

Rape and Sexual Assault in Investigative Psychology: The Contribution of Sex Offenders' Research to Offender Profiling

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Abstract

Research on sex offenders has mainly guided clinical practice for risk assessment and therapeutic intervention. However, the current scientific knowledge on these offenders and their crimes is, in many aspects, of great importance to criminal investigations. Consequently, there is a need to build bridges between investigative psychology and the research being conducted on sex offenders. Four areas of research on sex offenders that have clear implications to investigative psychology can be identified: (1) the consistency or 'crime-switching' patterns of sex offenders; (2) the recidivism patterns of different types of sex offenders; (3) the police response to specific victim characteristics; and (4) the A → C equation of sexual assaults. This paper argues for a need to establish a dialogue between these two fields of research so that knowledge about sex offenders keeps growing whilst being able to inform policing practices in investigative psychology. Copyright © 2009 John Wiley & Sons, Ltd.

Key words: sex offenders; rape; offender profiling; investigative psychology; offending patterns

INTRODUCTION

Offender profiling is one of the investigative tools used to assist in cases of sexual crime. It uses crime scene characteristics to generate descriptive information about the behaviours and personality of a potential offender, thus narrowing the field of suspects and aiding in apprehension efforts (Cook & Hinman, 1999; Davies, 1992; Douglas, Ressler, Burgess, & Hartman, 1986; Egger, 1999; Knight, Warren, Reboussin, & Soley, 1998). Despite its growing popularity in the media, the empirical study and development of offender profiling have been slow. A systematic review of the profiling literature over the past 30 years shows that most papers have been published between 1996 and 2005 (Dowden, Bennell, & Bloomfield, 2007). In fact, more than two-thirds of the papers identified for this study

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were published during this 9-year period. Interestingly, rape was the second specific type of crime investigated, just behind homicide (Dowden, Bennell, & Bloomfield, 2007).

The past decades have witnessed an important increase in the quantity and quality of studies conducted on sex offenders and sexual aggression. Mainly led by psychologists, such research focuses on clinical practice for risk assessment, therapeutic intervention, and classification. For some reasons, offender profiling researchers have been reluctant to make use of that research. For instance, Wilson and Alison (2005) described the sex offender classifications as either lacking of empiricism and scientific rigor, or as being inappropriate for use within criminal investigations. Although it is hard not to agree with the fact that some of the earlier classification attempts were flawed methodologically, nevertheless most of these typologies present at least some usefulness for offender profiling. In fact, as with offender profiling, sex offender typologies focus on the offending process. A similar parallel between offender profiling and situational crime prevention was drawn by Cornish (1994):

Both require a comprehensive understanding of the crime-commission process in terms of its procedural requirements: in the case of situational prevention, to identify potential intervention points; and in the case of profiling, to focus investigatory activities on all aspects of the *modus operandi*. Both may exploit knowledge of other choice-structuring properties of crimes: in the case of situational prevention, as a means of tentatively identifying potential groups of perpetrators in order to target situational measures cost-effectively and avoid technological overkill; and in the case of profiling, to guide the search for suspects (p. 187).

Investigative psychology recognises the growing amount of research in the clinical context of forensic psychology that is relevant to understanding the criminal event and that may aid criminal investigations (Canter, 2004). The following sections review central questions to investigative psychology that have been examined in sex offender research.

‘CRIME-SWITCHING’ PATTERNS IN SEX OFFENDERS

Although investigative psychology recognises the fact that offenders are likely to ‘switch’ their offending patterns from one crime to the other, and that target preferences could evolve during the criminal career, sex offender research has been hesitant to adopt a similar view. Thus, most classification studies of sex offenders have focused on one type of offender only (i.e. child molesters or rapists), avoiding mixing both groups. However, it is now clear that sex offenders can adapt their behaviour from one crime to the other, as well as develop different preferences as to their victim type.

‘Sexual polymorphism refers to crime-switching patterns along several dimensions such as victim’s age, gender, relationship to the offender, nature of acts committed by the offender’ (Lussier, Leclerc, Healey, & Proulx, 2007b, p. 97). Two major conclusions are clear from the literature on crime-switching patterns of sex offenders (Lussier *et al.*, 2007b). First, several studies have found specialisation in sexual offending, including sex offenders confining themselves to one victim type (Cann, Friendship, & Gonzales, 2007; Gebhard, Gagnon, Pomeroy, & Christenson, 1965; Guay, Proulx, Cusson, & Ouimet, 2001; Soothill, Francis, Sanderson, & Ackerley, 2000). Second, when the focus switches to studies conducted in clinical settings, the picture that emerges is completely different. Weinrott and Saylor (1991) found that when using only official data, 15% of their sample of sex offenders was versatile. However, when using a self-reported questionnaire, that

number rose to 53%. Similar findings were reported by Heil, Ahlmeyer, and Simons (2003); when assessed using official data, only a minority of offenders were versatile as to victim's age (7%) and gender (8.5%). However, when interviewed using a polygraph, those numbers rose up to 70 and 36%, respectively, showing high sexual polymorphism.

Two main hypotheses have been suggested to explain sexual polymorphism in sex offenders. First, individuals characterised with high sexualisation [i.e. a disinhibited sexuality characterised by sexual preoccupation, sexual compulsivity, and impersonal sex (Lussier, Leclerc, Cale, & Proulx, 2007a)] are likely to experience more difficulties in controlling their sexual urges, thus explaining why they are also more likely to seek out sexual gratification in different contexts and opportunities (Lussier *et al.*, 2007b). Second, sexual polymorphism could be a function of general deviance. Research findings show that as the frequency of offending increases, so does the versatility in paraphilic interests and behaviours (Lussier, Leblanc, & Proulx, 2005; Smallbone & Wortley, 2004). Such results are congruent with the general theory of crime (Gottfredson & Hirschi, 1990) in which individuals lacking self-control may display different sexual behaviours depending on the opportunity (Lussier, Proulx, & Leblanc, 2005).

Crime-‘switching’ pattern of offending behaviour is central to investigative psychology as it constitutes a basic assumption of linkage analysis (Bennell, Jones, & Melnyk, 2009; Woodhams, Hollin, & Bull, 2007b, 2008). Although several studies successfully identified evidence of consistency across series of sexual crimes for linkage purposes (Bateman & Salfati, 2007; Canter, Heritage, Wilson, Davies, Kirby, Holden, McGinley, Hughes, Larkin, Martin, Tsang, Vaughan, & Donald, 1991; Grubin, Kelly, & Brunsdon, 2001; Salfati & Bateman, 2005; Santtila, Junkkila, & Sandnabba, 2005; Woodhams, Grant, & Price, 2007a), Woodhams, Hollin, and Bull (2008) found little support for consistency in cases of serial sexual assaults using if-then contingencies. Interestingly, findings from sex offender and profiling research point towards the same direction, suggesting that these offenders display both consistency and versatility depending on the situation, as well as the specific actions, observed.

Although the consistency of various behaviours across series of sexual crimes has been investigated, one particular type of behaviour has been neglected so far: geographic behaviours. Beauregard, Proulx, Rossmo, Leclerc, and Allaire (2007), and Beauregard, Rossmo, and Proulx (2007b) have attempted to uncover some of the dynamics involved between offending and geographic behaviour during the target selection process of serial sex offenders. They analysed the offense behaviours of 72 serial sex offenders who had committed a total of 361 sexual crimes. Three target selection scripts and their underlying tracks were identified.¹ The coercive script includes the home intrusion track and the outdoor track. In the home intrusion track, the aggressor uses the victim's residence as the base of his search. The encounter, attack, crime, and victim release sites are the same, most often the victim's residence or somewhere in the building in which they reside. The aggressor employs physical violence when approaching the victim and in committing the crime. In the outdoor track, the aggressor ambushes the victim in a public outdoor place familiar to both of them. Unlike the home intrusion track, the aggressor kidnaps the victim and uses physical violence to bring them to the crime scene and to commit the crime. The

¹Similar in some ways to the ‘templates’ suggested by Brantingham and Brantingham (1978), in the context of rational choice theory, crime scripts represent the complete sequence of instrumental decisions and actions prior to, during, and following the criminal act (Cornish & Clarke, 2002). Tracks are then considered as variants of a more generic script, and enable the individual to deal with differences in procedures under specific circumstances (Cornish, 1994).

manipulative script includes the sophisticated track, as well as the family infiltrator track. The characteristic feature of the sophisticated track is a search that is based in a prostitution market or workplace (employment, volunteer work, management of activities, etc.). Contact with the victim occurs outdoors, in a public place familiar to both aggressor and victim. Unlike aggressors who use the coercive script, the aggressor here uses manipulation, games-play, or the offer of money and gifts to lead the victim to the scene where he commits the assault. He does not kidnap the victim, even if the attack takes place in an indoor or private location known to him (most often his own residence). The assailant meets the victim opportunistically, during his non-predatory activities, and attacks only once the victim is attracted to a place, such as a residence or workplace, where he is in power. In the family infiltrator track, the aggressor mostly searches within a family setting or through his occupation. He uses money and gifts, or alcohol and drugs, to approach the victim, lead them to the crime scene, and commit the crime. The locations are private indoor places, most often the aggressor's residence. Finally, the non-persuasive script includes only the direct action track, which describes an aggressor who searches in a public place and acts directly (i.e. with no particular strategy) on the victim to make contact, bring her to the crime site, and commit the crime. Most often, this type of aggression takes place in indoor public places such as bars and boutiques.

The identified scripts show how geographic behaviour (e.g. indoor versus outdoor locations, site familiarity, etc.) is important in the target selection process of sex offenders. Thus, the types of location are related to the types of strategy exhibited by an offender during the target selection process and vice versa. Moreover, the scripts allow a better understanding of the relationships between the geographic and the behavioural components of the sexual assault. For instance, it shows how a victim approach location can influence the type of strategy used by the offender. Despite the fact that not all sex offenders search for victims in the same manner (Beauregard, Proulx, & Rossmo, 2005), the model reveals that decision-making surrounding the target selection process fluctuates according to offender strategy, type of victim and their reaction, situational context of the crime, and environment (Beauregard & Leclerc, 2007), which is in direct accordance with the dynamic target site selection model of Brantingham and Brantingham (1978, 1993). Such results are congruent with the environmental criminology perspective, which states that the spatial and temporal distributions of offenders and victims are patterned (Brantingham & Brantingham, 1993), and that target selection is highly dependent on the physical environment (Canter & Larkin, 1993).

Although the scripts of target selection patterns showed how spatial behaviours could vary depending on the strategy used by the offender, they did not investigate specifically spatial consistency. In this issue, Lundrigan, Czarnomski, and Wilson with their paper entitled 'Spatial and Environmental Consistency in Serial Sexual Assault' address directly this question. Using measures of spatial (i.e. distances travelled) and environmental consistency (made up of physical, temporal, and contextual variables), findings revealed that serial sex offenders display intra-series spatial and environmental consistency in offence site selection. The implications for spatial decision-making, as well as geographic profiling, are discussed.

RECIDIVISM PATTERNS OF DIFFERENT TYPES OF SEX OFFENDERS

Criminal career is very important to investigative psychology, especially in the context of prioritising suspects. When examining recidivism studies on sex offenders, rates vary

greatly across studies due mainly to methodological differences such as the definition of recidivism, data sources, follow-up period, and sample characteristics (Lussier, 2005). Two studies that examine recidivism, both for sex and non-sex offenders, are particularly interesting because of their large sample size. Langan, Schmitt, and Durose (2003) compared the recidivism rate for sex offenses following the release of sexual ($n = 9691$) and non-sexual ($n = 262,420$) offenders across 15 US states. Non-sexual offenders showed a recidivism rate for sex crimes of 1% compared to 5% for sex offenders. The second study by Sample and Bray (2003) looked at the recidivism rate of individuals arrested between 1990 and 1997 ($n = 146,918$). After a follow-up period of 5 years, the sexual recidivism rate was about 6% for sexual offenders compared to 0–3% for non-sexual offenders. Interestingly, studies that compare groups of sex offenders frequently reveal higher rates of recidivism. For instance, Quinsey, Lalumiere, Rice, and Harris (1995) found a sexual reconviction rate of about 23% for offenders against women, 18% for heterosexual child molesters, and 35% for homosexual child molesters. Alexander (1999) reported similar rates for untreated sex offenders: 24% for sexual aggressors against women, 16% for heterosexual child molesters, and 34% for homosexual child molesters. When subjects are followed for longer time periods, the identified recidivism rates rise considerably. For instance, Prentky, Lee, Knight, and Cerce (1997) in their study of repetitive and/or aggressive sex offenders found that 26% of aggressors against women, and 32% of aggressors against children committed another crime over a period of 25 years following their release. When taking time at risk into account, the rates rose to 39 and 52%, respectively. Finally, meta-analysis studies have calculated sexual recidivism rates that vary from 11 to 19% for treated participants, and from 17 to 32% for untreated participants (Alexander, 1999; Hall, 1995; Hanson & Morton-Bourgon, 2009). As can be seen from most studies, only a minority of sex offenders are at risk of recidivism. But with relatively low rates of sexual recidivism, this raises the question whether sex offenders reoffend only in sexual crimes or in other types of crimes as well.

Although the recidivism of sex offenders has mainly been of interest for researchers in the field of sexual violence, this issue has some clear implications for investigative psychology. Criminal career has proven very promising in the prioritisation of suspects (Scott, Lambie, Henwood, & Lamb, 2006). Police officers often rely on information about known suspects or offenders who were previously charged and convicted for a similar offense in order to start their investigation. Knowledge about the prevalence of sex offenders' recidivism becomes useful, as well as the factors associated with recidivism. Although recidivism studies have contrasted different types of sex offenders (i.e. child molesters and rapists), there is one specific type that has not received much attention. Mainly because when convicted, the likelihood of a release is low, sexual murderers' recidivism has not been the object of much scrutiny by scholars. One exception is the study conducted by Hill, Habermann, Klusmann, Berner, and Briken (2008) in Germany. Looking at 139 sexual murderers for which information was available, they found that reconviction rate was 23.1% for sexual and 18.3% for non-sexual violent offenses. Interestingly, they found that the younger the offenders were at the time of the sexual homicide, the greater the chance of a sexual recidivism.

This finding ties in well with the study by Myers, Chan, Justen, and Lazarou (this issue), who have looked at the recidivism of juvenile sexual murderers. In their sample of 22 juvenile sexual murderers, follow-up recidivism data were available for 11 cases. Amongst these 11 offenders, five remained free of further convictions for an average of 8.9 years, whereas six recidivated. Recidivists showed significantly higher scores on the PCL-R than

non-recidivists, and three of the recidivists were diagnosed with sexual sadism and evolved into serial sexual murderers. Although studies have found multiple offense pathways leading to sexual homicide (e.g. Beauregard & Proulx, 2002; Chan & Heide, 2009), factors leading to the reiteration of sexual homicide remain elusive, especially because the criminal career of sexual murderers seems to be very similar to the one of non-homicidal sex offenders (Nicole & Proulx, 2007).

VICTIMOLOGY AND POLICE RESPONSE

Victim characteristics may sometimes influence the course of an investigation, especially in sexual crimes. Prior studies on the decision-making processes of prosecutors and the police have shown that factors related to the victim's background may influence the decision to press charges. A victim history of drug or alcohol abuse (Kerstetter, 1990), factors reflecting on victim credibility (e.g. drinking alone at a bar, not having a 'good reputation', engaging in 'precipatory behaviour'; Amir, 1971; Chandler & Torney, 1981; Kerstetter, 1990; LaFree, 1981, 1989; Reskin & Visser, 1986; Spears & Spohn, 1997; Spohn, Beichner, & Davis-Frenzel, 2001), and other specific victim characteristics (e.g. low socioeconomic status; Rose & Randall, 1982) are all examples of factors taken into account by the police and prosecutors in this 'downstream orientation', i.e. a prediction on how the victim, the suspect, and the incident will be viewed and evaluated by the judge and jury (Frohmann, 1997). In cases where the victim does not conform to the typical 'stand-up' victim (Stanko, 1982), the suspects and the police may question her credibility.

Similarly, several studies have concluded that charges are less likely to be filed if the victim previously knew the offender (Albonetti, 1987; Simon, 1996), as the existence of a relationship with the offender may raise questions about 'consent' during the sexual activity (Myers & Hagan, 1979; Vera Institute of Justice, 1981). Moreover, sex offenders are characterised as presenting cognitive distortions (Abel, Becker, & Cunningham-Rathner, 1984; Pithers, 1990), i.e. attitudes and beliefs they use to deny, minimise, and rationalise their behaviour (Blumenthal, Gudjonsson, & Burns, 1999). Gudjonsson (1990) identified a significant relationship between cognitive distortions and external blame attribution, suggesting that the more sex offenders justify the idea of sexual offending, the more likely they are to blame the offence on the victim. In direct-contact offences, such as sexual assaults, there is a tendency to blame the behaviour on the victim, in order to reduce guilt and anxiety (Blumenthal, Gudjonsson, & Burns, 1999). Thus, some sex offenders hold cognitive distortions such as 'she deserved it' or 'she asked for it', especially with marginalised victims such as prostitutes. Therefore, such cognitive distortions lead them to blame their actions on the victim, which reduces their feelings of guilt and anxiety during police interrogation, and prevents them from confessing.

As mentioned previously, offender profiling has been more concerned with producing a 'portrait' of the unknown suspect based on the crime characteristics than the victim characteristics. However, recent studies on the interviewing of sex offenders have investigated factors leading to confession depending on the victim type (i.e. child versus adult). Findings revealed that during the interviewing of sex offenders, the factors more associated with a decision to confess were very different whether a child or an adult were the victim, suggesting different approaches and interview strategies (Beauregard, Deslauriers-Varin, & St-Yves, 2008; Beauregard & Mieczkowski, 2009). Goodman-Delahunty (forthcoming) examines two victim characteristics that may influence police response in sexual assault

cases: victim's intoxication and attire. Contrary to previous studies, investigators' perception of the intoxication of the victim had no impact on their evaluations of and responses to the sexual assault claim. However, when the victim was perceived as more sexually provocative by the police officers, she was attributed more responsibility for the alleged sexual assault. These results, as well as those from previous studies, should guide the different strategies used by police and prosecutors to convict suspects. Although traditional offender profiling research has ignored this particular aspect of the investigation, investigative psychology is more inclusive and shows the importance of victimology once the suspect has been apprehended.

THE A → C EQUATIONS

As Canter and Youngs (2009) argue in some detail, the core of offender profiling can be viewed as an attempt to derive inference about the (A)ctions during the crime to predict offender (C)haracteristics, what they call the 'profiling equations'. Over the years, the field of sex offender research has seen the development of numerous classifications of offenders. These typologies were identified with the aim of distinguishing between different types of sex offenders based on offender and crime characteristics. For instance, over the last few decades, a number of rapist typologies have been developed (e.g. Gebhard *et al.*, 1965; Groth & Birnbaum, 1979; Knight, 1999; Knight & Prentky, 1990; Polaschek, Hudson, Ward, & Siegert, 2001; Proulx, St-Yves, Guay, & Ouimet, 1999) using a variety of taxonomic approaches (e.g. theoretical, clinical, multivariate, qualitative). Three essential types are observed in almost all typologies: sadistic, angry, and opportunistic (Proulx & Beauregard, 2009).

Sadistic sexual aggressors of women (rapists or sexual murderers) have been described in several studies (Beauregard & Proulx, 2002; Brittain, 1970; Gratzner & Bradford, 1995; Groth & Birnbaum, 1979; Knight & Prentky, 1990; Marshall & Kennedy, 2003; Marshall, Kennedy, Yates, & Serran, 2002; Proulx, Blais, & Beauregard, 2006; Proulx *et al.*, 1999; Warren, Hazelwood, & Dietz, 1996). The sadistic sexual aggressor carefully plans his offence. Specific criteria related to the offender's deviant sexual fantasies influence both the choice of location as well as victim type. At the beginning of the crime phase, the victim is abducted and sequestered; she may be bound and gagged. When under the offender's control, he forces her to commit a variety of sexual acts (i.e. fellatio, sexual intercourse, and anal sex). In some cases, he may torture his victim and mutilate her sexual body areas. Often, this category of offender humiliates his victim verbally and physically. The degree of injury is usually high and may end in murder.

The sexual aggressors of the second type report feeling intense anger and a desire for revenge against women in the hours preceding their crimes (Beauregard & Proulx, 2002; Beech, Ward, & Fischer, 2006; Groth & Birnbaum, 1979; Knight & Prentky, 1990; Proulx *et al.*, 1999). Their offenses are not premeditated and they do not seek out specific victims. An angry-type sexual aggressor of women uses a blitz attack to initiate an offence. His aim is to hurt her physically and psychologically. To do so, he humiliates his victim and may beat and stab her. Such extreme violence usually causes serious physical injury to the victims.

The opportunistic category is described in some typologies of rapists (Knight & Prentky, 1990; Proulx *et al.*, 1999). In the hours preceding their sexual assaults, these offenders are usually in a state of disinhibition because of drugs and alcohol consumption. Opportunis-

tic aggressors have been described as psychopaths who focus on their immediate needs, lacking both empathy and respect for others' wishes. Their sexual assaults are part of what is termed a polymorphic antisocial lifestyle—in other words, someone who constantly seeks pleasure and advantage, and is not concerned about laws or the wishes of others. The opportunistic sexual aggressor does not plan his offence and does not select a victim according to specific criteria. In fact, his assault is an impulsive predatory act provoked by situational factors. For example, during the commission of a burglary, he may find a woman sleeping in the bedroom and then decide to rape her. Opportunistic sexual aggressors of women use instrumental violence during the commission of their offence. If the victim resists, however, he may use sufficient force to obtain her compliance.

These descriptive profiles may offer some valuable information for offender profiling. However, in practice, they have not much been tested as to their usefulness in the production of an offender profile. One exception is a recent study by Goodwill, Alison, and Beech (2009). The authors tested the ability of three rapist typological models in predicting an offender's prior convictions from crime scene information, and found that the FBI model (Hazelwood, 1987) was the most effective, followed by the MTC:R3 (Knight & Prentky, 1990), and then the behavioural thematic evaluation (Canter, Bennell, Alison, & Reddy, 2003). More interesting is that in addition, Goodwill, Alison, and Beech (2009) observed that using a mixture of crime scene indicators, as opposed to the grouping of behaviours into themes or types, far exceeded the predictive ability of the three models tested in the study.

In a similar attempt at testing the $A \rightarrow C$ equation, Beauregard and Field (2008) examined a single crime scene indicator in sexual homicide: body disposal pattern. Using logistic regression analysis on a sample of 85 sexual murderers, results showed that offenders who were in a relationship at the time of the crime and who presented organised psychological characteristics were more likely to move the victim's body after the homicide. However, when the victim was older and a conflict with the offender occurred prior to the crime, the body was more likely to be left at the crime scene. Other attempts at linking offense characteristics to sex offender characteristics have used either some forms of multidimensional scaling (Canter *et al.*, 2003; Häkkinen, Lindlöf, & Santtila, 2004; Kocsis, Cooksey, & Irwin, 2002) or regression analyses (e.g. Beauregard, Lussier, & Proulx, 2007a; Goodwill & Alison, 2007; Scott *et al.*, 2006). In this issue, ter Beek, van den Eshof, and Mali used logistic regression on a sample of 271 stranger rape offenses included in the ViCLAS database of The Netherlands, and found that crime characteristics can be used to 'profile' offender characteristics, thus providing further weight to the $A \rightarrow C$ equations.

CONCLUSION

Offender profiling research has developed in parallel of the sex offender research. Originally, it was thought that the more 'clinical' studies on sex offenders were not appropriate to inform profiling practices. However, with the recent development of investigative psychology, it becomes clear that bridges can be built between these two fields of research. As investigative psychology has broadened the scope of offender profiling, sex offender research can contribute to different aspects of criminal investigations. Hopefully, a dialogue can be established between these two fields of research so that our knowledge about sex offenders keeps growing whilst being able to inform policing practices.

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