling (Miller, 2014b). Although a majority of the research provided on the criminal profile of serial killers focuses heavily on psychology, the research is completed by untrained individuals who use case studies rather than empirical data to form their conclusions (Miller, 2014b). Therefore, it is nearly impossible to accurately identify potential suspects during an investigation. In order for law enforcement agencies to properly profile serial killers, they must identify the problems associated with the current methods of profiling.

Defining serial killers.

The lack of a universal definition for serial killers makes profiling difficult. The classification of serial killers often calls for a specific number of known victims; however, this begins to cause problems because, in many cases, victims are not discovered until after the offender is apprehended (Pakhomou, 2002). Similarly, there are currently various agencies and scholars that do not agree on the number of victims required to have an offender be labeled as a serial killer. Approximately only 20% of violent crime results in the apprehension and arrest of the offender, which indicates that the number of known victims does not necessarily equal the number of actual victims (Pakhomou, 2002). By defining serial killers based upon known victims, many individuals can either be mistakenly identified as

138

serial killers, or dangerous serial killers can be left undetected because they have no murder conviction. Ultimately, the current definition by the FBI may not fully encompass all serial killers because it is extremely vague and requires two victims, whereas most scholarly definitions require many victims in order to determine a repetitive pattern.

Personality disorders.

The FBI defines a serial killer as an individual with a personality disorder who kills two or more people in separate events (Morton & Hilts, 2005); however, this definition is extremely general. The FBI's Behavioral Unit explains that there is no standard profile of a serial killer, but their definition is still limited because many serial killers possess similar traits, such as a lack of remorse, impulsivity, and controlling or predatory behavior (Morton & Hilts, 2005). These traits are often seen in psychopathic personality disorders, which include the use of manipulation, intimidation, or charm to control others in an effort to achieve a goal (Morton & Hilts, 2005). Some researchers state that the approximately two-thirds of serial killers are clinically diagnosed as having anti-social—sociopathic or psychopathic—personality disorders (Warf & Waddell, 2002). Yet, the majority of serial killers are not significantly impaired by any personality disorder or defect; therefore, it is nearly impossible to determine the influence of personality disorders on serial killers' behaviors. (Pakhomou, 2004).

Using typographies.

The FBI's use of typographies has several critical flaws. The FBI relies heavily on the use of two categories of serial killers: organized and disorganized. By definition, organized killers are meticulous and manipulative, while disorganized

THEMIS

killers are often erratic and more likely to make mistakes leading to their eventual apprehension and arrest (Taylor et al., 2012). The FBI investigates different crime scene features, as well as the personality traits of both the offender and victim that co-exist to help build a typography of a serial killer within the disorganized or organized categories (Taylor et al., 2012). However, it is not possible in all situations to typecast serial killers under these two categories based solely on crime scene behaviors (Canter, Alison, Alison, & Wentink, 2004). Similarly, when organized crime scene behaviors were analyzed, it was discovered that these behaviors were present in most serial killers, indicating that the disorganized typography is unnecessary because the organized typography generally covers most serial killers (Canter et al., 2004). Also, the FBI profiling technique does not consider the frequency of crime scene behavior over all criminal events, which ignores potentially common behaviors that are useful in differentiating serial killers from average criminals (Taylor et al., 2012). Another problem concerning the FBI typographies is the failure to include female serial killers. By removing approximately half of the general population from typographies, some female serial killers may be unidentified and therefore may remain at large. The last issue that arises from the FBI's typographies is that the relationship between the victim, offender, and their environment is not considered (Taylor et al., 2012). It is accepted that the majority of serial killers have no relationship with their victim (Warf & Waddell, 2002); however, ignoring the potential relationship can lead to the misclassification of serial killers.

Problems associated with using FBI typographies for profiling female serial killers.

Female serial killers will commit crimes with fundamentally different motivations than their male counterparts. The organized or disorganized typographies used by the FBI do not account for serial murders committed by females, especially because female serial killers use fundamentally different methods of killing people than male serial killers, making them difficult to label them as organized or disorganized (Taylor et al., 2012). Female serial killers mostly use the following methods to commit murder: five percent drown their victims, eleven percent stab their victims, sixteen percent use suffocation, and twenty percent use a firearm to commit their crimes (Frei, Vollom, Graf, & Dittmann, 2006). Criminal profilers rely heavily on typographies to direct law enforcement in apprehending suspects; therefore, the exclusion of female serial killers from the typographies used by law enforcement does not account for potentially dangerous individuals.

Providing New Methods of Criminal Profiling

Criminal profiling of modern day serial killers results in more problems than benefits for law enforcement. Law enforcement agencies, as well as criminal profilers, use various definitions, typographies, and motives to help investigate these crimes. These discrepancies influence the way a law enforcement agency will investigate these crimes. Criminal profiling is used within most law enforcement circles, and therefore the method should not be removed entirely; however, the aforementioned flaws must be fixed in order to protect the public and reduce the potential of misidentifying suspects.

Providing law enforcement with a new definition.

The FBI should utilize their Behavioral Unit, NCAVC, to create a singular definition for all law enforcement agencies to use during an investigation of these serial killings because it is

the primary unit within the FBI that deals with the investigation and identification of American serial killers (Morton & Hilts, 2005). The NCAVC should remain responsible for creating a uniformed definition to provide to all state and federal law enforcement agencies that would encompass all prior definitions used in order to create easier means for states to investigate crimes that occur over state lines. Additionally, this definition should include the number of known victims, as well as the repetitive and sequential nature of the killings. The FBI's current definition requires only two victims (Morton & Hilts, 2005), which can lead to erroneous identifications. It also does not account for the predatory nature serial killers often possess. Therefore, the FBI should define a serial killer as "any individual, who may or may not suffer from any anti-social personality disorder, who unlawfully commits repetitive and sequential killings—three or more—with a "cooling off" period in between the crimes" (Holmes & Holmes, 2010; Morton & Hilts, 2005; Pakhomou, 2004; Taylor et al., 2012). Although broad, this definition still encompasses the predatory behavior that serial killers are known for without being applicable to all homicides. The proposed uniform definition would merely provide a basic guideline for states to properly identify—not accuse— serial killers, without impeding each state's right to prosecute crime under that state's laws. Similarly, the FBI should no longer utilize the organized or disorganized categories of serial killers because evidence shows that the majority of all serial killers show signs of being organized. This indicates that the FBI's categories do not help identify serial killers, and are rather irrelevant because they can be applied to most criminal behavior (Canter et al., 2004). The definitions of serial killers

142

should remain exhaustive so they do not become confused with other criminal behaviors.

Creating new typographies of serial killers.

Along with providing a singular definition of what constitutes a serial killer, the NCAVC should accumulate all typographies proposed for both male and female serial killers to create a universal list that would guide law enforcement and health care practitioners to correctly identify these individuals. This universal list should include the known typographies used by researchers, as well as those used by law enforcement agencies: visionary, mission-oriented, hedonistic or sexual, control, predator, paraphilic, sadistic, hate-oriented, thrill or attention seeking, cult-oriented, family targeted, and instrumental (Dogra et al., 2012; White et al., 2010). Accumulating the various typographies would allow law enforcement agencies and profilers to include both male and female serial killers, and properly identify all serial killers without hindering their investigation or limiting the known types of serial killers and their motives. By providing a longer, more in depth list of serial killers, law enforcement agencies would not be limited to defining a serial killer under a singular typography, but rather permit law enforcement to label serial killers under many typographies. For example, a serial killer may be labeled as a sexual sadist, or an attention seeking cult member, or both. This would provide a better understanding of serial killers for law enforcement agencies, psychiatrists, and psychologists, and would ultimately create greater chances of apprehending serial killers sooner, which would save multiple lives that could have been lost at the hands of a serial killer.

Restricting the use of profiling within criminal prosecution.

THEMIS

Lastly, the use of criminal profilers should be used only as an investigative tool for law enforcement, rather than a prosecutorial tool. Due to the current discrepancies among definitions, typographies, and motives, criminal profiling does not provide law enforcement with accurate data about serial killers. Until these changes can be made, criminal profilers should be only used as a tool to help law enforcement agencies identify and investigate potential serial killers—not to apprehend these individuals. However, law enforcement agencies may use the advice of criminal profilers to investigate suspects and to locate potential evidence from crime scenes. Definitions, typographies, and motives should only be used to lead the law enforcement investigators in the right direction, but profilers should not be present during interrogations or searches. Currently, the majority of research provided on serial killers comes from law enforcement agencies—not psychologists; these individuals should not be allowed to testify as expert witnesses in criminal proceedings. Expert testimony can be prejudicial to a jury. As a result this testimony should be excluded from court to provide a fair trial for defendants. Profiling has been successful in the identification and investigation of many suspects; therefore profilers should be allowed to help prosecutors identify offenders as serial killers when bringing charges against a defendant, and testify at grand jury proceedings where guilt is not being determined. Conversely, criminal profilers with degrees in psychology or psychiatry may be allowed to testify in court as expert witnesses in their respective degree; however, these individuals should not speculate as to the defendant's classification as a serial killer. The purpose of these expert witnesses would only be for providing psychological or medical analysis of the defendant's state of mind.

The impact of media influence on investigations.

In general, the media portray serial killers as power hungry sexual sadists; but realistically, there are many different types of serial killers who commit crimes for different reasons and in different fashions (Miller, 2014a). Similarly, the media often glorify the capture of serial killers, making it appear as if law enforcement agencies are skilled at apprehending these offenders, even though the actual closure rates among serial killing cases are fairly low (Miller, 2014a). On the other hand, some of the media's influence on the perception of serial killers adds to the fear felt among the public – convincing them to believe there is an epidemic of serial killers; however, this is grossly untrue (Warf & Waddell, 2002; Fox & Levin, 1998). Media outlets are often self-proclaimed experts on serial killers and speculate about the motives and potential profiles of serial killers without any empirical data (Morton & Hilts, 2005). This can potentially impair law enforcement agencies' abilities to investigate these crimes by creating public outcry or influencing law enforcement agencies' perceptions of the murderer. Therefore, law enforcement agencies should only provide the media with information regarding potential serial killers if law enforcement is attempting to locate a specific person and requires the public's help. This would allow law enforcement agencies to investigate these crimes without being influenced by potentially mistaken statements given by media outlets, and would reduce the level of moral panic from the public. Since there is very little evidence that serial killers predominate in the United States, the level of fear in the public is unwarranted. Ultimately, reducing the amount of information given to media outlets would reduce the amount of fear the public has for this particularly rare crime.

THEMIS

Cost of the new method.

The addition of a universal definition and typography list, as well as the suppression of expert testimony by criminal profilers without medical degrees, would not require more funding. The NCAVC, was implemented in order to combat the criminal category of serial killers, and therefore, there would not be additional costs for recruiting agents or training. The agents currently employed in this unit would be required to publish the new definitions and typographies by combining evidence from current research and law enforcement agencies, and since this unit already has the materials necessary to make this change, the costs to fund the updated definitions and typographies would be minimal. Similarly, this policy change would not require extra agents and the salaries of these agents would not change. Ultimately, the addition of these policy changes would not hinder the FBI's current case load, but rather, would provide a greater understanding of these types of criminals. As law enforcement agencies and health care practitioners gain a better understanding of serial killers, more preventative measures can be taken to identify these individuals much quicker, and therefore, the number of victims would decrease. Similarly, excluding criminal profilers without psychology degrees from criminal trials would not require more funding. Instead, the funds currently used to pay criminal profilers would be reallocated to funding research done by trained medical professionals rather than law enforcement agencies.

Conclusion

In conclusion, the current model of criminal profiling used by law enforcement agencies has many flaws. The FBI must analyze the current research on serial killers in order to form a better understanding of how to investigate and apprehend

146

these individuals. The current profiling model relies on definitions, typographies, and motives to understand and identify serial killers; yet, the current resources used do not encompass all possible offenders and often exclude large portions of the population. The majority of the research done on modern serial killers relies a great deal on the data collected from the eighteenth century. In order for a more complete understanding of the modern American serial killer, psychiatrists and psychologists, rather than law enforcement agencies, must complete more research. Similarly, there must be more research on the concept of a female serial killer because the current research enormously underestimates the amount of murders perpetrated by female offenders. Future research would greatly benefit the understandings law enforcement officials and health care practitioners have about serial killers. The increased understanding of this type of crime would increase the preventative measures taken by law enforcement to identify these criminals, which would decrease the amount of lives lost. Ultimately, until further research can be completed on serial killers, criminal profilers should only be used as an investigative tool, rather than a prosecutorial tool.

References

- Canter, D.V., Alison, L.J., Alison, E., & Wentink, N. (2004). The organized/disorganized typology. *Criminal Justice and Behaviour*, 31(4), 489-515.
- Devroye, J. (2010). The rise and fall of the American institute of criminal law and criminology. *The Journal of Criminal Law & Criminology* 100(1), 7-32.

THEMIS

- Dogra, T.D. et al. (2012). A psychological profile of a serial killer: A case report. *Omega: Journal of Death & Dying* 65(4), 299-316.
- Federal Bureau of Investigation, Behavioral Unit-2. (2013). *Serial killers, Part I: The F.B.I.'s Role Takes Shape*. Retrieved from: <http://www.fbi.gov/news/stories/2013/september/serial-killers-part-1-the-fbis-role-takes-shape/serial-killers-part-1-the-fbis-role-takes-shape>
- Fox, J.A. & Levin, J. (1998). Multiple homicide: Patterns of serial and mass murder. *Crime and Justice* 23, 407-455.
- Frampton, T.W. (2013). Predisposition and positivism: The forgotten foundations of the entrapment doctrine. *The Journal of Criminal Law & Criminology* 103(1), 111-146.
- Frei, A., Vollom, B., Graf, M., & Dittmann, V. (2006). Female serial killing: Review and case report. *Criminal Behaviour and Mental Health*, 16(33), 167–176.
- Hicks, S. J., & Sales, B.D. (2006). *Criminal profiling: Developing an effective science and practice*. Washington, DC: American Psychological Association.
- Holmes, R. M., & Holmes, S. T. (1998). Serial murder. In D.V. Canter & N. Wentink (Eds.), *An empirical test of the Holmes and Holmes serial murder typology*. *Criminal Justice and Behaviour*, 31(4), 489–515.
- Holmes, R. M., & Holmes, S. T. (2010). *Serial murder* (3rd ed.). Thousand Oaks, CA: Sage.
- Ioana, I.M. (2013). No one is born a serial killer. *Procedia—Social and Behavioral Sciences* 81, 324-328.
- Kelleher, M. D., & Kelleher, C. L. (1998). *Murder most rare: The female serial killer*. Westport, CT: Praeger.

148

- Lubaszka, C.K., Shon, P.C., & Hinch, R. (2014). Healthcare serial killers as confidence men. *Journal of Investigative Psychology and Offender Profiling* 11, 1-28.
- Miller, L. (2014a). Serial killers: I. Subtypes, patterns and motives. *Aggression and Violent Behavior* 19, 1-11.
- Miller, L. (2014b). Serial killers: II. Development, dynamics, and forensics. *Aggression and Violent Behavior* 19, 12-22.
- Morton, R., & Hilts, M. (2005). Serial murder: Multi-disciplinary perspectives for investigators. *F.B.I.: Behavioral Analysis Unit*.
- Pakhomou, S. (2004). Serial killers: Offender's relationship to the victim and selected demographics. *International Journal of Police Science & Management* 6(4), 219-233.
- Schefflin, A. W. (1998). Book review of criminal detection and the psychology of crime by David V. Canter and Laurence J. Alison and interrogation and confession: Images of the police-suspect dynamic by Ian Byran. *Santa Clara Law Review* 38(4), 1293-1301.
- Snook, B., Cullen, R. M., Mokros, A., & Harbort, S. (2005). Serial murderers' spatial decisions: Factors that influence crime location choice. *Journal of Investigative Psychology and Offender Profiling* 2, 147-164.
- Taylor, S., Lambeth, D., Green, G., Bone, R., & Cahillane, M.A. (2012). Cluster analysis examination of serial killer profiling categories: A bottom-up approach. *Journal of Investigative Psychology and Offender Profiling* 9, 30-51.
- Warf, B. & Waddell, C. (2002). Heinous spaces, perfidious places: The sinister landscapes of serial killers. *Social & Cultural Geography* 3(3), 323-345.

THEMIS

White, J.H., Lester, D., Gentile, M., & Jespersen, S. (2010). Serial murder: Definition and typology. *American Journal of Forensic Psychiatry*, 31(3), 17-38.

Chelsea van Aken graduated from San Jose State University with a bachelor's degree in Justice Studies and a minor in Human Rights. She is currently in her first year of her master's program and expects to graduate in spring 2016. Her research interests include international human rights, correctional practices, policing, and inmate rights movements. Currently, Chelsea is working toward her thesis which will study solitary confinement and other torture practices within the confines of American prisons. She is a member of the American Society of Criminology. After finishing her master's degree, she plans on moving on to pursue a doctoral degree, with the intention of teaching.