# Extreme prejudice: A behavioral analysis of bias-motivated homicides

by

Christopher M. Fisher

A dissertation submitted to the Graduate Faculty in Criminal Justice in partial fulfillment of the requirements for the degree of Doctor of Philosophy, The City University of New York

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This manuscript has been read and accepted for the
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C. Gabrielle Salfati, Ph.D.

Date — Chair of Examining Committee

Karen Terry, Ph.D.

Date — Executive Officer

C. Gabrielle Salfati, Ph.D.

Joshua Freilich, Ph.D.

Thomas Kucharksi, Ph.D.

Louis Schlesinger, Ph.D.

Supervisory Committee

THE CITY UNIVERSITY OF NEW YORK

Abstract
Extreme prejudice: A behavioral analysis of bias-motivated homicides
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Christopher M. Fisher

Adviser: C. Gabrielle Salfati, Ph.D.

The overall study – rooted in the conceptualization of bias-motivated homicide as an interpersonal interaction – was based on the hypothesis that there would be a thematic consistency between the behaviors engaged in by offenders at crime scenes and in their previous interpersonal interactions and characteristics. It was further hypothesized that the themes present in the crime scenes and the offender backgrounds would reflect aspects of Expressive and Instrumental aggression. Finally, it also was hypothesized that these two styles of bias-motivated homicide would be associated with different motivating biases.

The analyses were based on 91 cases of bias-motivated homicides reported to the FBI's Uniform Crime Reports system in the first ten years (1992-2002) following the passage of the Hate Crime Statistics Act (1991). These cases all were solved by local police and provided information that was content analyzed to generate variables representing both the behaviors offenders engaged in at the crime scenes as well as the background experiences and characteristics of the offenders. The variables first were analyzed using bi-variate statistics and then with Multidimensional Scaling techniques.

The theoretical results provided general support for the hypotheses. Both bias-motivated homicide crime scenes and offender background behaviors can be differentiated in terms of the Expressive or Instrumental role that the victim played for the offender. Specifically, this study found the dichotomy was clearest if Expressive bias-motivated

homicides were viewed as incidents where the victim was a specific target and Instrumental bias-motivated homicides as incidents where the victim was a means unto some other ends. Overall, it was possible to thematically link offender crime scene behaviors to their background characteristics – a finding that supports the motivation of this study: to assist investigators who are working with crime scene evidence by providing an empirically-validated method of narrowing down the list of potential suspects.

“We will have to repent in this generation not merely for the hateful words and actions of the bad people but for the appalling silence of the good people.”

-- Martin Luther King, Jr.

“Hatred is the coward's revenge for being intimidated.”

-- George Bernard Shaw

“Tolerance implies no lack of commitment to one's own beliefs. Rather it condemns the oppression or persecution of others.”

-- President John Fitzgerald Kennedy

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**Disclaimer**

The data for this research were taken from closed, fully adjudicated state and local cases that were contributed from law enforcement agencies from around the country for the purpose of research. All identifiers, including names of victims, suspects, offenders, officers, departments, correctional agencies, are removed. Only aggregate data are reported on.

The author would like to express his gratitude to the FBI's Behavioral Science Unit for coordinating this effort. Author's opinions, statements and conclusions should not be considered an endorsement by the FBI for any policy, program or service.

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# CHAPTER 1:
# EXTREME PREJUDICE: A BEHAVIORAL ANALYSIS OF BIAS-MOTIVATED HOMICIDE

## INTRODUCTION

As a whole this work represents the first attempt at analyzing bias-motivated homicides using multidimensional scaling techniques to systematically examine the behavioral characteristics of crime scenes for information that could be used to link offenders and crime scene behaviors. These links can then be used to create a meaningful and useful classification system for bias-motivated homicides. Establishing offender-crime scene behavioral connections, combined with creating a behaviorally-based classification system, would help investigators and others to better understand who is involved in these crimes and how they tend to commit them. This study is based on the proposition that behaviors reflected in homicide crime scenes reflect the nature of the interpersonal interaction that occurred there, and thus, characteristics of the individuals who committed the crimes. If the various behavioral components of the crime scenes – those actions which are most likely to be observable by the police – are analyzed, it should be possible to both construct themes of homicide crime scene behaviors and connect these themes to different characteristics of possible offenders.

## 1 LITERATURE REVIEW

### 1.1 History

Horrific incidents of violence motivated by bias against particular groups of individuals mar the history of modern society. Some of the more severe examples of these events include post-civil war lynchings of African-Americans in the United States; the rise of the Nazi state in Germany; the ethnic cleansings in the Balkans, Rwanda, and the Sudan;

the rising tide of Anti-Semitism in Europe at the end of the twentieth century; and, the September Eleventh terrorist attacks (Green, McFalls & Smith, 2001; Ituarte, 2000; Richardson & May, 1999). There also have been innumerable, more confined incidents ranging in severity from simple harassment on school playgrounds to the deaths of an African-American man dragged by a truck and a twenty-one year old gay college student severely beaten and left to die crucified on a fence. Research suggests that there are both psychological and sociological variables involved in the formation and expression of the biases involved in all of these types of incidents; however, questions still remain about why some individuals choose to violently express their biases and whether the same behavioral dynamics are involved in the expression of different kinds of bias (Allport, 1954; Ehrlich, 1990).

Despite bias-motivated events occurring throughout all of history, it was not until 1991, following the Hate Crime Statistics Act (HCSA) of 1990, that the United States government officially designated all of these events as bias-motivated crimes. While the HCSA and almost all subsequent discussions of these behaviors use the term *hate crime*, this study will refer to such incidents more accurately as bias crimes or bias-motivated crimes to avoid the myriad of issues and criticism that are associated with the more recent use of *hate*. Various political, social, and academic groups have questioned the need for or even the existence of a special group of crimes known as *hate crimes* because they feel that many crimes, at their cores, involve *hate*. The reasoning being who would assault, rob from, or more specifically kill someone they liked. This often purposeful confusion of the issue is minimized when *bias* is used to describe these events. The term *bias* conveys the more accurate idea that the offender was motivated in part or in whole by a

bias towards who or what the victim was known or believed to represent. It is this random, faultless on the part of the victim, motivation which legitimizes the recognition of these incidents and crimes as unique events.

With the passage of the HSCA, the United States government officially began collecting national data on these events. Since its first days of collection, bias crime data, perhaps due to various issues with its collection (e.g., victims hesitant to report, law enforcement non-participation/mistakes, legal definitions), has varied greatly from year to year, and has left researchers wondering how much goes unreported or misclassified (Green, Strolovitch, Wong & Bailey, 2001). The data that has been collected, however, has allowed the formation of general ideas about bias crime and its place in the larger context of all crime. Uniform Crime Report (UCR) data reveal that during the end of the 1990s and the early part of the next decade, crime, and especially violent crime, dropped precipitously in the United States (FBI, 2001; Reasons & Hughson, 2000). At the same time, bias crime, once a mostly race-related issue, was increasing, diversifying, and intensifying. There were more incidents – including more homicides – and more were reported as anti-homosexual, anti-Asian, and following September 11$^{th}$, anti-Arab/Muslim (FBI, 2003; Reasons & Hughson, 2000). It is not yet known how much of this increase was due to changes in reporting practices, increased awareness, increased sensitivity, or actual increases in the incidence of bias crime. The most recent data available indicate that there were 7,163 bias crimes reported to police agencies participating in the UCR program in 2005, just under two-thirds of which were crimes against a person, including 6 bias-motivated homicides (FBI, 2006).

Given that official data collection for bias crimes did not begin until 1991, it is not surprising that there has been limited research on the issue. There has been a plethora of research on bias, but little on how bias manifests itself in criminal acts, particularly the act of murder. On average, fourteen bias homicides were reported in each of the past five years. An analysis of bias-motivated homicide intent on developing a better understanding of the situational dynamics – behaviors of the individuals involved, the bias motivating the incident, and the physical setting of the act – of bias homicides, therefore would require an in-depth examination (i.e., not just the limited information recorded in the UCR) of bias homicides over several years. That is exactly the aim of this study (FBI, 2003; 2004; 2005; 2006).

The fact that the United States has over 15,000 homicides a year has prompted a tremendous amount of research – both psychological and sociological – on the dynamics of homicide (FBI, 2004). The techniques and approaches employed by homicide investigators have improved dramatically as a result of the combination of this research. Similar advances could be achieved in understanding the dynamics of bias-motivated homicides, which could assist criminal justice professionals in both investigating and perhaps even preventing/reducing such incidents. These advances will require much more to be learned about bias homicide. General descriptions of the phenomenon, which have not been compiled specifically for bias homicide, need to be determined. The actions of offenders at bias homicide crime scenes need to be examined, as do the behavioral backgrounds of these offenders. Ultimately, the connections between the victims, the offenders, the physical setting, and the biases involved, need to be understood.

## 1.2 Bias Crime Data and Trends

### *1.2.1 General Data*

Official collection of data on bias crimes in the United States began in 1991, following the passing of the Hate Crime Statistics Act (HCSA) in 1990. The Federal Bureau of Investigation (FBI) took on the responsibility of collecting and disseminating this data and incorporated the process into the preexisting Uniform Crime Report (UCR). The collection of this data is based on the legal definition outlined in the HCSA, which states that a bias crime is any criminal offense that is "motivated, in part or in full, by prejudice based on race, religion, sexual orientation, disability, or ethnicity" (FBI, 2004). This new source of data, along with increasing interest in bias crimes following several high-profile incidents, gave rise to a growing number of data collection efforts and the existing body of research. UCR data were collected by and for police, and, therefore, were not initially rich in research-oriented data. Early studies (Comstock, 1991; Ehrlich, 1990; Levin & McDevitt, 1993; Maxwell & Maxwell, 1995) predominantly focused on describing, or categorizing, the types of bias crimes that were reported to police. Similar to researchers working with non-bias-motivated UCR data, bias crime researchers were very aware of the data quality issues inherent in a collection system that is voluntary. In response to these problems, researchers began to take advantage of data collected by various advocacy groups, despite the criticism that these groups often record incidents that do not meet legal standards to be considered bias crimes (Comstock, 1991; Garofalo, 1991). Research found that the two sources of data often provided the same picture of the problem, which allowed the development of initial, but still incomplete, snapshots of the problem (Green, Strolovitch, Wong & Bailey, 2001).

Considering the well known problem of the underreporting of crime, specifically in the UCR, many of the early studies on bias crime attempted to ascertain how well the official programs were measuring bias crime (Biderman & Lynch, 1991). Several studies administered victimization surveys to college students and, generally, found that up to seventy percent of bias crimes go unreported (Ehrlich, 1990, p.363; Maxwell & Maxwell, 1995). As is the case with non-bias homicides, bias homicides have, nevertheless, consistently had the highest solved and reported rates of bias-motivated crimes (Strom, 2001; Wellford & Cronin, 1999). This information, compared to data indicating that over ninety percent of homosexuals – one of the top three groups affected by bias crime – report some victimization, with over one-third experiencing violent victimization, highlights the many gaps that exist in the collection process (Adams, Wright & Lohr, 1996; Bernat et al., 2001, p.180). Despite the problems with official and advocacy data, researchers found that the methods used at least reliably measured the problem (Ituarte, 2000). This consistency has allowed researchers to develop the following general profiles of bias crime offenders, victims, and incidents based on conglomerations of official and advocacy data.

*1.2.2 Offender Characteristics*

More attention has been paid to collecting data on bias crime offenders because, while victim characteristics are an important factor in understanding the dynamics of bias crimes, it would be unfair – and generally impossible – to ask victims, who usually were doing nothing illegal, to change anything about themselves to avoid this kind of victimization.

Almost the entire body of research devoted to the investigation of who commits bias crimes has found that the offenders tend to be young males, acting as part of a group – but not as parts of organized hate groups – who come from middle class families, have no criminal record, victimize targets of convenience, and are complete strangers to the individuals they victimize (Bernat et al, 2001; Bufkin, 1999; Cotton, 1992; Craig, 2002; D'Augelli, 1998; Franklin, 2000, 1998; Harry, 1990; Ituarte, 2000; Kuehnle & Sullivan, 2001; Mason, 1997; Maxwell & Maxwell, 1995; Medoff, 1999; Patel et al., 1995; Reasons & Hughson, 2000; Richardson & May, 1999; Van de Ven, Bornholt, & Bailey, 1996). Specifically, research indicates that bias crime perpetrators are young men in their late teens to early twenties (Bernat et al., 2001). According to Bufkin, up to 90% of all bias crime perpetrators are males, and in the small percentage (6%) of instances when offenders are female, the females are almost never the instigators; rather, they are usually dating the perpetrator (1999, p.158).

The New York City Police Department reported that 80% of the bias crime offenders handled by the department were adolescents (Cotton, 1992, p.3000). Another study (Maxwell & Maxwell, 1995) based on data collected in New York City found that individuals under the age of 21 committed more bias crimes than those individuals over

21, and that up to 71% of the crimes included in the study sample were committed by individuals under the age of 20 (p.36). It is important to consider the average age of offenders given that research has found that when adolescents – the most common offenders - engage in bias crimes, they tend to physically victimize their targets (Maxwell & Maxwell, 1995).

Group dynamics, including the number of offenders and the ratio of offenders to victims, are central components of the process of bias crimes (Bufkin, 1999; Franklin, 2000; Reasons & Hughson, 2000). Bufkin's research found that multiple perpetrators are involved in 48% of bias crimes, and in only 22% of non-bias crimes (Bufkin, 1999, p.161). Craig and Franklin assert that bias crimes are very much a group activity, citing official data as indicating that up to two-thirds of reported bias crimes were committed by 2 or more people (Craig, 2002, p.87; Franklin, 2000). In their study examining bias crime data collected in New York City, Maxwell and Maxwell (1995) found that the average number of offenders was usually higher than one for all types of bias incidents/crimes. The fact that research has revealed that most bias crimes involve multiple offenders is important because research has found that the higher number of perpetrators involved in a violent crime, the more severe the crime (Craig, 2002).

A majority of the research indicates groups of bias crime offenders are typically complete strangers to their victims, particularly incidents involving youth offenders and youth victims (Maxwell & Maxwell, 1995). Specifically, Reasons and Hughson found that around 41% of offenders were complete strangers (2000, p.140). With 67% of offenders under the age of 30 known to the victim and only 21% of offenders under the age of 18 known, it appears that the younger the offender the more likely they are to victimize a

stranger (Reasons & Hughson, 2000, p.140). Franklin (2000) found that 63% of self-reported bias crime offenders were strangers to the victims, 10% were friends of friends, and 3% were relatives (p.346). It also has been found that when assailants are known to the victim (e.g., friends, relatives, and lovers) bias crimes are less likely to be reported, but more likely to be extremely violent (Kuehnle & Sullivan, 2001). Given the apparent differences in bias crimes depending on the characteristics of the offender(s) and their relationship with the victim, the fact that there has been no detailed study of the characteristics of offenders involved in bias homicides represents a new avenue for understanding their dynamics.

*1.2.3 Victim Characteristics*

Despite the focus on offenders, with over seventy-percent of bias crimes classified as crimes against a person there still has been a decent amount of bias crime research focused on understanding the characteristics of the victims through examinations of official data and surveys (Bufkin, 1999; Craig, 2002). As part of a survey on the self-reported responses of non-criminal bias crime offenders, Franklin found that a majority (two-thirds) of victims were alone, 15% were in pairs, and 18% were in groups of three (2000, p.346). About two-thirds of victims were Caucasian and 12% were African-American (Franklin, 2000, p.347). Comstock, who produced one of the first seminal studies in the area, examined bias crimes on college campuses and found that homosexual college students are four times more likely to suffer some form of victimization than other college students (1991). Taken together these data provide a description of who is at risk to be the victim of a bias crime and how the risks for such individuals compare to individuals who are not targets of bias crime. With the work that has been done to

examine the victims of bias crime, there is no specific information on the victims of bias homicides, perhaps due to the difficulty of obtaining the very limited data on such incidents.

### *1.2.4 Bias Crime Incidents Characteristics*

The main body of research on bias crime incidents – in an effort to legitimize the study of bias crime as a unique type of event – has focused on how such incidents are different from non-bias crimes. Studies on bias crimes have found that up to three-fourths of bias-motivated assaults involve physical injury, while only twenty-nine percent of non-bias assaults do (Bufkin, 1999: 162; Craig, 2002: 8049). Thirty-percent of bias-motivated assaults are so severe that the victim requires hospitalization, while only seven percent of non-bias ones are that severe (Bufkin, 1999, p.162; Levin & McDevitt, 1993).

Bias homicides also have been found to be more severe than non-bias homicides, with over seventy-percent of bias homicides classified as involving overkill (Bufkin, 1999, p.163). Overall, researchers have concluded that bias crimes are different on almost every factor (Mason, 1997; Maxwell & Maxwell, 1995). The differences that have been examined, however, are descriptive at best, and lacking when it comes to bias homicide. Determining if the situational and behavioral dynamics of bias homicides differ based on the motivation and the location could significantly increase the understanding of what occurs in different scenarios.

*1.2.5 Bias Crime Trends*

With data on bias crime having been collected for over twelve years, trends in bias crime are beginning to be discussed. These trends, however, are seen generally as tenuous given that it is a relatively new field and many researchers are unsure if the changes represent actual variation in bias crime or if they are results of ever increasing attention to the problem. One consistent trend in the bias crime data is that racially motivated incidents and crimes are the most common (APA, 2004). Interestingly, during the mid- to late 1990s official data indicated that bias crimes were increasing and that they specifically were increasing for incidents not motivated by racial bias (Anderson, Dyson & Brooks, 2002). Groups particularly being victimized more included Asians, Hispanics, and Homosexuals. Overall, the end of the twentieth century was marked by a three-percent decrease in bias crimes; however, at the same time anti-homosexual bias crimes rose an outstanding eighty-one percent (Reasons & Hughson, 2000). Following the September 11$^{th}$ terrorist attacks, bias crimes significantly increased, mostly attributable to the spike in anti-Arab/Muslim bias crimes following the attacks, but have leveled off in the years after. One of the more startling trends recently uncovered is that while bias crimes have been generally leveling off or decreasing, they have been increasing in intensity (Reasons & Hughson, 2000). Other than research indicating that bias crimes are becoming more severe, which is based primarily on basic official data, patterns of severe bias violence have not been addressed. With studies showing that bias crimes are changing – both intensifying and diversifying – it is becoming increasingly important to understand how the dynamics of the most violent form of bias differ for various bias motivations.

### *1.2.6 Summary of Data and Trends*

Researchers, despite finding that up to seventy-percent of bias crime may go unreported, have developed a descriptive picture of the factors involved in their occurrence. Studies routinely have found that most bias crimes are crimes committed against a person, who is most likely to be a young male alone at the time of the incident. Offenders have been found to be young males who are acting in a non-organized group, from middle class families, lacking a criminal record, and who victimize individuals who are complete strangers. The combination of these factors – young, in a group, and an unknown victim – has also been found to be associated with an increased severity of the associated crimes. In general, bias crimes have been found to be more physically severe than non-bias crimes and to differ in situational and behavioral dynamics based on the event location. Research, however, has not been able to develop detailed profiles of the victims, offenders, and situations involved in bias homicides. More specifically, given that the research suggests that situational and behavioral dynamics of bias crimes differ significantly based on who is involved and where they occur, the situational and behavioral dynamics of bias homicides need to be examined to determine how this severe form of bias differs based on the victim(s), offender(s), situation, and bias involved.

## 1.3 Bias Crime Motivation and Classification

### *1.3.1 Motivation*

Despite the abundance of demographic information that has been collected on bias crimes, limited information exists in regards to what is involved in the motivations that lead the perpetrators to act (Dunbar, 2003). Developing an understanding of how different bias motivations manifest themselves in violent physical acts could assist law enforcement officials, who currently rely mostly on eye witness accounts in determining if, and what kind of, bias was involved. Being able to recognize what type of bias is involved in an homicide not only allows investigators to approach the event as a bias crime, but also, based on research linking motivation to type of offender, could allow them to investigate the crime more efficiently (Dunbar, 2003).

A significant amount of psychological and sociological research has focused on understanding the processes involved in the formation and expression of bias and prejudice. Such research has found that bias is an almost automatic process, which supports the contention that in social situations individuals rely on categorization to help them navigate interpersonal interactions (Allport, 1954; Dunbar, 2003). Developmental psychology research has determined that common bias and/or prejudice concepts and habits are communicated within the parental family structure (Ehrlich, 1990). This style of research, however, has been general in nature and has not explored the question of whether different forms of bias and/or prejudice are expressed differently (Fiske, 2002). Generally, the research has not made specific connections between specific criminal elements and specific motivations.

Psychologists, who have studied violence much more intensely than specifically bias-motivated violence, have found, based on interviews with offenders, that the motivation to perform a bias crime can be representative of both reactive (expressive) and instrumental violence. The perpetrators can be seen as defending a set of social values or economic opportunities against attack from an out group when they act reactively, or they can be viewed as hoping to maintain or achieve social dominance when they perform instrumental bias violence (Dunbar, 2003). This vein of psychological research has found some connections between the degree of motivation and the situational aspects of bias crimes. Offenders who enter a bias incident highly motivated to perform the act are more likely to be doing so for instrumental reasons, and they are more likely than other bias offenders to be strangers with their victims and have prior criminal convictions for violent acts (Dunbar, 2003). Homicide researchers have recently focused on the differences between instrumental and reactive violence, and bias-motivated violence researchers believe that examining the differences between bias-motivated aggression that is a response to a perceived provocation (reactive) and aggression that is planned, voluntary, and intended to achieve a specific goal (instrumental) can provide insight into the motivations and behaviors of violent bias crime offenders (Canter, Alison, Alison & Wentink, 2004; Dunbar, 2003; Salfati & Canter, 1999).

Other researchers, who were specifically interested in the psychology involved in different biases, have found that there are considerably different psychological processes behind moderate and extreme forms of bias (Fiske, 2002). More severe forms of bias involve negative self-attitudes, self-rejection, a need to conform, and an extremely high authoritarian personality (Abrams, 2002; Altmeyer, 1988; Ehrlich, 1990; Haddock &

Zanna, 1998). The intensity of the bias has been found to affect the type of aggression that is expressed in a violent bias crime (Dunbar, 2003).While information has been discovered regarding connections between motivations and bias violence, there has been no effort to determine if the aggression displayed in a crime scene can be used to identify the bias involved, and, perhaps, some of the characteristics of the offender(s) and their relationship with the victim(s).

### *1.3.2 Classification*

Despite all the information that has been collected about the characteristics of bias crimes and the research into the causes and forms of bias and prejudice, one of the main hurdles that prevents more in-depth research from being conducted about the connections between the two areas is the difficulty law enforcement professionals have in determining if a crime should be classified as a bias crime, and, if it should, what bias was involved. There is an ongoing debate about how reliably an offender's bias motivation can be discerned from a crime scene, especially when the crime is homicide and there are likely to be few, if any, surviving eye witnesses (Dunbar, 2003). For a bias crime to be investigated and prosecuted successfully, investigators must be able to identify behavioral and situational components that can reliably be used to prove that the crime was motivated in part or completely by bias.

Generally, law enforcement personnel rely on reports of bias speech when investigating whether a crime involved bias. This approach results in an impossibly narrow avenue of discovering the inner dynamics of the incident (Dunbar, 2003). In some instances law enforcement personnel can rely on other details such as bias graffiti, the crime occurring in conjunction with cultural/ethnic holidays and/or events, or the crime taking place at a

location/neighborhood known for a concentration of a specific group (Ituarte, 2000). Improving this kind of investigation depends on conducting a systematic analysis of bias crime offenders' attitudes and behaviors so that an examination of the co-occurrences of offender and victim demographics and behaviors can help identify the presence of bias in a homicide.

The idea of classifying bias crimes has not been completely overlooked. Some of the first researchers of bias crime realized that a classification system of the types of bias crime could greatly assist in understanding and even investigating such crimes. Levin and McDevitt (2002; 1993) are responsible for a significant portion of the research that seeks to explain why some individuals act out their negative attitudes. Their work has focused on developing the main classification of bias crimes, which primarily has focused on understanding offender motivations including: thrill-seeking, mission, defensive, and retaliatory. While this classification system is broad enough that it most likely captures all bias crime offenders, it is not mutually exclusive and still paints the typical bias crime offender as someone who is not part of normal, everyday culture (Perry, 2001). While this sort of system does explain, at least at the general individual level, what gives rise to bias crimes, it does not provide any sort of framework or information that could help investigators. Law enforcement personnel unfortunately do not have the luxury of access to the offender's mind when they are investigating a case with an unknown offender; therefore, making connections between psychological motivations and crime scene behaviors would become guesswork instead of an empirically-based process.

### *1.3.3 Summary of Motivations and Classifications*

Social scientists have made great strides in helping society comprehend the psychological and social processes that are responsible for the formation and expression of bias and prejudice. Armed with a more advanced knowledge of bias, researchers have begun to examine and understand the connections that exist between the type and intensity of the bias motivation and the manner in which it is expressed. Research suggests that the most extreme expressions of bias tend to be performed by individuals with a specific set of personality characteristics, who tend to act out in certain situations. All of this information, however, has still produced only offender motivation classifications, which while helpful in understanding the general dynamics of bias, do not provide help to those responsible for investigating bias homicides. A classification framework must be developed that is grounded in an analysis of the behaviors, demographics and situational characteristics that make up bias-motivated homicides. Recent studies conducted to develop a more advanced classification system for homicides have focused on the Expressive/Instrumental dichotomy. Research also has suggested that the same split exists for violent bias-motivated behavior (Dunbar, 2003). The work that has been done on non-bias-motivated homicide presents a validated methodology for taking the next step in analyzing violent bias-motivated behavior. That work has focused on the role that aggression plays in violent and homicidal interactions. Examining this area of research provides the theoretical basis for distinguishing the types of behaviors offenders engage in at bias-motivated homicide crime scenes.

## 1.4 Homicide Research and the Impact of Situational Variables

### *1.4.1 A Brief Discussion of Aggression*

Before approaching the relevant homicide research, briefly summarizing the literature on aggressive behavior is an important step in comprehending how crime scene behaviors can be used to distinguish between offenders. Psychologists have generally concluded that aggression is very similar to assertiveness, in that, the two characteristics are very similar early in development, but later evolve into distinct traits (Hegland & Rix, 1990; Kreutzer, Schneider & Myatt, 1984; Otis & McCandless, 1955; Patterson et al., 1967). Both of these traits, depending on the situation, can be either positive or negative; however, when discussing homicide, one usually views employing such an aggressive approach during the interpersonal interaction as a bad behavior.

Specific to this study of homicide, aggression is viewed not as a general psychological trait, but as a strategy for dealing with specific types of situations. Studies of non-bias homicide have found that these strategies are learned behaviors, which are called upon by the offender(s) in similar types of situations, and that they can be observed and connected between homicides and the responsible offenders (Salfati & Canter, 1999; Shoda, 1999). This connection is believed possible because these researchers view homicide as an interpersonal interaction which exhibits many of the same interpersonal behaviors seen in the way that the offender has interacted with others in the past. In these specific types of situations, aggressive offenders have learned to use aggression as a strategy to maintain their reputation or to control the behavior of others they view as objects to be used for a purpose or even just for entertainment (Toch, 1969). After multiple instances of the aggressive strategy working successfully the behavior transforms into a habitual one. The

habit of aggression may be limited to the instinctual level, where the perpetrator only engages in such behavior when certain stimuli provoke the response without any thought from the perpetrator (Berkowitz, 1993; Wolfgang, 1958).

### *1.4.2 Expressive and Instrumental Forms of Aggression*

A short discussion of the psychology behind the expressive/instrumental aggression dichotomy, which has become so central to the investigative psychology approach to understanding homicide, also is a germane topic before moving on to the specific field of homicide. The Expressive/Instrumental dichotomy originates in the work of Fesbach (1964) who viewed aggression as an action meant to accomplish one of two goals or rewards for the offender. Fesbach described expressive aggression as acts meant to inflict pain on the target in response to events (e.g., fights, insults, personal failures, etc.), which made the offender angry. Instrumental aggressive acts are committed to satisfy a desire for the possessions or status of another person, regardless of the costs and consequences. Toch's work, mentioned earlier, named these two forms of aggression differently (self-preserving and needs-promoting), but conceptualized them very similarly (1969). Aggression research has consistently found that this division is evident across all offender age groups (Cornell, 1990; Hartup, 1974).

Complicating the discussion is the fact that individuals, be they criminal offenders or not, rarely limit their aggressive behaviors to either expressive or instrumental. An offender with a record of instrumental aggressive crimes could very easily have a bad day, lose their temper, and engage in expressive aggressive behavior (Berkowitz, 1993). Furthermore, an offender who was committing what would have been a strictly instrumental act could become upset by something the victim says and respond with

expressive aggressive behavior. Cornell et al. specifically examined this issue of mixed aggression and found that most criminal aggression is expressive (1996). Salfati and Canter suggested that instrumental violence may be an indicator of a pathological ability to use aggression to achieve a goal (1999).

*1.4.3 Homicide Research*

Understanding the evolution of homicide classification frameworks into the current system that is based on the Expressive/Instrumental dichotomy is a necessary step in comprehending how to apply the same methodology in examining bias-motivated homicide. According to the FBI's Uniform Crime Report, violent crime has dropped precipitously in the United States over the past few years, declining 3.2 percent in 2003 alone (FBI, 2004). This reduction of violent crime, however, has been marred by an increase in homicide and by a continuing decline in homicide clearance rates (FBI, 2004; Wellford & Cronin, 1999). In recognition of these facts researchers have continued working to improve the understanding of the interrelations between offender, victim, and situational variables and how that information can assist homicide investigators. These efforts have included developing more sound methods of connecting offender crime scene behaviors and offender characteristics expressed at crime scenes with offender background characteristics.

Wolfgang (1958), Pokorny (1965), and Block (1977) – recognizing that murder is an interpersonal event that is influenced by the individuals involved and their relationship to each other – were some of the first social scientists to conduct studies on homicides and those who are involved in them. These early explorations of this extreme expression of aggression primarily focused on offender demographics, the relationship between the

offender(s) and the victim(s), and the method of killing. Psychiatrists, often using convenience samples or other methodologically questionable techniques, have attempted to develop typologies of murderers, but these classifications often have lacked a theoretical underpinning or have been either too exhaustive or too general (Bromberg, 1961; Glaser et al., 1968). The FBI expanded the scope of homicide research by focusing on the behavioral aspects of homicide that had been ignored by earlier researchers. The FBI developed a classification system where crime scene behaviors were used to categorize the homicide scene as organized or disorganized. Researchers who have evaluated the FBI's system have found that its various methodological issues – lacking details helpful to investigators, relying on volunteers, and using extreme, often mentally-disturbed participants – restricts its contribution to the field mainly to the concept of treating crime-scene behaviors as a unit of analysis (Canter & Alison, 1999; Canter, Alison, Allison, & Wentick, 2004; Keppel & Walter, 1999; Salfati, 2000; Santilla, Canter, Elfgren & Hakkanen, 2001). These issues resulted in classification systems with questionable reliability. Overall, these previous classification systems, while helpful in adding to what is known about the behavior of these offenders, they do not connect crime scene behaviors to different types of offenders or to the background characteristics of offenders.

Crime scene behaviors form the basis of the investigative psychology approach to understanding and classifying homicide crime scenes. Advocates of this approach have attempted to develop an understanding of homicide through examinations of the psychological and behavioral dynamics that play a role in incidents of extreme aggression, which would be more systematic and empirical than approaches employed by

other researchers, including the FBI (Buss & Shacklerford, 1997; Santtila et al., 2001). These efforts to better understand homicide have two stages: developing a description of the main characteristics of homicide crime scenes and connecting these crime-scene characteristics to offender characteristics (Salfati, 2000; Salfati & Canter, 1999).

The key concept in this approach to homicide research is the idea that an offender's actions, or general themes of criminal behavior, at a crime scene can assist researchers and law enforcement personnel in identifying the offender's specific background characteristics (i.e., aspects of the offender's background that could help identify a type of person who would share those characteristics) (Canter, 1994; Salfati, 2000). The relationship between the offender and victim also is important. Since aggression, and therefore homicide/murder, is understood to be an interpersonal interaction, the relationship between the actors is a significant factor in the dynamics of the incident (Wolfgang, 1958). This contention finds support in homicide data, which consistently shows that stranger homicides are much less frequent than homicides between individuals who know each other. The degree of the relationship also has been found to impact the incident, with better known offenders engaging in homicides expressing higher levels of emotion (Gillis, 1986).

In a study clearly showing this type of approach is possible, Salfati and Canter (1999) established three distinct themes of single victim – single offender stranger homicides: Expressive (Impulsive), Instrumental (Opportunistic), and Instrumental (Cognitive). Expressive homicides included random, varied violent offender behaviors, with offenders who had a history of violence. Instrumental (Opportunistic) homicides had offenders who viewed their victims as means to an end. The Opportunistic offender picks victims

who will make it easy to achieve their goal of obtaining property or even sex. Such offenders were found to be unemployed usually, with previous burglary/theft convictions, knew their victims, and lived close to where the crime occurred. Cognitive homicides were characterized as highly forensic, with the offender frequently trying to hide evidence of the crime. Such offenders are routinely violent in their lives because they view other people only as obstacles preventing them from reaching their goals. Relationship with the victim is not a factor, as who they are does not matter to these offenders.

This approach to research is grounded in facet theory. Facet theory holds that in research, observations are not isolated, discrete phenomenon. Under facet theory every observed variable is a point in the physical space occupied by the investigated concept. The concept, in this case bias homicide, is then examined and understood through the use of Smallest Space Analysis (SSA), which holds, based on facet theory, that the system of behavior is best understood if the relationship between every variable and every other variable is examined (Shye, Elizur & Hoffman, 1994).

Previous research in this paradigm by advocates of investigative psychology supports the concept that because individuals consistently behave the same way in similar contexts, behaviors displayed in crime scenes can be used to predict offender background characteristics, including offender-victim relationships (Cante et al., 2004; Donald & Wilson, 1999; Farrington, 1991; Mars, 1999; McAndrew, 1999; Salfati, 2000, 2003; Salfati & Canter, 1999; Sampson & Laub, 1993). Farrington's study, along with Huesmann et al's (1984) work, even found that individuals who were identified as the most aggressive delinquents remained the most aggressive throughout their lives (1991).

The links between crime scene behaviors and offender characteristics become investigative tools. It is also possible to differentiate between offenders engaged in the same offense by actions during the crime and their background characteristics (Donald & Wilson, 1999).

Homicide researchers have dramatically advanced this new method of analyzing homicides, finding that there are specific themes of behavior at crime scenes that are mirrored in past behaviors, which allow investigators to use the crime scene to identify potential suspects. Other research has found that this approach works cross-nationally and for other types of violent crime such as serial rape and serial homicide, while ongoing work is evaluating its utility cross-culturally (Salfati & Dupont, 2006; Salfati & Haratsis, 2001). Bias homicide, lacking such a systematic analysis of the behavioral and situational dynamics involved, needs to be examined in a similar manner.

### *1.4.4 Situational Variables*

As they continue to develop different and more advanced understandings of the relationships between homicide crime scenes and offender characteristics, investigative psychologists have found that one of the biggest questions facing them involves cases where there are mixed characteristics evident in a crime scene (Block et al., 2001; Salfati, 2000; Santilla et al., 2001). Cases where there is both evidence of expressive and instrumental violence in a homicide scene raise the question of how much of the scene is a result of the individual and how much is a result of the situation. Researchers have reached the conclusion that situational stimuli affect the actions that occur in a specific setting (Berkowitz, 1970; Wolfgang, 1958). This research, however, did not seek to understand how specific situational characteristics could be used to differentiate types or

styles of homicide; instead, it was interested in establishing if people behave differently, both criminally and non-criminally, in different situations. The evidence that situational variables affected criminal behavior on some levels lead bias crime researchers to study the situations in which bias crimes occur. It is critical to determine what situational factors tend to be present when individuals decide to express their various biases through violent behavior (Abrams, 2002). Understanding the effect that situational factors have on the behaviors associated with the homicide can help researchers and investigators to focus on the behaviors that connect specifically to the offender and not just the situation.

Situational factors are not just about the setting, there is a dynamic interaction of the actors involved and the setting. D'Augelli found that sixty-one percent of bias crimes directed at youth – the age group most likely to experience violent victimization – occur at home (1998, p.198). Other studies have found that crimes motivated by different biases occur amongst different situational factors. Gay males are most likely to be victimized in gay areas (i.e., neighborhoods known to be predominantly gay, gay cruising areas, and areas outside of gay business and) and schools, while lesbians were at highest risk near their homes, or in predominantly heterosexual, domestic, or higher education locations (Griffin, 1997; Kuehnle & Sullivan, 2001; Mason, 1997). Perpetrators also differ by location of the incident, with young offenders carrying out their acts in their neighborhoods or on the street, and older offenders tending to offend in the workplace (Ituarte, 2000). One situational factor that may concretely explain why certain individuals decide to behave violently in certain situations is the use of substances before or at the time of the event. Offenders generally report, or are found to have been, using drugs or alcohol prior to the commission of bias crimes (Bufkin, 1999; Franklin, 2000). Again,

understanding and being aware of these situational factors could help to narrow down the crime scene behaviors that are specific to a particular offender and not mainly related to outside forces.

While an accurate description of the most likely scenarios for bias crime to occur is an important step in the process of understanding the phenomenon, the failure to integrate this information into a behavioral and situational framework limits its ability to assist researchers and investigators. The investigative psychology paradigm, which asserts that context is poorly understood in relation to homicide, focuses on the context – behavioral, social and situational – of homicide (Canter & Alison, 2000). At the center of this work is the concept of the consistency of individual behavior. That is, using crime scene characteristics to develop a theme of the types of behaviors that occurred there to connect those behaviors at the scene with behaviors in the offender's past based on the assumption that individuals interact with others in a consistent manner (Salfati & Haratsis, 2001). The question of whether certain behaviors are part of an individual's style or a result of situational factors remains unanswered. The research has determined that situational factors, such as behaviors and scene characteristics, are a useful unit of analysis in distinguishing offenses and offenders. An examination of the context of bias homicides, with a particular emphasis on using situational factors to distinguish offenses and offenders, has not yet been attempted.

### 1.5 Multiple Offenders/Victims Literature

Aside from psychological, sociological and anthropological research centered on understanding general group dynamics across a multitude of behavioral and situational scenarios, limited research on violent behavior or bias-motivated behavior has included multiple offenders or victims in the theories or analyses. As highlighted previously, bias crime literature suggests, and has found in certain circumstances, that bias-motivated crimes often involve multiple offenders. Therefore, it was essential that the current research included homicides with both multiple offenders and/or multiple victims. Excluding such cases would have greatly reduced the number of available cases in an already limited population, as well as the types, and therefore number, of homicides to which the findings of this work could have been applied. As a result, it is important to understand the issues inherent in analyzing multiple offender/victim homicides as best as possible based on the available research.

Research focused on themes of behavior and their potential role in understanding homicide has centered on single-offender homicides (Cheatwood, 1996). Limited research on violent offending has considered the potential relevance of behavioral themes to multiple-offender and/or multiple-victim incidents; instead, most has excluded multiple-offender homicides because of the difficulties they present (Cheatwood, 1996; Porter & Alison, 2004). Some researchers, however, are addressing this lack of information. Porter and Alison (2006, 2004) have concentrated on co-offending in multiple-offender rapes and robberies, and Cheatwood (1996; 1992) has conducted research on multiple-offender/multiple-victim homicide. Their work, and that of others,

outlines the major theoretical and analytical issues that must be addressed when studying multiple-offender violence.

Research focused on the interaction between offenders and victims, which highlights the necessity of determining which individuals are involved in the various stages of the incident, has found that there generally is one primary offender who engages in a character or business dispute with one primary victim, and the others involved know why the dispute is taking place, that violence is likely to occur, and that the primary offender's intent may be to kill the victim (Cheatwood, 1996). Some instances may involve two or more offenders who are directly involved in the violence, but most are interactions among multiple individuals where one offender kills the victim with enough involvement by others for them to be charged with the homicide as well, but not enough for their interpersonal styles to significantly impact the homicide dynamics (Cheatwood, 1996). Warr (1996) refers to these leaders as *instigators* in his research on hierarchies in delinquent groups, which generally finds that the instigators come up with the idea for the crime, and through incident role-stability remain the de facto leader throughout the commission of the crime.

Researchers have examined is this concept of scale of influence. The idea behind scale of influence is that the leader of a group can be determined by examining who influences the members of the group throughout the stages of the offense. Examinations of violent group offending have found evidence that the leader of the group usually initiates the attack and plans the post-incident activities (Porter & Alison, 2001). Research into the influence of group leaders suggests that the influential leader may be the most important group member in terms of understanding the evolution of the incident; therefore,

identifying this individual and recording their actions and characteristics is vital in analyzing multiple-offender bias homicides. It could be argued, that after identification of the leader it may be possible to identify the interpersonal style of the offender group as a whole, absent some information about the other offenders.

Research into multiple-offender violence suggests that the interpersonal dynamics of the events are essential to developing an understanding of the evolution of multiple-offender bias homicides. Cheatwood's work on multiple-offender homicide has found that a majority of these crimes start out as arguments or character disputes and evolve into unforeseen lethal encounters (1996; 1992). Descriptions of bias crimes suggest that these crimes also rarely begin as severely as they end. Holstrom's and Burgess' (1980) research on rape suggests that multiple offenders often perform for the other members of the group throughout the incident. Sociological research suggests that bias crimes, particularly for males, are almost strictly about performing a social role for peers observing the incident (Franklin, 2000). The findings that the evolution and final outcome of multiple-offender violent incidents are highly dependent on the interactions of the offenders, not only with the victim(s), but with each other, highlights the need for developing a strategy for coding data in a way that allows for the analysis of these interactions (Cheatwood, 1996).

Porter and Alison (2004, 2001), with their work on multiple-offender rape, are attempting to develop a methodological and analytical approach for incorporating multiple-offender violence into single-offender/single-victim research that examines the possible connections between themes of behavior and co-offending multiple-offender violent crimes. Porter and Alison hypothesized that the thematic behaviors of individuals involved in a gang rape actually would be quite similar and form distinct themes. The

multidimensional scaling analysis of gang rapes revealed that there is a "structural coherence among members of the same group," such that when acting together individual behaviors are uniform and "structurally coherent" (Porter & Alison, 2004, p.467). Porter and Alison have found, as generally suggested in criminal justice literature, that similar individuals offend together just as they tend to socialize together; more so, however, their work has shown that in relation to themes of interpersonal behavior displayed both in past instances, and at crime scenes, groups of offenders often exhibit similar behavioral patterns.

Multiple-offender homicide research has sought to understand if there are distinct similarities or differences between single and multiple incidents. This research consistently has found that individual behavior does differ from group behavior in relation to decision-making factors (Block, 1986; R. Block & Zimring, 1973; Cheatwood, 1996; 1992; Cheatwood & Block, 1990; Clark, 1991; Pynchon & Borum, 1999). Considering these findings and descriptive bias crime research, which suggests that a majority of bias crimes are committed by individuals acting as a group, the examination of multiple-offender bias-motivated homicides needs to be carefully considered. That is, these multiple-offender homicides can be included and analyzed as part of the entire study sample, provided that no significant differences are discovered between the single and multiple offender groups of homicides. This matter will be examined in one of the first analyses conducted in this study, which will focus on establishing whether it is acceptable to follow the conclusion that there are no systematic behavioral differences between multiple- and single-offender incidents. There also will be continued comparisons of the two groups throughout the overall study. Primarily, this is an

exploratory study of bias-motivated homicides, which have never been studied specifically, and complex issues such as similarities and differences between multiple- and single-offender bias homicides need to be considered, even though they warrant their own specific studies.

### 1.6 Summary of the Literature

Despite the multitude of issues that have been raised about the quality of bias crime data, researchers have been able to develop rather detailed descriptions of the many aspects that are involved in the occurrence of a bias crime. These studies paint a picture of bias crime as one that is predominantly committed by young males, acting in non-organized groups, victimizing other, unknown, young males who are alone at the time of the incident. Bias crimes tend to be more severe than similar crimes not motivated by bias. Connections have been found between who is involved, how severe the incident is, and the situational and behavioral dynamics of the event. Official statistics have revealed that the most common motivation for bias crime is a racial bias, followed by an ethnic-bias, and a sexual-orientation bias. Research has found that the type of bias involved affects the aggression that is displayed in a bias crime. Disturbingly, bias crime data show that it is a crime that is both intensifying in severity and diversifying in motivation. Efforts to combine these simple connections into a more complex classification of bias crime have stalled, with researchers formulating a classification system based solely on the offender's motivation. Homicide research, however, has advanced to a point where researchers are developing thematic profiles of offender behaviors at the crime scene, based on behavioral and situational factors, and connecting them to offender background

information. These connections allow evidence at a homicide scene to assist investigators in determining what occurred and who was most likely to be involved.

Limited available information has forestalled the discovery of such connections in the study of bias homicides. Examinations of the characteristics of specifically bias-motivated homicide victims, offenders, and crime scenes have not taken place, thus creating a significant void in the research that would need to be filled if a framework for bias homicide similar to the ones being created of non-bias homicides is to be developed. What is particularly distressing, given the intensification and diversification of bias crime, is the lack of analysis of how bias homicides might differ when motivated by different biases.

Homicide classification systems, evolving from the limited early systems, are now based on the concept that crime scene behaviors do not randomly co-occur and, therefore, there must be information that can be gained from analyzing those variables that tend to do so (Canter, 1995; Canter et al., 2004; Salfati, 2000; Salfati & Canter, 1999; Santilla et al., 2001). This research has found that the co-occurrences of crime scene behaviors have an interpretable structure based on theory (Canter, 1995; Canter et al., 2004; Salfati, 2000; Salfati & Canter, 1999; Santilla et al., 2001). Previous classification systems often analyzed the occurrence of individual behaviors against each other, leading to constructed classification themes. Discovering the behaviors and characteristics that coincide based on theory – the main goal of the most recent research – prevents certain behaviors from being taken singularly and out of context with other behaviors. Instead, the meanings of behaviors are interpreted in relation to each other, allowing the frequencies of the co-occurrences of all the behaviors with each other to reveal more subtle differentiations.

These differentiations may even reveal the underlying meanings of the crime scene behaviors. This finding allows offender characteristics to be deduced from the behaviors evident in the crime scene, potentially allowing the prioritization of homicide suspects. Differentiation is most useful when it is based on investigations of particular subsets of actions that can be identified from the crime scene (Canter et al., 2004; Salfati, 2000; Salfati & Canter, 1999; Santilla et al., 2001). Such subsets include examining the relationships between the offender(s) and victim(s), the activities of the perpetrator, including actions not directly related to the actual act of killing, and any other observable behaviors. One of the most important aspects of this process of classification is that the thematic splits must be very specific. Past classification schemes have suffered from not being mutually exclusive, and this new process focuses on insuring that characteristics in one type or theme are not repeated in others. The existing bias crime classification schemes are not mutually exclusive, which lessons their ability to help law enforcement officials narrow down the type of offender potentially involved.

Bias crimes have been analyzed with traditional research and statistical methodologies. As has been discussed previously, studies have investigated both who most frequently commits and who most frequently experiences these crimes. In the best scenarios, research has tried to connect the most frequent offender and victim characteristics with particular aspects of bias crime. All of this work, however, only paints a picture of what bias crime looks like. There has been no systematic attempt to address bias crime, especially bias homicide, from a classification approach. If observable behaviors at a crime scene could reliably differentiate different styles of bias homicides and the people who commit them, the crime could be both understood and investigated better.

Ultimately, to better understand bias homicide, a classification framework similar to the ones being developed in the study of homicide, needs to be created for bias-motivated homicide. To do this questions about whether crime scene behaviors and characteristics can be used to identify the bias and offender(s) involved need to be answered. Considering that research into bias-motivated violent behaviors has found evidence of an Expressive/Instrumental dichotomy, adopting the methodological approach of recent homicide classification research that has looked at the occurrences and co-occurrences of the behaviors and characteristics associated with homicide crimes scenes, represents an opportunity for moving bias, and specifically bias-motivated homicide, research forward.

# CHAPTER 2:
# AIMS, DATA AND METHODOLOGY

## INTRODUCTION

In order to answer the questions that exist regarding the behavioral dynamics of bias-motivated homicide, the overall study aimed to examine the characteristics of the events and individuals involved. Given that bias-motivated homicide has not been researched specifically, this study also sought to examine how the characteristics of the events and individuals involved in bias homicide compare to non-bias homicide and other forms of non-lethal bias-motivated violence.

Generally, it was hypothesized that offenders motivated by the same bias would behave similarly at crime scenes. It further was believed that this consistency of behavior also would be reflected in the background characteristics of offenders motivated by the same bias, including the general demographics of the offenders, the type of relationship between the offender and the victim, and the offenders' criminal histories.

This research presented herein, was organized into seven consecutive studies designed to describe bias-motivated homicides, and to explore the existence of support for the over-arching hypotheses. The studies are described below.

## 2 STUDY AIMS

### 2.1 Study 1 – Frequencies of Bias-Motivated Homicides

The main aim of this study (Chapter 3) was to determine how representative the study cases were of American homicide in general and how they compared to incidents of bias-motivated non-lethal violence. The offender actions and characteristics, victims, settings, and behavioral dynamics of the bias-motivated homicides were analyzed and compared

to UCR data, including Supplementary Homicide Report data and Hate Crime Report Data, and to existing statistics presented in published research. The frequencies of offender crime-scene behaviors, offender characteristics, victim characteristics, and characteristics of the offender-victim relationship, were compared to descriptions of general and bias-motivated homicides and bias-motivated non-lethal violence in the United States. Specifically, for this initial sub-study there were no theory-based hypotheses; rather, the purpose was to describe data that had never been analyzed at this level. Generally, it was thought that bias-motivated homicides would be found to be a unique form of criminal aggression when offenders, victims, and incidents were compared.

### 2.2 Study 2 – Comparisons of Homicides Motivated by Different Biases

In the second sub-study (Chapter 4), all of the bias-motivated homicide cases were compared against each other to determine if the different motivating biases were associated with different crime scene, offender, or victim characteristics. These comparisons also were conducted to help highlight those variables that should be included in the remaining sub-study classification analyses by identifying those single variable factors that differentiated the three categories of bias. In this sub-study, as in the initial one, general hypotheses were tested since the main aim was a description and comparison of the data. It was thought that racial and ethnic bias-motivated homicides would be significantly different from sexual orientation bias-motivated homicides on a majority of the offender, victim, and incident variables, while generally being similar to each other.

## 2.3 Study 3 – Testing the Main Bias Crime Typology: An Examination of the McDevitt, Levin, and Bennett (2002) Typology

With the general nature of the bias-motivated homicides established in studies 1 and 2, the third sub-study (Chapter 5) sought to apply the McDevitt, Levin, and Bennett (2002) bias-crime typology to the bias-motivated homicides. The applicability of their model was tested using Smallest Space Analysis to determine if their motivation-based model could exclusively and reliably classify bias-motivated homicides based solely on objective, observable, crime scene behaviors.

Following similar tests of other types of motivation-based aggression typologies, such as Canter and Wentick's (2004) test of the Holmes and Holmes serial murderer typology, this sub-study aimed to determine if the published descriptions of the typology could be used to identify thematically similar behaviors exclusive to each of the four typology categories. It was hypothesized, based on existing research showing that typologies based on offender motivations cannot behaviorally classify crime scenes, that the study would not provide support for the McDevitt, Levin and Bennett typology. In this initial exploration, it was hypothesized that racial and ethnic bias-motivated homicides would be behaviorally distinct compared to sexual orientation bias-motivated homicides.

## 2.4 Study 4 – Bias Homicide Crime Scene Actions: Testing the Instrumental/Expressive Aggression Dichotomy

This sub-study (Chapter 6) aimed to investigate whether the findings of various investigative psychologists (Salfati, 2000; Salfati & Canter, 1999; Santilla et al., 2001) – namely, that there is an Expressive/Instrumental divide in the goal of interpersonal aggression – would hold true for bias-motivated homicides. The co-occurrences of

offender behaviors at the crime scenes were examined to determine if an Expressive/Instrumental thematic dichotomy could be identified. Specifically, it was hypothesized, given the broad applicability of the Expressive/Instrumental typology to various forms of aggression, that bias-homicides could similarly be classified. Furthermore, continuing the examination of differences in crime scene behaviors depending on the motivating bias, Expressive and Instrumental crime scene behaviors were analyzed to determine if they were predominantly associated with a particular bias category. It was thought that sexual orientation bias-motivated homicides would be associated with Instrumental aggression, while racial and ethnic bias-motivated homicides would be Expressive in nature.

### 2.5 Study 5 – Establishing a Behavior-Based Classification System for Bias-Motivated Homicide

This sub-study (Chapter 7) sought to establish a behavior-based classification scheme for bias-motivated homicide. The existing schemas (Chapters 5 and 6) were unable to exclusively and reliably classify the bias-motivated homicide crime scene behaviors based on independent analyses of the co-occurrence rates of crime scene behaviors. Therefore, the aim of this study was to determine if offenders who otherwise behaved similarly to each other could be behaviorally distinguished if the focus was shifted from examining individual behaviors to groups of behaviors constituting complete crime scene behavioral profiles. This approach was carried out through Multidimensional Scaling Analyses of the co-occurrences of all of the behaviors evident at each crime scene with every other crime scene. It was hypothesized that Instrumental bias-motivated homicides would be distinguishable from Expressive scenes based on the presence of specialized

behaviors focused on controlling the victim so the offenders could use them to obtain ulterior aims. Expressive bias-motivated homicides would be characterized primarily by the presence of almost exclusively core behaviors because these incidents represent the general nature of bias-motivated homicide, and homicide in general. It was further hypothesized that homicides motivated by a sexual-orientation bias would be scenes predominantly classified as Instrumental because of the offender's actions centered on controlling the victim/scene, achieving a sexual goal, or gaining access to property. Racial/Ethnic bias-motivated homicides would be scenes predominantly classified as Expressive due to the fact that these bias-motivated incidents have generally been found to be motivated by a desire to commit aggression/violence against a specific person – usually as a result of a prior encounter where racial/ethnic animus elevated the perceived level of appropriate violence.

### 2.6 Study 6 – Offenders' Background Characteristics

This sub-study (Chapter 8) aimed to explore the frequency of the co-occurrences of offender background characteristics. It was hypothesized that these co-occurrences would support the definition of the same themes (i.e., Victim as Target (Expressive) and Victim as Means (Instrumental)) in the backgrounds and previous interactions of the offenders as were outlined in the thematic model developed for the offenders' crime scene behaviors. Additionally, this study hypothesized that different themes would be associated with different motivating bias.

## 2.7 Study 7 – Connections between Offender Crime Scene Behaviors and Background Characteristics

Building upon the information gathered about crime scene actions and offender characteristics, the aim of the final sub-study (Chapter 9) was to examine the connections between the behaviors of an offender at a crime scene and their background characteristics. Specifically, the study aimed to determine if the themes of behaviors demonstrated at bias homicide scenes could be used to identify the offender(s) involved and the type of motivation leading to the homicide. It was hypothesized that offenders who exhibited a Victim as Target (Expressive) theme of behavior at their crime scenes would also have histories characterized by other uses of behaviorally similar behaviors. Offenders who exhibited a Victim as Means (Instrumental) theme of behavior at their crimes were hypothesized to also have background characteristics matching a Victim as Means (Instrumental) theme.

### METHODOLOGY

## 2.8 The Data

The data for this research – 91 bias-motivated homicides reported to the FBI's UCR program – represent approximately two-thirds of all of the bias-motivated homicides that were reported to the FBI following the passage of the Hate Crime Statistics Act (HCSA) of 1990. Homicides committed prior to 1991 were not included in the study because they were not officially classified as bias crimes by the FBI. Specifically, the data for this research were taken from closed, fully adjudicated state and local cases that were contributed from law enforcement agencies from around the country for the purpose of research. All identifiers, including names of victims, suspects, offenders, officers,

departments, correctional agencies, are removed. Only aggregate data are reported on. A randomization of the cases was not possible given the nature of the data collection; however, a review of the localities from which the cases came showed that there were no areas of the country that were uniformly not submitting cases and there were no years in the study that were disproportionately missing cases. In all, 32 states submitted data, with Texas, Florida, and California being the most frequent submitters. Every region of the country had states that submitted, including the non-contiguous states.

The classification of these cases as bias-motivated homicides by the investigating agencies was structured according to several legal definitions. According to the UCR data collection guidelines the crime of "murder and non-negligent manslaughter [is] defined as the willful (non-negligent) killing of one human being by another. Not included in this definition are deaths caused by negligence, suicides, or accidental deaths. Attempts to commit murder are classified as aggravated assaults" (FBI, 2004). The FBI, according to the HCSA, defines a bias crime as any criminal offense that is "motivated, in part or in full, by prejudice based on race, religion, sexual orientation, or ethnicity, including where appropriate the crimes of murder and non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property" (FBI, 1999). In September 1994, the Violent Crime Control and Law Enforcement Act amended the HCSA to include bias against individuals with disabilities.

Given the FBI's requirements for classifying a crime as motivated by bias, which requires law enforcement personnel to reach the conclusion on their own, it is possible that some homicides that were motivated by bias are not included in these cases. Also, the current

UCR guidelines ignore crimes motivated by a gender bias. While it may be possible to get information from other sources on bias homicides that are not included in this population, the data available would be different and may not represent the type of information that law enforcement officials would have noticed/collected at a homicide crime scene. Analyzing non-official data could provide meaningful descriptions of such incidents; however, doing so would not complement the overall intent of this research to develop classifications based on observable crime scene behaviors, which could then be used to assist investigators.

### *2.8.1 Selecting the Files*

Data for this study came from files where at least one of the offenders was investigated/charged as an adult. Obtaining information on juvenile offenders is extremely difficult given the protections placed on juvenile offenders in the criminal justice system. Also, this research is particularly focused on the connections between crime scene behaviors and the past experiences of offenders, and it would be difficult to establish these connections with offenders who did not have a significant record of past life experiences (Canter, 1995; Salfati, 2000; Salfati & Canter, 1999).

All of the case files examined for this study involved incidents where the victim died as a direct result of their injuries. While expanding the criteria to include cases where the offender was obviously attempting to murder the victim would have increased the sample size, it would have introduced too many extraneous variables, such as the amount of time it took help to arrive, into the research. All of the case files are instances of bias-motivated homicide and this study was not concerned with the legal outcome of the cases. The fact that an offender was convicted of murder or manslaughter does not impact

the potential relationship between the homicide crime scene behaviors and the offender's background characteristics (Canter et al., 2004 ; Salfati, 2000; Salfati & Canter, 1999).

Given that interpersonal relationships are a key element in investigating the causes and dynamics of homicides, *stranger* and *domestic* bias-motivated homicides both were included in the analysis to provide an array of interpersonal relationships. Stranger homicides, as opposed to domestic homicides where the offender kills a family member or partner, involve incidents where the offender is not immediately known. The importance of interpersonal relationships in the study of homicides also precluded using homicide cases lacking any sort of personal interaction between the offender and victim. Such homicides include cases of reckless driving and contract killings (Canter et al., 2004; Salfati, 2000; Salfati & Canter, 1999).

### *2.8.2 The Files*

It should be noted that because all of these cases were closed cases and agencies have different policies regarding what is collected and stored, the information contained in the files differed significantly in terms of the amount and type of information maintained by each investigating agency.

### *2.8.3 Coding the Data*

There were 207 variables coded for each of the cases to record any information that indicated the offender's crime scene behaviors, background characteristics, and how they interacted with the victim(s). The coded variables represent the Homicide Profiling Index (HPI) developed by Salfati (2005) and tested in various research studies. An additional 31 bias-related variables were coded to help ascertain what the motivation was (Appendix

1). For all of these variables, if they were present in the case file, as described by the study coding dictionary (see Appendix 1), they were coded as ones (1). If a variable was not present in a case file it was coded as a zero (0). If it could not clearly be determined if a variable was present or not, it was coded as missing.

The coding framework for this study stipulated that variables should be coded as present when they expressed a certain behavior or characteristic, rather than the absence of such a factor, because the presence of these variables makes the crime more "criminal" or unique. For example, a variable about blinding the victim was coded as a one (1) if it did occur and a zero (0) if it did not. Four types/groups of variables were coded for this study: (1) crime scene characteristics, including offender behaviors before, during, and after the incident; (2) offender characteristics; (3) victim characteristics; and, (4) offender-victim interaction characteristics (Canter et al., 2004; Salfati, 2000; Salfati & Canter, 1999). Given that this approach is still relatively new, the success other researchers have had using it is one reason to believe this coding approach is both reliable and valid. In those cases where there were multiple offenders, based on the multiple offender research previously discussed (Cheatwood, 1992, 1996; Porter & Alison, 2004, 2006; Warr, 1996), offender-related data was collected on every offender who was in anyway officially connected to the incident. The instigating, or primary, offender was determined – and coded as such – based on information in the case files indicating that they instigated the incident, planned the post-incident actions, or were charged as the lone offender directly responsible for the victim's death.

### *2.8.4 Coding Variables*

Four aspects of the bias homicides were coded: variables relating to the crime scene itself; variables relating to offender characteristics; variables relating to victim characteristics; and, variables relating to the interactions of the victim(s) and the offender(s). This information allowed the bias homicides to be described and then classified based on the co-occurrences among all the variables. It is acknowledged that one of the main issues with studying bias crime cases is the fact that law enforcement personnel must determine, sometimes based on limited information, if bias was part of the motivation for the crime. In determining inclusion in this study, the decisions of the investigating officials were not "second-guessed." While the case files provided extremely rich information, it would have been presumptuous as a researcher to believe that reading a case file presented a better opportunity to understand the motivation of the offenders than personally engaging the crime scene, offenders, and any eyewitnesses.

### *2.8.5 Offender Characteristics*

Variables containing demographic information on the offenders also were collected for analysis, and to help in comparing these bias homicides to other descriptions of bias/conventional homicides. These variables covered factors such as the offender's criminal and violent history. Specifically, information relating to what types of crimes the offender has engaged in, their tendency to use violence in criminal activity, and their tendency to relate to others in an aggressive manner, were of highest concern. Psychological variables, such as history of mental illness, also were recorded.

*2.8.6 Victim Characteristics*

Information on the victim, such as gender, age, ethnicity, religion, and sexual orientation was recorded to develop a profile of the type of victim selected. The type of injuries the victim sustained and the weapon/method of killing used also were recorded. When possible, information on the victim's background, including criminal activity, mental health history, and family violence, was collected.

*2.8.7 Offender-Victim Interaction/Relationship*

To investigate the role that the relationship between the offender and the victim plays in the commission of different bias homicides, variables pertaining to the relationship between the two parties were coded from the case files.

*2.8.8 Crime Scene Variables*

Variables that describe the actions of the offender at the crime scene were collected from the case files. These variables included information on the setting of the bias homicide. The setting variables covered information such as where the crime occurred, what time it occurred, and where/how the victim was found. This information also included geographic information, such as how far the crime scene was from the offender's and victim's home/business addresses when possible. Variables concerning behaviors indicative of the bias involved also were coded from the data. Any information that illustrated whether the incident was motivated by a particular ideology, such as protecting a neighborhood or economic resources was recorded. Any post-homicide crime scene behaviors, such as positioning of the body, also was considered. Post-homicide behaviors away from the crime scene by the offender, such as confessing, bragging,

turning themselves in, and committing/attempting to commit suicide were included to capture how the offender felt about their actions.

### *2.8.9 Bias-related Behaviors*

The variables contained in the HCI were supplemented in this study with 31 variables detailing various bias-related behaviors that the offenders engaged in either before, during, or after the homicides. These variables not only addressed which legal bias was stated either by the offender or discovered in the course of the investigation; they also specified the presence of factors that were used to assist investigators in determining whether bias was involved. The variables in this section included factors such as whether the bias crime was committed in an area where other bias crimes had recently occurred, if a bias-related object/symbol was used during the homicide, or if the offenders were related to or members of organized hate groups.

### *2.8.10 Inter-rater Reliability*

To ensure that the variables in the coding dictionary were coded consistently for all of the cases inter-rater reliability was examined. Several case files were randomly selected from the database and coded, according to the dictionary, independently by five raters familiar with qualitative research, content analysis, and homicide research. A Yule's Q correlation co-efficient of over .90 was found, indicating a good level of reliability.

## SUMMARY

A thorough examination of the preceding variables, including general frequencies and frequencies of variable co-occurrence, was the basis to the approach taken by the overall study in examining the behavioral themes in bias-motivated homicides. The first step in

such an approach to understanding the dynamics of homicide was to establish the representativeness of the study data. It would then be possible to "demonstrate that crime scene actions in a set of homicides do not co-occur randomly but have a theoretically interpretable structure" (Santtila, et al., 2001: 365; Salfati, 2000).

# CHAPTER 3:
# DESCRIPTION OF 91 BIAS-MOTIVATED HOMICIDES

## 3 BIAS-MOTIVATED HOMICIDE FREQUENCIES

To generate a description of the study homicides and establish generalizability, trends present in the cases, including characteristics of the offenders, victims, settings, offender crime scene actions, and bias-related behavioral dynamics, were compared with national statistics relating to general homicide. The national homicide data were provided by the Federal Bureau of Investigation's Uniform Crime Reports – Supplementary Homicide Reports 1991-2000 (Fox, 2004). Trends in the study data also were compared to bias-motivated violence and homicide national statistics as reported in current bias crime research and in the Uniform Crime Report Hate Crime Reports 1992-2000 (the UCR Hate Crimes reports did not begin until 1992) (DOJ, 2001). These data were compared to investigate variations between bias-motivated non-lethal violence (i.e., negligent manslaughter, kidnapping/abduction, forcible rape, forcible sodomy, sexual assault with a weapon, robbery, aggravated assault, simple assault, and intimidation), the entire 1992-2000 reported bias-motivated homicide population, and the bias-motivated homicides included in the study sample.

### 3.1 Multiple Offender Comparisons

Before advancing to the analysis of the representatives of the study sample compared to general homicide, non-lethal bias-motivated violence, and the population of bias-motivated homicides reported during the study's timeframe – including those incidents that were not able to be collected for this study – the study homicides involving multiple offenders were compared across various crime scene behaviors and offender characteristics. Thirty-eight of the study homicides (42%) involved multiple offenders.

The variables analyzed were selected if they offered some insight into the behavioral dynamics of the homicide or the offenders' behavioral style. These behaviors focused on the offenders' previous criminal history, their direct method of interaction with the victim at the crime scene, their bias-related experience and crime scene behaviors, and their behaviors after the homicide. Given these criteria, 55 variables were included in the analyses (see Table 3.1.1).

**Table 3.1.1: Variables included in the Multiple Offender Comparisons**

| Crime scene behaviors | Offender background | Bias-related behaviors | Post-homicide behaviors |
|---|---|---|---|
| Sexual behavior at scene | History of drug use | Homicide motivated by sexual orientation bias | Offender bragged about homicide |
| Victim cut/stabbed | Conviction for disorder | Offender lured victim | Offender implied homosexual panic defense |
| Victim shot | Conviction for traffic offense | Offender made bias-related comments | Witness present at homicide |
| Body covered | Conviction for drug offense | Offender involvement with organized hate group | Homicide occurred in relation to significant holiday |
| Forensic evidence at scene | Conviction for vandalism | Bias-related drawings left at scene | Offender suicide |
| Knew victim | Conviction for weapon offense | Bias-related object used/left at scene | Offender turned themselves into police |
| Male offender | Conviction for fraud | | Spent time at crime scene |
| Verbal argument before | Conviction for auto-theft | | Post-mortem treatment of body |
| Physical fight before | Conviction for voyeurism | | |
| Familiar with area | Conviction for burglary | | |
| Drug use | Conviction for indecent exposure | | |
| Alcohol use | Conviction for robbery | | |
| Multiple wounds over victim | Conviction for domestic violence | | |
| Blunt force weapon | Conviction for assault | | |
| Manual wounding | Conviction for sexual offense | | |
| Preparatory actions taken | Conviction for homicide | | |
| Property stolen | Offender issued restraining order | | |
| Weapon from scene | History of anti-social behavior | | |
| Weapon to scene | Mental health history | | |
| Body found at scene | Gang-involved | | |
| Age | Military training | | |
| Distance traveled to crime scene | | | |

Differences between the two groups were examined using either Chi-square analyses – employing Fisher's Exact Test (FET) to account for the small sample sizes – or Independent Samples T-Tests, depending on the type of variable being analyzed. These 55 comparisons resulted in only two significant differences. The first significant difference was that multiple offender homicides were more associated with multiple wounding of the victim than single-offender homicides ($\chi^2(1) = 5.582$, (FET = .024)). This finding showed that bias-crime research, which has found that when groups of offenders engage in bias-motivated violence, they often inflict more and more severe wounding on their victims, also applies specifically to bias-motivated homicide (Bufkin, 1999; Reasons & Hughson, 2000). The other significant difference was that multiple offenders on average were significantly younger (average age = 22.98) than solo offenders (average age = 28.96) ($t(138) = 3.283$, $p<.01$). This followed the same research trends as the significant difference in the amount of wounding. Namely, that bias-crime research consistently has found that when an offense involves multiple offenders, they are likely to be younger than solo offenders (Bufkin, 1999; Reasons & Hughson, 2000).

The division of the cases into multiple- and single- offender resulted in two relatively small samples. Therefore, these results should not be taken as indicative of the differences between multiple and single offender homicides. As noted previously, there is limited homicide research where multiple offenders were included in the analyses. The research that has been conducted has found evidence that when multiple offenders are involved the instigator or primary offender possess similar characteristics and behavioral styles as the other members of the offender group. When these instigators were compared to single offenders the research only found commonsense behavioral differences between

multiple offenders and solo offenders. That is, when multiple offenders were involved there was more wounding inflicted on the victim – a result of these incidents most often involving group-style physical fights – and the offenders were younger, which was a direct result of these incidents typically being fights between youth gangs (Cheatwood, 1992, 1996; Porter & Alison, 2004, 2006; Warr, 1996). The results of the preceding analyses do not represent the final word on the differences between single and multiple offender homicides; rather, because it would not be especially statistically meaningful to conduct other types of analyses on such small samples, these results did provide some indication that the previous research on multiple offender homicides applies to bias-motivated homicides. While there will be continued comparisons whenever theoretically and methodologically appropriate throughout the rest of the study, the combined research and analyses allowed the rest of the study do be conducted without the separate analysis of the two groups.

## 3.2 Offender Demographics

### *3.2.1 Number of Offenders*

The number of offenders involved in these homicides is an important factor in understanding the behavioral dynamics of the incidents, given that, as noted in the preceding discussion of pertinent literature, there are distinct differences in the dynamics of homicide incidents involving one offender and those committed by pairs or groups of offenders. Any examination of multiple offender homicides should consider that multiple offender homicides have been found to be the work of the leader of the group, who instigates a situation where the other group members feel that they must join in to

maintain membership and often masculinity (Cheatwood, 1992, 1996; Porter & Alison, 2004, 2006; Warr, 1996).

Across the 91 bias-motivated homicide crime scenes there were a total of 164 offenders involved in the incidents, with 52 (57%) homicide crime scenes involving single offenders, 38 (42%) involving multiple offenders, and 1 (2%) homicide crime scene where the total number of offenders was not recorded in the case file. On average there were 1.82 offenders, with both a median and mode of 1 offender (range of 1 to 8) (see Table 3.2.1).

**Table 3.2.1: Type of Offender-Victim Event**

| Number of Offenders/Victims | Count | Percent |
|---|---|---|
| Single-Single | 41 | 45 |
| Single Victim-Multiple Offenders | 25 | 27.5 |
| Multiple Victims-Single Offender | 10 | 11 |
| Multiple Victims-Multiple Offenders | 14 | 15.4 |
| Not recorded | 1 | 1.1 |

#### 3.2.1.2 National Comparisons

Data from the UCR Supplementary Homicide Report (SHR) indicate that there were an average of 1.47 offenders per non-bias-motivated murders and non-negligent manslaughters. A similar examination of all bias crimes reported in the UCR Hate Crimes reports reveals an average of 1.03 offenders. Limiting the analysis to bias-motivated violence resulted in an average of 1.34 offenders. The study average of 1.83, which is higher than any of the other averages -- supports the trend present in the data that a higher number of offenders is associated with more violence being present in the incident, as well as with the research, which indicates that bias-motivated incidents and crimes are more likely to have a higher number of offenders than regular incidents and crimes (Bufkin, 1999; Levin & McDevitt, 1993, 2002). Additionally, data for all of the bias-motivated homicides (N=124) reported to the UCR Hate Crime Reports (1992-2000) were examined and had an average of 2 offenders per homicide. Those data show that the average number of offenders varies greatly from year to year and the study average of 1.82 is a reasonable value in this range.

### *3.2.2 Gender of Offenders*

The gender of the offenders is an important aspect of the relationship between the victim(s) and the offender(s) and the relationship among multiple offenders. Of the 164 offenders, 161 (98%) were male and 3 (2%) were female. These percentages mirror the overrepresentation of males found in the victim analysis. Only one of the female offenders was directly involved in the death of a victim.

3.2.2.1 National Comparisons

According to the SHR men, on average, were 64.8% of the individuals arrested for murder or non-negligent manslaughter, women were 7.0%, and gender was unknown for 28.2%. The UCR Hate Crime reports do not include gender, however, national bias research suggests that males are the perpetrators in over 90% of all bias-motivated incidents and crime (Bernat et al., 2001; Bufkin, 1999; Levin & McDevitt, 1993, 2002;). The study breakdown of males involved in 98% of the bias-motivated homicides and females in 2% further supports the trend of males being more likely to be involved in crime, particularly violent crime, which is a distortion that is accentuated when bias is involved.

*3.2.3 Age of Offenders*

For the 140 offenders whose ages were recorded in the case files, the mean age was 25[1]. The range of ages was 14 to 68 with a median and mode of 21. The two female offenders were 33 and 34. The average age of the 101 male offenders was 23.82, with a mode of 21 and a median of 22. The three female offenders averaged out to a mean age of 34, with a median of 34 and a mode of 33.

In the 38 multiple offender incidents, many of the homicides involved offenders who were very close in age. Two incidents had multiple offenders who were the same age, 4 incidents involved offenders only one year apart, 5 involved offenders with only a 2 year age difference, and 4 had offenders who were 3 years apart in age. The greatest age difference was 23 years. National Comparisons

[1] All ages were rounded up or down to the nearest whole number

Across homicides in the SHR, the average offender age was 27.9, with a median of 24 and a mode of 19. The age of the offender is not covered in the UCR Hate Crime reports, but national bias research has found that the average bias offender is 18, with 80-90% of bias—motivated offenders under the age of 30 (Bufkin, 1999; Franklin, 2000; Van de Ven, Bornholt, & Bailey, 1996). The average age of offenders in this study is 25, with a median age of 21, and a mode of 21. This is in line with national statistics and research suggesting that bias-motivated offenders tend to be younger than other offenders.

### *3.2.4 Race of Offenders*

A majority of the offenders were Caucasian (64%) (20% of which were Hispanic), with Black offenders constituting 27% of the offenders, and Asian/Pacific Islanders 3%. The race of ten offenders was not recorded in the homicide case file.

#### 3.2.4.1 National Comparisons

In the SHR individuals arrested for murder and non-negligent manslaughter on average were 31.6% White, 37.4% Black, .59% American Indian, 1.16% Asian/Pacific Islander, and 28.4% are of an unknown race. Specifically for bias-motivated crimes and bias-motivated violence in the UCR Hate Crime reports, more offenders were likely to be white (40.4% and 52.4% respectively) (see Table 3.2.2).

**Table 3.1.2: Race of Offenders (percent)**

| Race | National Homicide | National Bias Crimes | National Bias Violence | UCR Bias Homicide | Current Study |
|---|---|---|---|---|---|
| White | 31.62 | 40.4 | 52.4 | 57.3 | 64 |
| Black | 37.47 | 13.1 | 17.9 | 30 | 27 |
| American Indian | .59 | .4 | .6 | 0 | 0 |
| Asian/Pacific Islander | 1.16 | .8 | 1.1 | 1.6 | 3 |
| Multiple Race | N/A | 1.5 | 2 | 2.4 | 0 |
| Unknown | 29.16 | 43.8 | 26 | 8.1 | 6 |

### *3.2.5 Occupation of Offenders*

Occupation was not recorded for 51.2% of the offenders. Overall, of the 80 offenders for whom occupational status was known, 81.2% were employed and 18.8% were unemployed. Of these 80 offenders 50% percent had blue collar/laborer jobs, 22.5% were students, 3.8% were in professional/white collar jobs, 2.5% were in the United States Armed Forces, and 2.5% were coded as *other* because one was retired and the other was employed but his type of occupation was not recorded in the case file.

#### 3.2.5.1 National Comparisons

Neither employment type nor general employment status is detailed in the SHR or the Hate Crime Reports, but research on individuals who commit homicide suggests that individuals who engage in these crimes very often experience extreme economic disadvantages, including unemployment and underemployment (Pratt & Lowenkamp, 2006). Bias research has found that offenders in those incidents motivated by racial or ethnic biases have a propensity to be economically disadvantaged, while those motivated by an anti-homosexual bias are usually middle class and gainfully employed (Cotton,

1992, Franklin, 1998, 2000). This information was missing for a majority of the offenders in the study dataset; however, the information that was available suggested that these offenders tended either to be unemployed or working in non-professional jobs.

### *3.2.6 Sexual Orientation of Offenders*

Sexual orientation was not recorded for 14% of the offenders. Of the 141 offenders for whom sexual orientation was known, 99.3% were heterosexual and .7% were bisexual. The lone bisexual offender was not directly involved in the victim's death.

#### 3.2.6.1 National Comparisons

Sexual orientation is rarely if ever included in official crime statistics; instead, what is known about the involvement of different groups in violence comes from surveys. These surveys suggest that most violent offenders identify as heterosexual at the same rate as offenders in the current study (Berek, 1990; Bernat et al., 2001; Bufkin, 1999).

### *3.2.7 Criminal Record of Offenders*

For 26.2% of the 164 offenders it was not recorded in the case files whether they had any prior criminal convictions. Of the 121 offenders (73.8%) where criminal history was known, 44.6% had previously been convicted. One offender did not have any previous criminal convictions but had been subjected to military detention.

The 54 offenders who had a conviction noted in the homicide case files engaged in a range of prior offenses that resulted in 94 previous interactions with the criminal justice system, with the most common prior conviction offense being Aggravated/Simple Assault (see Table 3.2.3).

**Table 3.1.3: Prior Convictions of the 54 Offenders with Known Criminal Records**

| Prior Conviction Category | No Prior Conviction | Prior Conviction | Not Recorded in Case File |
|---|---|---|---|
| Homicide | 50 | 1 | **3** |
| Sexual Assault/Rape | 47 | 3 | **4** |
| Aggravated Assault/ Simple Assault | 30 | 21 | **3** |
| Domestic Violence toward Homicide Victim | 49 | 0 | **5** |
| Domestic Violence toward others | 44 | 5 | **5** |
| Armed Robbery | 49 | 2 | **3** |
| Robbery | 46 | 5 | **3** |
| Indecent Exposure | 49 | 0 | **5** |
| Voyeurism | 49 | 0 | **5** |
| Arson | 51 | 0 | **3** |
| Burglary | 41 | 10 | **3** |
| Auto Theft | 46 | 5 | **3** |
| Fraud | 48 | 3 | **3** |
| Vandalism | 51 | 0 | **3** |
| Weapons Offenses | 43 | 7 | **4** |
| Drug Offenses | 44 | 6 | **4** |
| Traffic Offenses | 39 | 10 | **5** |
| Public Disorder | 33 | 16 | **5** |
| Total | | **94** | |

3.2.7.2 National Comparisons

Research shows that a majority of homicides offenders do have an active criminal history; however, bias research has found that the typical bias-motivated offender has little or no criminal history (Broidy, L., Daday, J., Crandall, C., Sklar, D., & Jost, P., 2006; Cotton, 1992). The rates for the current study are not that out of line with general homicide trends, but they do suggest that offenders in this dataset are more likely to have a criminal history than typical bias-motivated offenders.

*3.2.8 Other Offender Background Information*

Information on 133 of the offenders (81.1%) allowed a determination of whether their backgrounds had examples of anti-social behavior. The case files for these 133 offenders showed that 78.2% had a history of anti-social behavior.

Information on 102 of the offenders (62.2%) allowed a determination of whether they had been subjected to verbal, physical, or sexual abuse. The case files for these 102 offenders showed that 7% had such experiences.

It was not possible to tell for 57.3% of all of the offenders whether they had a family history marked by violence because there was no indication either way in the case files. The family histories of 55.7% of the 39 offenders (42.7% of total) where the information was available did indicate previous experience with violence.

Fifty-six percent of the offenders had no notation concerning military experience. Only 8.3% of the 72 offenders who had this information included in the case files had been or were currently members of the armed forces.

*3.2.9 Offender Education*

The educational background of 60% of the offenders was not recorded in the case files. A vast majority of the 64 offenders for which this information was available had up to a secondary education (92.2%), with only 3 offenders known to have a bachelor's degree and 1 with only a primary education. Given the extreme proportion of missing data, comparisons on this factor would be meaningless.

### *3.2.10 Offender Mental Health History*

There was no information in the case files for 63% of the offenders regarding their mental health history. Only 5 of the 61 offenders for whom this information was noted in the case files had a history of or a current mental illness. Three offenders with known mental health issues had been diagnosed as schizo-affective, one as bi-polar, and one offender did not have a specific diagnosis in the case file.

### *3.2.11 Offender(s) – Victim(s) Relationship*

The relationship between offender(s) and victim(s) has an impact on a homicide's dynamics. Across these 91 bias-motivated homicide incidents, 56% of the offenders were complete strangers to their victim(s), 37.4% (N=34) were known on some level, and 6.6% did not have their relationship to the victim recorded in the case files.

Of the 34 offenders who had a relationship with the victim that was described in the case files, 53% knew the victim but were not friends, 14.7% were friends, 8.8% were coworkers, and 5.9% were family. One offender-victim pair had a past and present intimate relationship. None of the offenders and victims were blood relatives.

3.2.11.1 National Comparisons

SHR data show that almost 17% of the homicide offenders were complete strangers to their victims*. The current study is in line with other bias research showing that a super-majority of offenders are complete strangers to their victims, as opposed to offender-victim relationship trends in non-bias homicide (Bernat et al., 2001; Franklin, 2000, Harry, 1990; Mason, 1997).

*3.2.12 Distance Traveled by Offenders*

The distance a homicide offender travels to commit the act helps to establish the relationship the offender(s) has to the scene and the victim. In the 83 homicides where the offender(s) was not traveling away from their permanent residence, the distance traveled was known for 72 incidents (86.8%). The average distance traveled by offenders (i.e., street-level travel not point-to-point) was 5.05 miles (8.13 kilometers) with a median distance traveled of 3.19 miles (5.41 kilometers) and a range of zero miles to 18.6 miles (29.93 kilometers).

In 97.8% of the 91 homicides, an offender was involved who was familiar with the area where the homicide occurred. Three homicides (3.3%) involved offenders who were unfamiliar with the area and 2 of the homicides (2.2%) did not have such geographic information noted in the case files. Two of the three homicides where the offenders were not familiar with the area were committed by offenders who were traveling far from their permanent residences. Four homicides were committed by offenders who were traveling

* It is important to note that a full 42.6% of the incidents in the SHR were coded as *unknown* in relation to offender-victim relationship

a relative great distance from their permanent residence but were still familiar with the homicide setting because they had been in the area for several days or had lived in the area previously.

#### 3.2.12.1 National Comparisons

Overall, violent offenses tend to occur closer to the offender's residence than property offenses (Baldwin & Bottoms, 1976; Wiles & Costello, 2000). Specifically, violence research states that violent offenders tend to travel about 1.49 miles from their residences (Wiles & Costello, 2000), while 40% of homicide offenders commit their crimes within one city block (a full 74% occur within 2 city blocks of the offender's residence) (Bullock, 1955). The distances traveled by offenders in this study are greater than the average violence or homicide offender. This is consistent with a majority of research on bias crimes, which suggests that bias offenders tend to travel to areas where there are suitable targets for their offenses (Comstock, 1991).

### *3.2.13 Offender Motivation*

Based on the information contained in the case files, motivations for each homicide were entered into the database. In some of the case files the offenders themselves disclosed their non-bias-related motivation to witnesses or investigators, while in others the motivation was learned indirectly by the investigators (see Table 3.2.4).

**Table 3.2.4: General Offender Motivations Across All Homicides (Non-Bias Motivation)**

| Motivation | Offender | | | Case Notes | | | Total | | |
|---|---|---|---|---|---|---|---|---|---|
| | **No** | **Yes** | **Unknown** | **No** | **Yes** | **Unknown** | **No** | **Yes** | **Unknown** |
| Sexual | 150 | 0 | 14 | 150 | 0 | 14 | 89 | 0 | 2 |
| Personal Financial | 126 | 25 | 13 | 1245 | 25 | 15 | 75 | 13 | 3 |
| Third Party Financial | 147 | 0 | 17 | 148 | 1 | 15 | 87 | 1 | 3 |
| Gang | 139 | 131 | 12 | 119 | 32 | 13 | 74 | 14 | 3 |
| Personal | 42 | 102 | 20 | 35 | 110 | 19 | 25 | 61 | 5 |
| Conflict | 85 | 62 | 17 | 85 | 62 | 17 | 50 | 37 | 4 |
| Domestic | 143 | 4 | 17 | 144 | 3 | 17 | 84 | 3 | 4 |
| Revenge | 129 | 18 | 17 | 127 | 20 | 17 | 77 | 10 | 4 |
| Psychological | 146 | 1 | 17 | 142 | 5 | 17 | 82 | 5 | 4 |
| Mercy Killing | 147 | 0 | 17 | 147 | 0 | 17 | 87 | 0 | 4 |
| Victim | 106 | 41 | 17 | 127 | 15 | 22 | 61 | 26 | 4 |
| No Known | 151 | 0 | 13 | 151 | 0 | 13 | 88 | 0 | 3 |

## 3.3 Victim Demographics

### *3.3.1 Number of Victims*

Establishing offender-victim dynamics involves many victim-oriented factors. One of the most basic but very important factors is how often the victims of bias-motivated homicides are alone or members of a larger group. As discussed earlier, there are group

dynamics to consider when multiple offenders are involved, and the same is true with multiple victims.

Across the 91 homicide crime scenes, there were a total of 124 victims involved in the incidents, with 67 (73.6%) homicide scenes involving single victims and 24 (26.4%) involving multiple victims. On average there were 1.36 victims, with both a median and mode of 1 victim (range of 1 to 4). There were 67 bias-motivated homicide incidents with a single victim, 17 homicides with two victims targeted, five homicides with three victims targeted, and two homicides with four victims targeted.

Of the 124 victim group members involved in the 91 bias-motivated homicides, 98 did not survive their attacks. On average there were 1.08 deceased victims per incident, with both a median and mode of 1 (range of 1 to 4). There were 86 (94.5%) homicide incidents with a single deceased victim, 4 (4.4%) with two deceased victims, and 1 (1.1%) incident with four deceased victims.

#### 3.3.1.1 National Comparisons

SHR data indicate that 1.05 victims, on average, were involved in homicides. The Hate Crimes reports show an average of 1.21 victims across all bias-motivated crimes, 1.24 for bias-motivated violence, and an average of 1.41 victims involved in the 124 bias-motivated homicides, which is very close to the study average of 1.36 total victims involved per homicide.

### *3.3.2 Gender of Victims*

The gender of the victim helps to establish both the relationship of the offender to the victim and the vulnerability of the victim in terms of the victim's physical strength. Overall, 110 of the victims (88.8%) were male, 7 (5.6%) were female, and 7 (5.6%) did not have their gender noted in the case files. Of the 98 deceased victims, 93 (94.9%) of them were male and 5 (5.1%) were female, indicating a rather disparate distribution between the gender of the victims.

#### 3.3.2.1 National Comparisons

According to the SHR males, on average, were 79% of murder/non-negligent manslaughter victims, females were 20.76%, and gender was unknown for .15%. Unfortunately, the UCR Hate Crime reports do not include gender; however, national bias research suggests that males are the victims in over 90% of all bias-motivated incidents and crime (Bernat et al., 2001; Bufkin, 1999; Levin & McDevitt, 1993, 2002;). The study breakdown of males involved in almost 88.8% (94.9% of deceased victims) of the bias-motivated homicides and females in 5.6% (5.1% of deceased victims) further supports the trend of males being more likely to be involved in crime, particularly violent crime, which, again, is a distortion that is accentuated when bias is involved.

*3.3.3 Age of Victims*

The age of the victim can also be indicative of their level of vulnerability. Overall, on average, victims were 34[2] years old, with a median age of 29, and a mode of 26. For the 98 deceased victims the mean age was 34 years. When the victims are separated by gender (see Table 3.3.1) a younger mean age of 34 for male victims (N=93) and an older mean age for female victims of 57 years (N=2), with the ages of 3 female victims not noted in the case files.

**Table 3.3.1: Age of Deceased Victims by Gender**

| | Range | Mean | Median | Mode |
|---|---|---|---|---|
| Male | 16-74 | 34 | 32 | 26 |
| Female | 48-66 | 57 | 57 | - |

*3.3.4 Race of Victims*

A majority of the victim group members were Caucasian (62.3%) (28.8% of which were Hispanic), with Black victims constituting 28.2% of the victims, Asian/Pacific Islanders 4.3%, Asian/Indian 1.7%, and mixed race individuals .9%. The race of 3 of the victims (2.6%) was not recorded.

The race of every deceased victim was known. Caucasians were 62.3% (29.5% of which were Hispanic) of the deceased victims, while 30.6% were Black, 4.1% were Asian/Pacific Islander, 2.0% were Asian/Indian, and 1% were of mixed race.

[2] All ages were rounded up or down to the nearest whole number

3.3.4.1 National Comparisons

In the SHR victims of murder and non-negligent manslaughter on average were 47.83% White, 48.57% Black, .73% American Indian, 1.89% Asian/Pacific Islander, and .98% are of an unknown race. Victim race is not recorded in the Hate Crime reports, but bias research suggests that a majority are White, with most of the remaining victims being Black (Franklin, 2000). This is consistent with the results obtained using the study dataset (see Table 3.3.2).

**Table 3.3.2: Comparison of Victim Race (percent)**

| Race | National Homicide | Current Study |
|---|---|---|
| White | 47.83 | 62.3 |
| Black | 48.57 | 28.2 |
| American Indian | .73 | 0 |
| Asian/Pacific Islander | 1.89 | 4.3 |
| Asian/Indian | N/A | 1.7 |
| Multiple Race | N/A | .9 |
| Unknown | .98 | 2.6 |

*3.3.5 Occupation of Victims*

Occupation/employment status was not recorded for 43.6% of the victim group members. Overall, 5.1% of the victims were known to be unemployed. Of the 66 victim group members where the occupation was known, 54.5% (N=36) were laborers or blue collar workers. Twelve-percent of the known occupations indicated that the victims were students and 21.3% were employed in professional/white collar jobs. Three-percent (N=2) of the victim group members had their occupational status coded as *other* because one was a prostitute and the case notes on the other victim only indicated that they were

*employed*. With almost half of the victims having no occupational status recorded in the case files, comparisons on this factor would have limited meaning.

### *3.3.6 Sexual Orientation of Victims*

Sexual orientation was not recorded for 14.5% of the victim group members. Sixty-eight-percent of the homicide victim-group members for whom this information was recorded were heterosexual, 31% were homosexual, and 1% was bisexual.

### *3.3.7 Surviving Victims*

There were some key differences in the demographics of those victims who survived multiple victim incidents and those who did not. The mean age of the victims who did not survive their attacks was 34 (N=98), while the mean age of the 14 victims who did survive their attacks on whom this information was collected was 28 (median=25.5; mode=26). There were twelve surviving victims for whom ages were not recorded. Women were a higher percentage of the surviving victims (10.5% versus 5.1%) than the deceased victims. Homosexuals were more likely to be deceased victims (31%) than surviving victims (5.3%). In what is perhaps the best explanation for survival, surviving victims were 14.8% less likely to have multiple concentrated wounds.

## 3.4 Offender Crime Scene Actions

### *3.4.1 Method of Killing*

The method offenders employ to fatally injure victims is related to the relationship between the offender and the victim, as well as the purpose that the victim serves for the offender in the incident. A firearm was the sole object used in 49.5% of the 91 homicide incidents. A gun was used in conjunction with a blunt object in one homicide and with a blunt object and a knife in another. The other most common weapon used was a knife or other sharp object (see Table 3.4.1).

**Table 3.4.1: Primary Weapon used in Homicide Incidents**

| Weapon | Number of Homicides | Percent |
|---|---|---|
| Firearm | 45 | 49.5 |
| Knife\OSO | 20 | 22 |
| Blunt Object | 10 | 11 |
| Car | 5 | 5.5 |
| Blunt Object & Knife | 3 | 3.3 |
| Ligature\Strangulation | 1 | 1.1 |
| Fire | 1 | 1.1 |
| Blunt Object & Firearm | 1 | 1.1 |
| Blunt Object, Knife & Gun | 1 | 1.1 |
| Not Applicable – Manual Killing | 2 | 2.2 |
| Not Indicated | 2 | 2.2 |
| Total | **91** | **100%** |

In forty-four of the 45 homicides where a gun was the main weapon, the gun was discharged. The gun was used as a blunt object to beat the victim in the remaining homicide. In eighty-nine-percent of the 44 homicides (N=39) where a gun was discharged, the victim was shot at a close range. Five of the homicides had victims shot from a distance of more than 10 feet, two had shots fired from a distance of more than 10

feet and from less than 10 feet, and one homicide involved a victim shot execution style (point-blank range as determined by a medical examiner).

Whether an offender uses a weapon found at the scene or comes to the homicide scene with the murder weapon is a distinction that can reveal whether the homicide had an element of planning or grew out of another interaction. The murder weapon was brought to the scene in 72.5% of the 91 homicides. Offenders used a weapon at the scene in 17.6% of the homicides and they used a weapon from the scene and one brought to the scene in 7.7% of the crime scenes. In 2 of the homicides (2.2%) there were no weapons used, only physical manual violence.

The location of the wounds on the victim's body can provide insight into how the offender(s) views the victim(s) and the dynamics of the homicide. Across these 91 bias-motivated homicide incidents the victim's front torso was the most common wound location followed by the victim's head (see Table 3.4.2).

**Table 3.4.2: Wound Location**

| Injury Location | No | Yes | Unknown |
|---|---|---|---|
| Torso-Front | 24 | 64 | 3 |
| Torso-Back | 62 | 23 | 6 |
| Pelvic Region | 71 | 13 | 7 |
| Neck | 66 | 21 | 4 |
| Face | 59 | 26 | 6 |
| Head | 46 | 39 | 6 |
| Arms/Hands | 59 | 24 | 8 |
| Legs/Feet | 73 | 10 | 8 |

Despite the acknowledged difficulty in quantifying the concept of overkill, it still is important to construct a picture of the amount of wounding that these homicide victims suffered. Twenty-seven (29.7%) of the homicides had victims that suffered a single

wound, 60 (65.9%) received multiple wounds (range=1-135), and the number of wounds was unknown in 4 of the homicides.

3.4.1.2 National Comparisons

SHR data show that firearms are the weapons of choice when it comes to committing a homicide, with almost 68% of homicides committed with a firearm. The breakdown of weapons used is similar to the study, thought it is much less severe (see Table 3.4.3).

**Table 3.4.3: Comparison of Primary Weapon used in Homicide Incidents**

| Weapon | National Homicide Percent | Study Percent |
|---|---|---|
| Firearm | 67.83 | 49.5 |
| Knife\OSO | 13.11 | 22 |
| Blunt Object | 5.02 | 11 |
| Car | - | 5.5 |
| Blunt Object & Knife | - | 3.3 |
| Ligature\Strangulation | 1.85 | 1.1 |
| Fire | .69 | 1.1 |
| Blunt Object & Firearm | - | 1.1 |
| Blunt Object, Knife & Gun | - | 1.1 |
| Not Applicable – Manual Killing | 6.16 | 2.2 |
| Unknown | 5.34 | 2.2 |
| Total | **100%** | **100%** |

While bias research often does mention the concept of overkill – often suggesting that up to 70% of bias motivated murders could be classified as overkill – the study dataset did show that over that percent of the cases (73.8%) involved multiple wounds, with 5 of the homicides presenting evidence that the victim had over 20 separate wounds (with a maximum of 40).

*3.4.2 Treatment of Victim(s) Body*

Crime scene evidence that shows or suggests that the offender treated the victim in a sexual manner may reveal a great deal about the psychological needs of the offender and the role that the victim played for the offender in the homicide. Evidence of anal penetration of the victim only was present in one of the 91 homicide crime scenes. None of the crime scenes contained evidence of oral penetration, vaginal penetration, or the sexual use of a foreign object on the victim.

Semen was present in one homicide crime scene and was specifically found on the body of a victim in another homicide. Neither of the crime scenes where semen was present had evidence of sexual penetration of any kind; however, in the homicide crime scene where semen was found the victim was found completely nude (2 other homicides had victims who were found completely nude with the absence of any other offender sexual behavior), and in the crime scene where the semen was found on the victim's body the victim had been redressed. Three crime scenes had victims who were partially undressed without any evidence of other sexual behavior on the part of the offender.

The victim's body was bound post-mortem at one scene, hidden from view after four of the homicides, covered with something at three scenes (one of these scenes also involved the victim's face being covered), and never buried after any of the homicides.

Evidence of the offender(s) dismembering the body of the victim(s) post-mortem was present in two crime scenes. One crime scene had evidence of post-mortem superficial cutting of the victim. The dismembered body parts were removed from one scene and left at the other. There was no evidence at any of the crime scenes of deliberate positioning of

the victim's body, staging of the crime scene, post-mortem cleaning of the body, evisceration, or necrophilia. One homicide had a victim who had a discriminatory symbol carved onto their body post-mortem.

#### 3.4.2.1 National Comparisons

While there was no information related to treatment of the victim's body post-mortem in either of the national data sources, general homicide research suggests that dismemberment, evisceration, staging, and other activities are not overly common in single-incident homicides. Sexual behavior and partial undressing, while slightly more common, are still relatively rare. The fact that there is so little of any of this type of behavior on the part of the bias-motivated homicide offenders does suggest a lack of these types of psychological motivations/urges so often characterized as instrumental (Salfati, 2000).

### *3.4.3 Property-related Behavior*

Insight into the offender's motivation for committing the homicide often can come from evidence that something was stolen during/after the homicide. Property was stolen in 25.3% of the 91 homicides (it was unknown whether property was stolen in 3.3% of the homicides). Money, which was stolen in 12 (13.2%) of the homicides was the most common item stolen. The victim's car was stolen in 6 homicides.

#### 3.4.3.1 National Comparisons

Research has found that property-related behavior, much like sexual behavior, tends to occur at a relatively rare but not undetectable rate in homicides (i.e., 10-30% of homicide

cases) (Salfati, 2000). In the current study property was stolen in a very similar proportion of homicides. Bias-violence research provides some evidence that bias-motivated violence often is not committed for any material profit; instead, when property is stolen it is usually an afterthought (Harry, 1990).

*3.4.4 Behavior Indicative of Planning*

Certain behaviors that offenders perform to facilitate the commission of their crime provide insight into the level of planning the offender completed before the crime. It was evident in 8 of the homicides (8.8%) that the offenders had engaged in preparatory actions designed to help them commit their crimes. It was unclear from 1 crime scene whether preparatory actions had taken place or not. In 4 of the homicides there was evidence that the offenders had bound their victims before they were killed, in one of those homicides the victim also was gagged, and there were no homicides that involved victims who were blindfolded. Some of the other preparatory actions included willfully disarming the victim, gaining lawful entry into the victim's residence to distribute an accelerant or to leave entrances unlocked, and befriending the eventual victim then intoxicating them to diminish their resistance. The single homicide scene where the preparatory action of placing an accelerant in the victim's residence occurred is also the only crime scene with evidence of arson.

The manner in which offenders dispose of bodies and stage the crime scenes also can provide evidence concerning the level of planning. There was no evidence of crime scene or body staging in any of the homicides. In one of the homicides the victims' bodies were found in water. In 84.6% (N=77) of the homicides the victim's body was

found where the homicide occurred. The other 14 homicides consist of 3 crime scenes where the victim's body was taken from the crime scene by the offender's vehicle and 1 crime scene where the offender physically moved the body. In the remaining 10 homicides, the victim died en-route to or in a hospital as a direct result of their injuries.

*3.4.5 Post-incident Behavior*

Offender behaviors post-homicide also offer valuable information regarding offender planning, motivation, and how the offender relates to other people (see Table 3.4.4). In terms of the actual crime scene, offenders in 13.2% of the 91 (N=12) homicides spent time at the crime scene after the victim(s) was deceased. It was not recorded in 4 of the case files whether the offender(s) had spent time at the crime scene. Three homicides had offenders who later returned to the homicide location, two of which were offenders who had spent time at the scene immediately following the homicides. There was no evidence of whether the offender(s) revisited the crime scene recorded in 6 (9.2%) of the case files. Offenders in 5% of the 65 homicides (N=3) left writings or drawings at the scene after the homicide.

Offenders often engage in behaviors following the homicide that either directly or indirectly result in their connection to the homicide being discovered. In 11% of the 65 homicide cases (N=7) the offender committed another crime, with a direct link to the homicide, after the victim was dead. This information was not recorded in anyway in 2 of the homicide case files. In 3% of the homicide cases the offender(s) committed another crime, with no direct connection to the preceding homicide. Again, no information on this factor was found in 2 of the case files. Nine-percent of the 65 homicides (N=6) were

solved when the offender(s) turned himself into the authorities. There was no evidence of any of the offenders attempting to inject themselves into the police investigation of the homicide they committed.

Certain post-incident behaviors are illustrative of the offender's feelings concerning the homicide he just committed. Offenders in 23.1% of the homicides (N=21) bragged to people they knew about killing either the specific person or a certain type of person. Six-percent (6.6%) of the homicides were committed by offenders who committed suicide post-homicide. Offenders in 21% of the homicides (N=19) suggested that they would employ the "homosexual panic defense," arguing that they were afraid they were going to be homosexually raped and that the homicide was self-defense.

**Table 3.4.4: Offender Post-Incident Behavior**

| Post-Incident Behavior | Yes | No | Not Recorded in Case Files |
|---|---|---|---|
| Spent Time at Crime Scene | 12 (13.2%) | 75 (82.4%) | 4 (4.4%) |
| Re-visited Crime Scene | 5 (5.5%) | 80 (87.9%) | 6 (6.6%) |
| Writings/Drawings Left | 3 (3.3%) | 88 (96.7%) | 0 |
| Commission of another Crime w/ connection to homicide | 7 (7.7%) | 82 (90.1%) | 2 (2.2%) |
| Commission of another Crime separate from homicide | 3 (3.3%) | 86 (94.5%) | 2 (2.2%) |
| Offender turns Self In | 10 (11%) | 79 (86.8%) | 2 (2.2%) |
| Offender Injects Self into Investigation | 0 | 88 (96.7%) | 3 (3.3%) |
| Bragged to Others | 21 (23.1%) | 65 (71.4%) | 5 (5.5%) |
| Suicide | 6 (6.6%) | 81 (89%) | 4 (4.4%) |
| Panic Defense | 19 (20.9%) | 70 (76.9%) | 2 (2.2%) |

#### 3.4.5.2 National Comparisons

There have been virtually no national analyses of post-homicide offender suicides in the United States; however, city-level and international studies imply that it is a very rare phenomenon, with proportions ranging from 1.6% to 20%. The 6.6% of homicide cases concluding with the offender's suicide in the current study is slightly higher than many of the city-level analyses conducted in the United States, but it is not an extreme value (Pritchard, 1995; Silverman & Kennedy, 1993; Stack, 1997; Wolfgang, 1957).

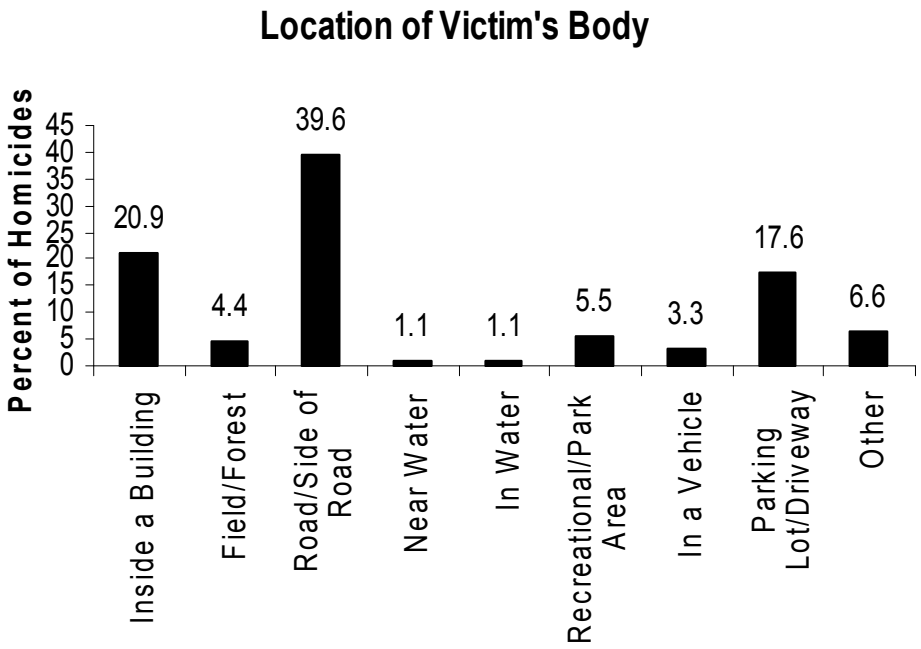
## 3.5 Homicide Setting

### *3.5.1 Setting of Homicide*

Where and when a homicide occurs reveals information concerning the dynamics of the incident, as well as the behaviors of the offender(s) and victim(s). A vast majority (73.6%) of the 91 homicides (N=67) occurred when it was dark, 23.1% (N=21) occurred when it was daytime, and the time of the homicide was unknown in 3.3% (N=3) of the cases (see Figure 3.5.1).

Victims were found inside a building in 20.9% of the homicides, on or on the side of a road in 39.6%, and in a recreational/park area in 5.5%. Some of the other locations where the victims' bodies were found included train tracks, a train tunnel, and construction sites. In 14.3% of the homicides (N=13) the deceased victim was found in their residence, while 1 victim was found in the offender's residence. Only three homicides had evidence suggesting the offender had forced entry into the space where the homicide occurred.

**Figure 3.5.1: Location of Victim's Body**




3.5.1.2 National Comparisons

The Hate Crime reports show that 56% of bias-motivated crimes occurred inside a building (e.g., a residence, a school, or another enclosed structure). The same data reveal that 50% of bias-motivated violent crimes occurred inside a building, as did 33% of the 124 total bias-motivated homicides (see Table 3.5.1).

**Table 3.5.1: Comparison of Location of Victim Bodies – Percent of Homicides**

| Location | All Bias Crime | Bias Violence | All Bias Homicides | Current Study |
|---|---|---|---|---|
| Inside | 56 | 50.2 | 33.1 | 20.9 |
| Field/Woods | 1 | 1.1 | 9.7 | 9.9 |
| Road/Parking Lot | 26.3 | 31.7 | 44.9 | 57.2 |
| Lake/Water | .2 | .2 | 1.6 | 2.1 |
| Other | .7 | .8 | 1.6 | 9.9 |
| Unknown | 15.8 | 16 | 12.1 | 0 |

*3.5.2 Precipitating Factors*

The situation leading up to the commission of a homicide, including drug or alcohol use, personal events, or an argument/fight, help explain the nature and dynamics of the homicide. Drug and/or alcohol use often is associated with individuals engaging in criminal activity, including violent behavior. Offenders had been drinking prior to the act in 47.3% of the homicides and had been using illicit substances before the homicides in 20.9% of the cases (see Table 3.5.2).

Interactions between victims and offenders preceding a lethal encounter impact the final interaction between the victims and offenders and allow that interaction to be put in context. Twenty-percent of the homicides began as verbal arguments or disagreements, 5.5% as physical fights/altercations, 20.9% as both verbal arguments and fights, 47.3% did not begin as either an argument or a fight, and it was not recorded in 6.6% of the case files how the interaction began (see Table 3.5.2).

**Table 3.5.2: Percent of Homicides with Evidence of Precipitating Factors**

| Precipitating Factor | Yes | No | Not Recorded in Case Files |
|---|---|---|---|
| Alcohol Use | 43 (47.3%) | 31 (34.1%) | 17 (18.7%) |
| Drug Use | 19 (20.9%) | 47 (51.6%) | 25 (27.5%) |
| Argument | 18 (19.8%) | 67 (73.6%) | 6 (6.6%) |
| Fight | 5 (5.5%) | 80 (87.9%) | 6 (6.6%) |
| Argument & Fight | 19 (20.9%) | 66 (72.5%) | 6 (6.6%) |
| Loss of Employment | 4 (4.4%) | 76 (83.5%) | 11 (12.1%) |
| Relationship Problems | 6 (6.6%) | 69 (75.8%) | 16 (17.6%) |
| Loss of Partner/Spouse | 0 | 76 (83.5%) | 15 (16.5%) |
| Family Death | 2 (2.2%) | 72 (79.1%) | 17 (18.7%) |
| Financial/Property Loss | 2 (2.2%) | 72 (79.1%) | 17 (18.7%) |
| Legal Problems | 27 (29.7%) | 46 (50.5%) | 18 (19.8%) |

#### 3.5.2.2 National Comparisons

Precipitating factors are not included in either of the national datasets; however, research into how violent crimes and particularly homicide begin does provide insight into the prevalence of such factors. Data from National Institute of Justice programs has found that close to 50% of individuals arrested on homicide, fighting, weapons offenses, or assault charges test positive for illicit substances, with 65% of individuals arrested for robbery testing positive. The National Crime Victimization Survey (NCVS) has found similar percentages based on victim statements (DOJ, 1994). Other research has found that drinking alcohol preceded around half of all violent crimes (Roth, 1994, p.3). Bias crime research estimates that drugs and alcohol are involved in a majority of such incidents (Bufkin, 1999). The study data show that preceding alcohol consumption was very common; however, drug use was not as common as national data suggest for other violent crimes and homicides. It should be noted that this information was not recorded for about a quarter of the study homicides.

## 3.6 Bias-related Behavior

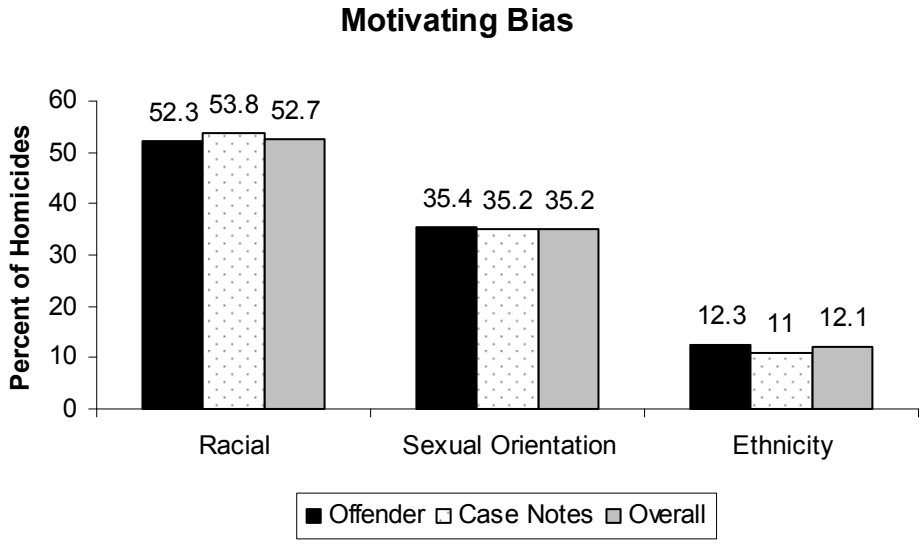
There is a dearth of published work concerning the bias-related behaviors in which bias-motivated violent offenders engage. Establishing the frequencies of such behaviors is an important step in understanding these types of offenders and offenses.

### *3.6.1 Motivating Bias*

There are two means of learning the bias that motivated an offender: statements made by the offender prior to, during, or after the homicide, and facts learned through an intensive investigation.

Offenders stated that the homicide was racially motivated in 37.4% of the homicides, motivated by a sexual orientation bias in 23.1% of the homicides and by an ethnic bias in 7.7% of the cases. The offenders did not reveal the bias themselves in 29% of the cases. The distribution of motivating biases was similar when the case notes were analyzed, except that the case notes had a bias for every homicide (see Figure 3.6.1).

**Figure 3.6.1: Motivating Bias**




3.6.1.2 National Comparisons

Racial bias consistently is the most prevalent motivation in bias crimes, while the percentages of the other bias categories differ based on the type of criminal event (see Table 3.6.1). The large increase in the percent of homicides with sexual orientation as the motivating bias is explained by the decrease in ethnic-bias cases as compared to the complete UCR bias homicide statistics.

**Table 3.6.1: Comparison of Motivating Bias**

| Motivating Bias | Bias Crime | Bias Violence | Bias Homicide | Current Study |
|---|---|---|---|---|
| Racial | 58.5 | 63.6 | 50 | 52.7 |
| Sexual Orientation | 13 | 15 | 23 | 35.2 |
| Ethnic | 10 | 11.6 | 22 | 12.1 |
| Religion | 17 | 9 | 3 | 0 |
| Disability | .2 | .2 | 0 | 0 |

### *3.6.2 Bias-related Comments/Statements*

Comments made by offenders that are demonstrative of the bias involved are often the sole indicator investigators rely on to determine the motivating bias. Offenders made bias-related comments or statements in relation to the homicide before, during, or after the incident in 85.7% of the homicides (N=78). There were no comments made in relation to 9.9% of the homicides (N=9) and information on bias comments was not recorded in 4.4% of the homicide case files (N=4).

Research has found that bias-related offensive language is used in 37% of incidents (Comstock, 1991). The more frequent use of such language in the study cases could be a result of homicides being associated more with such comments or because the study case files provided more complete information than available in other research.

### *3.6.3 Bias-related Drawings/Markings/Symbols*

Aside from the more common *bias comments*, some offenders opt to leave bias-related drawings, markings, or symbols at crime scenes that denote the motivating bias. Only 5.5% of the homicide crime scenes had offenders who left such items (N=5). There were no drawings or markings in 91.2% of the homicides and the information was not recorded for 3.3% of them.

### *3.6.4 Bias-related Objects Used*

Certain objects, which when seen by most reasonable people communicate a bias-related ideal, often are present or displayed during bias-motivating incidents. Such objects were only present during two of the 91 homicides. In both of these particular instances a Confederate flag was prominently displayed throughout racially-motivated murders.

### *3.6.5 Victim Locality*

If a particular area or location that has experienced a bias-motivated incident, which naturally has elevated the tension between groups in that area, then individuals who are members of the targeted groups who enter the area in the future may do so at an increased risk to themselves. Future incidents may be prompted or influenced by those previous incidents. The location where 7.7% of the homicides (N=7) occurred had previously experienced bias-motivated incidents. This is consistent with some of the bias research, which details how offenders travel to specific neighborhoods or locations to seek out specific types of victims (Kuehnle & Sullivan, 2001).

### *3.6.6 Frequency of Hate Crimes*

The frequency with which past bias-motivated crimes against a particular *out group* have occurred in a neighborhood or location may influence the likelihood, intensity, and/or final outcome of any future interactions between conflicting group members. Such information can also make it easier for investigators to determine whether an bias-motivated homicide is just one event in a sequences of similar incidents. The locations

where 15.4% of the homicides (N=14) occurred were places where there recently had been frequent bias-motivated incidents against members of the same victim group.

### *3.6.7 Community Perceived Bias*

Whether or not community members generally perceive the homicide to be a bias-motivated event is an important factor in determining the true nature of the homicide as well as in understanding any on-going dynamics that may have given rise to the fatal encounter. A full 83.5% of the homicides (N=76) were considered bias-motivated by the surrounding community. The opinions of the community were not recorded in 3.3% of the homicide case files (N=3).

### *3.6.8 Victim Activities*

Victims who actively work to promote the minority or out groups to which they belong increase their exposure and may increase the chances that they will have a violent encounter with an individual biased against their group. The homicide victims were engaged in out-group related activities in only 2.2% of the homicides (N=2).

### *3.6.9 Holiday Significance*

Particular dates which coincide with holidays celebrating minority group accomplishments/membership or national pride may make it more likely that an antagonist encounter between victims and offenders who view the holiday as an insult or a reason to protect the *traditional* order. Related holidays co-occurred with 5.5% of the homicides (N=5). Two of the homicides occurred on July 4$^{th}$, a couple of the anti-homosexual homicides occurred during Gay Pride month, and one of the anti-black

homicides occurred during Black History month. Other work also has found increases during Gay Pride month (Reasons & Hughson, 2000).

### *3.6.10 Offender involvement in past bias incidents*

An offender's history of participating in bias-motivated incidents, either criminal or non-criminal, provides insight into how they interact with individuals – particularly different individuals. Offenders had engaged in previous bias-motivated incidents in 8% of the homicides (N=7).

Considering that research has found that it is very likely that serious assaults and bias incidents go unreported because of fear of secondary victimization and social stigma, it is hard to estimate past bias-incident involvement; however, survey research consistently finds that many individuals report either seeing or engaging in bias crimes or incidents (Franklin, 2000) and that large proportion of typical victim groups report experiencing such incidents (Griffin, 1997). Therefore, it is logical to assume that many bias-motivated offenders have participated in past incidents that went unreported or unclassified.

### *3.6.11 Organized Hate Group Involvement*

When bias-motivated offenders are affiliated with an organized hate group there motivation is often less personal, and instead has more to do with the suggestions and desires of the group and its leaders. Offenders were directly connected to organized hate groups in 14.3% of the homicides (N=13). Hate group information was not recorded in 3.3% of the homicides (N=3).

Researchers routinely report that participation/membership in organized hate groups among bias-motivated offenders is very rare, and that when it is present, it is only related to very specific aspects of the bias crime (Craig, 2002; Levin & McDevitt, 1993). Some estimates place the percent of bias-crime offenders *not* involved in organized hate groups at 95%, which would be far above the bias-motivated murderers present in this study.

### 3.7 Summary

This chapter outlines the analyses of the frequencies of different crime scene behaviors present in the bias-motivated homicide cases, as well as the demographics of offenders and victims involved. Overall, these analyses serve to further support findings that bias-motivated homicides represent a behavior that is distinct from regular homicides and non-fatal bias-motivated violence. Constructing profiles of typical types of the analyzed incidents highlights the similarities and differences.

The "typical" non-bias-motivated homicide offender can be described as a young (average age of 28 with a median of 24 and mode of 19) year old, White or Black, male who had previous interactions with the criminal justice system, and who, at the time of the homicide, was part of a small group of offenders (2-3 total offenders), and was armed with a firearm. This offender targeted a lone, male, known, individual, usually of the same race and age group.

The "typical" bias-motivated, violent offender can be described as a young (80-90% under the age of 30), White, middle-class, male, with limited to no previous criminal justice system interaction, who, at the time of the homicide was part of a small group (2-3 total offenders) of offenders (not members of an organized hate group), and was armed

with a weapon not designed to kill. This offender targeted 1 or 2 male, White, unknown, slightly older, individuals. These offenders were mostly motivated by a racial bias, followed by a sexual orientation or ethnic bias.

The "typical" bias-motivated homicide offender, based on the Hate Crime Reports, can be described as a young (80-90% under 30 years old), White, middle-class, male, with limited to no previous criminal justice system interaction, who, at the time of the homicide was part of a small group of offenders (on average 2 offenders not members of an organized hate group), and was armed with a firearm. This offender targeted 1 or 2, male, White, unknown, slightly older, individuals. These offenders were mostly motivated by a racial bias, followed by either a sexual orientation or ethnic bias.

The "typical" bias-motivated homicide offender included in the current study is a young (average of 25 years old with a median and mode of 21), White, lower-middle-class, male, usually with some previous criminal justice system interaction, who, at the time of the homicide was part of a small group of offenders (1-4) who might have hate group involvement, and was armed with a firearm. The typical study offender targeted 1 or 2, male, White, unknown, older, individuals. These offenders were motivated primarily by racial bias, followed by sexual orientation bias and ethnic bias.

Comparing these descriptions specifically on variables that could be compared to national data, it can be seen that the study sample has more offenders than non-bias homicide and is representative of the entirety of bias-motivated homicides reported to the UCR. Similarly, the present sample has a 39% larger sample of 'stranger' cases than non-bias homicides, which is in line with research on bias-motivated violence. This may be due, in

part, to the large percentage of cases in the SHR that have an unknown victim-offender relationship. Regardless of this data issue, however, the present sample has a higher proportion of offenders who were complete strangers to their victims. Offenders in the study sample were most likely to have killed an older victim, while non-bias offenders tend to kill offenders close in age. In relation to the offenders' crime scene behaviors, offenders in the study sample used a firearm in 18.3% less cases and were 11% more likely to kill a male, as compared to SHR homicides.

Concerning the comparability of the study sample to the complete collection of UCR-reported bias-motivated homicides, the similarities present across all of the factors that could be compared suggest that it is reasonable to assume that the 91 homicides included in the current study are representative of the 124 total bias-motivated homicides reported to the FBI/UCR between 1991 and 2000.

This first part of the larger study presents a general picture of the homicides included in the dataset, as well as of the involved victims and offenders, and their actions before, during, and after the homicide. At this beginning stage, as discussed above, bias-motivated homicides appear to be distinct forms of homicide as compared to non-bias homicides. These differences, however, are based on frequencies of individual variables and need to be examined in relation to each other if themes of bias-motivated homicides are to be established, which can be compared to what is already known about non-bias homicide. The co-occurrence of every crime scene behavior with every other crime scene behavior will be analyzed to uncover behavioral themes. With themes of crime scene behaviors determined, those behaviors will be analyzed together with offender characteristics to investigate whether types of offenders, based on previous interpersonal

interactions and background characteristics, are linked to homicide themes. First, though, the bias-motivated homicides will be analyzed to see if they are generally similar. The next study serves to determine if there are significant differences among homicides motivated by different biases.

# CHAPTER 4:
# BIAS-BASED COMPARISONS OF 91 HOMICIDES

## 4 SIMILARITIES AND DIFFERENCES AMONG HOMICIDES MOTIVATED BY DIFFERENT BIASES

This sub-study was conducted to identify those variables that homicides motivated by different biases do and do not share. It was hypothesized that racial and ethnic bias-motivated homicides would be similar to each other and distinct from those homicides motivated by a sexual orientation bias. In this study the offender and victim characteristics, homicide crime scene actions, and bias-related behaviors examined in chapter 3 were compared across the three types (i.e., racial, ethnic, and sexual orientation) of bias-motivated homicide present in this study. These analyses aimed to highlight variables that would be useful in developing themes throughout the remainder of the study.

### 4.1 Preliminary Analysis of Bias Groups

At a basic level, racial and ethnic biases are more similar to each other than to sexual orientation bias. Whereas the words ethnic and racial refer to more objectively observable biological issues, sexual orientation is based on assumptions and behaviors, as orientation cannot reliably be determined through appearance (Griffin, 1997; Herek, 1998). These similarities, combined with the fact that with such a small number of homicides determined by investigators to be motivated by an ethnic bias it would be difficult and ill-advised to perform statistical comparisons across all three bias types, suggested that combining racial and ethnic bias homicides into one category for analysis purposes through the rest of the larger study would be beneficial. Collapsing racial and ethnic biases, however, should not be based solely on this elementary distinction; rather, racial

and ethnic bias-motivated offenders, their victims, and their crime scene behaviors, also were compared against each other across several variables.

To determine if these two groups of bias-motivated homicide crime scenes and their concomitant offenders and victims could be collapsed, racial and ethnic bias homicides were compared across multiple variables using either Independent Samples T-tests or Chi-Square analysis, whichever was appropriate for the type of data. The variables tested and the significance levels for the corresponding comparisons are listed in Table 4.1.1.

Since there were only two groups compared, when group means were compared the Independent-Samples T-Test was used because it is fairly robust to departures from normality. Specifically, the unequal-variance T-test was used to correct for the inability to assume that two groups share the same population variance. Admittedly, the cases included in an Independent-Samples T-Test should be independent, random samples. The cases that make up the current study do not represent a random sample of the population of bias-motivated homicides; rather, as discussed previously they represent those cases that were submitted when a general call was put out to all law enforcement agencies who had reported a bias-motivated homicide to the Uniform Crime Report program (for a more complete explanation see Section 2.1.2 – in the Data & Methods chapter). That is the nature of this data, which does account for more than two-thirds of all the bias-motivated homicides reported during the time-period under consideration, so all statistical findings should be considered with that in mind – this is part of the reason why nonmetric multidimensional scaling methods will be employed later in the larger study.

When non-quantitative variables were compared to determine the distribution of occurrences between the homicide types Chi-Square analysis was employed because it is a nonparametric test and does not require assumptions about the normality of the distribution. Additionally, since there were very often a low number of cases (i.e., less than 10) in each cell of the Chi-Square analyses and the degrees of freedom in most cases was one (i.e., most analyses were 2x2), Fisher's Exact Test was calculated to compensate for the asymptotic results. Specifically, the exact method, with a five minute limit on sampling was used. Under these conditions, Fisher's Exact Test determines the probability of the observed outcome or a more extreme outcome exactly through multiple, repeated sampling. The exact significance level for Fisher's Exact Test is reported. A significance level less than 0.05 is considered significant (Fisher, 1922).

**Table 4.1.1: Variables Analyzed in Comparison of Racial/Ethnic Homicides**

| Variable | Racial (N=48) | Ethnic (N=11) | Test Statistic |
|---|---|---|---|
| Number of Victims | $\bar{X}$=1.40 | $\bar{X}$=1.82 | t= -1.658 |
| Number of Offenders | $\bar{X}$=1.88 | $\bar{X}$=2.36 | t= -.933 |
| Age of Victims | $\bar{X}$=32.29 | $\bar{X}$=33.40 | t= -.248 |
| Age of Offenders | $\bar{X}$=28 | $\bar{X}$=26.45 | t= .390 |
| Distance Traveled by Offender | $\bar{X}$=21.17 | $\bar{X}$=42.96 | t= .349 |
| Offender Race | White = 64.6% | White = 45.5% | $\chi^2$ = 1.377 (FET p=.310) |
| Victim Race* | Non-White = 63% | Non-white = 18% | $\chi^2$ = 7.08 (FET p=.016)* |
| Body found at Murder Site | Yes = 83.3% | Yes = 81.8% | $\chi^2$ = .015 (FET p= 1) |
| Property Stolen | Yes = 6.4% | Yes = 18.2% | $\chi^2$ = 1.575 (FET p=.237) |
| Weapon from Scene | Yes = 14.6% | Yes = 9.1% | $\chi^2$ = .230 (FET p= 1) |
| Weapon to Scene | Yes = 89.6% | Yes = 90.89% | $\chi^2$ = .017 (FET p= 1) |
| Manual Wounding | Yes = 17% | Yes = 36.4% | $\chi^2$ = 2.032 (FET p=.214) |
| Stabbing/Cutting | Yes = 12.5% | Yes = 18.2% | $\chi^2$ = .246 (FET p=.635) |
| Firearm Used | Yes = 70.2% | Yes = 72.7% | $\chi^2$ = .027 (FET p= 1) |
| Injury to Neck | Yes = 19.6% | Yes = 20% | $\chi^2$ = .001 (FET p= 1) |
| Injury to Torso | Yes = 77.8% | Yes = 81.8% | $\chi^2$ = .086 (FET p= 1) |
| Injury to Face | Yes = 17.8% | Yes = 30% | $\chi^2$ = .764 (FET p=.400) |
| Injury to Head | Yes = 43.5% | Yes = 60% | $\chi^2$ = .901 (FET p=.487) |
| Single Wounding | Yes = 42.2% | Yes = 27.3% | $\chi^2$ = .828 (FET p=.498) |
| Multiple Wounds Distributed | Yes = 25.6% | Yes = 45.5% | $\chi^2$ = 1.659 (FET p=.270) |
| Multiple Wounds Concentrated | Yes = 29.5% | Yes = 20% | $\chi^2$ = .370 (FET p=.708) |
| Offender Alcohol Use | Yes = 51.3% | Yes = 62.5% | $\chi^2$ = .336 (FET p=.706) |
| Offender Drug Use | Yes = 26.5% | Yes = 28.6% | $\chi^2$ = .013 (FET p= 1) |
| Verbal Argument | Yes = 45.7% | Yes = 55.6% | $\chi^2$ = .296 (FET p=.721) |
| Physical Fight | Yes = 26.1% | Yes = 44.4% | $\chi^2$ = 1.230 (FET p=.422) |
| Offender Gang | Yes = 52.9% | Yes = 66.7% | $\chi^2$ = .544 (FET p=.708) |
| Offender Previous Conviction | Yes = 50% | Yes = 57.1% | $\chi^2$ = .121 (FET p= 1) |
| Offender Assault History | Yes = 18.4% | Yes = 14.3% | $\chi^2$ = .069 (FET p= 1) |
| Offender Stranger | Yes = 75% | Yes = 72.7% | $\chi^2$ = .024 (FET p= 1) |
| Frequency of Bias Crime | Yes = 18.4% | Yes = 37.5% | $\chi^2$ = 1.414 (FET p=.344) |
| Offender in hate group | Yes = 41.9% | Yes = 25% | $\chi^2$ = .804 (FET p=.456) |
| Hate group involvement | Yes = 21.3% | Yes = 0% | $\chi^2$ = 2.828 (FET p=.182) |
| Offender Bragged | Yes = 15.6% | Yes = 27.3% | $\chi^2$ = .827 (FET p=.393) |
| Gang Motivation | Yes = 17.4% | Yes = 20% | $\chi^2$ = .038 (FET p= 1) |
| Personal cause Motivation | Yes = 81.8% | Yes = 70% | $\chi^2$ = .702 (FET p=.408) |
| Conflict Motivation | Yes = 62.2% | Yes = 40% | $\chi^2$ = 1.661 (FET p=.290) |
| Revenge Motivation | Yes = 8.9% | Yes = 30% | $\chi^2$ = 3.283 (FET p=.104) |
| Victim Instigated Motivation | Yes = 11.4% | Yes = 30% | $\chi^2$ = 2.242 (FET p=.156) |
| Forensic Evidence | Yes = 66.7% | Yes = 54.5% | $\chi^2$ = .574 (FET p=.498) |
| Offender anti-social history | Yes = 79.5% | Yes = 90.9% | $\chi^2$ = .764 (FET p=.667) |

* - $p < .05$ (based on FET)

**The following variables were not reported because they violated statistical assumptions:** spent time at crime scene; preparatory actions; history of abuse; victim/offender gender; offender drug history; previous homicide, domestic violence, armed robbery, drug, or weapon conviction; bias comments, drawings/symbols, or objects; sexual, financial, domestic, or psychological motivation; post-mortem body treatment, body outside, sexual behavior, victim found in own residence

There was only one significant difference detected between homicides motivated by either racial or ethnic bias, which was the logical finding that a higher percentage of the victims of ethnic bias homicides were white than the victims of racial bias homicides ($\chi^2$ (1) = 7.08 (FET p=.016)). This was an expected finding because most of the victims of the analyzed homicides motivated by an ethnic bias were Hispanic, who were most often recorded in case files as Caucasian in terms of race. Since the cases files predominantly classified these individuals racially as Caucasian, and because of the general social move away from viewing Hispanics as a race, races included in all analyses were recoded to the more visually objective White/Non-white. While this finding was not surprising given the definitions, it does support the generally-held belief that non-White individuals are the most likely victims of racially-motivated homicides; however, as noted in the previous frequencies analysis chapter (Chapter 3), there was a higher prevalence of White victims in racially-motivated homicides than one would estimate based on media coverage.

There were no other significant victim differences between racially and ethnically motivated homicides; although, several comparisons could not be conducted because they violated basic statistical assumptions (see note at bottom of Table 4.1.1). The same lack of significant difference in the face of an inability to perform some of the comparisons was found for offender crime scene actions, homicide setting variables, and bias-related behaviors. Statistically, across all of these areas there were several variables where the comparisons did not meet the assumptions of the tests employed; however, with these variables it was rather clear from the raw numbers that there were minimal real differences between racial and ethnic bias motivated offenders and crime scenes.

Overall, there were no striking significant differences between racial and ethnic bias-motivated homicides; therefore, throughout the rest of the study, to bolster the validity of the statistical comparisons racial and ethnic bias-motivated homicides will be collapsed together as they are both conceptually and statistically similar.

## 4.2 Offender Demographics

With the previous analysis demonstrating that racial and ethnic bias homicides could be combined to improve statistical validity, two groups of bias-motivated homicides were examined throughout the rest of this study to determine if there are significant singular variable differences between the two types of homicides. Identifying differences and similarities will inform upcoming analyses investigating the existence of themes of crime scene behaviors based on the co-occurrences of every behavior with every other behavior by highlighting any behaviors, which on their own, differentiate the homicides.

### *4.2.1 Number of Offenders*

Comparing the average number of offenders across the two bias categories, a T-test found that there was not a significant difference in the number of offenders involved in the types of homicides ($t(88) = 1.698$, $p>.05$), with racial/ethnic homicides having an average of 1.97 offenders and sexual orientation bias homicides having an average of 1.55 offenders. As an additional check on the lack of a difference between racial and ethnic bias homicides, separate pairwise analyses were conducted, with lower alpha levels to make sure no differences were being overlooked (Keppel, 1982). None of these pairwise independent samples T-tests found a significant difference among the types of homicides.

A dichotomous representation of whether there were multiple offenders involved in the homicides was compared against the two types of homicide – no significant difference was detected ($\chi^2(1) = .412$, $p > .05$ (FET p=.655)). There also was no significant difference when the biases were not collapsed.

*4.2.2 Gender of Offenders*

Only two of the offenders were female, therefore, it was not statistically permissible, nor did it make logical sense, to see if one type of bias-motivated homicide was associated more with female offenders than the other.

*4.2.3 Age of Offenders*

Offender age was subjected to an Independent Samples T-test; no significant difference was detected among the average age of offenders involved in the homicides ($t(138) = 1.327$, p=.187). Offenders motivated by a racial/ethnic bias were, on average, 25 years old, while those motivated by a sexual orientation bias were 23.

Offender age next was collapsed into age ranges and compared against the two types of bias homicide. In this chi-square test a non-significant association between the bias involved and the age of the offenders was found ($\chi^2(4) = 6.507$, $p = .164$ (FET $p = .134$)). A plurality (35.5%) of the offenders involved in racial/ethnic bias homicides were between the ages of 17-21, while a plurality (42.9%) of those motivated by a sexual orientation bias were between the ages of 22-29.

*4.2.4 Race of Offenders*

There were not enough offenders across the included race groups to conduct a chi-square analysis without collapsing the offender race into a dichotomous White/Non-White variable. Given that most bias-motivated crimes are based on the offender's knowledge or perception of the particular group to which the victim belongs, utilizing the more visual differentiation of White/Non-White makes sense beyond the statistical need to do so (Franklin, 2000). Once the offender race category was collapsed to white/non-white and compared against the two bias categories a significant difference existed between the groups ($\chi^2(1) = 6.80$, $p<0.01$ (FET p=.009)). A higher percentage of the offenders in homicides motivated by a sexual orientation bias (82.6%) were White than in homicides motivated by a racial/ethnic bias (61.1%).

*4.2.5 Criminal Record of Offenders*

A chi-square analysis of the conviction history of the offenders found no significant difference among the bias motivations ($\chi^2(1) = 1.498$, $p>.05$). Both bias-motivations types were almost evenly split between their offenders having or not having a criminal conviction, with over half (59.3%) of the racial/ethnic and just under half (47.5%) of the sexual orientation homicides committed by offenders without a previous criminal conviction.

When convictions for specific offenses were examined, there were only four types of offenses where it was statistically permissible to perform analyses: assault, burglary, traffic, and general disorder. None of these had a significant association with either of the two motivating biases; however, when offenders were examined as to whether their

general offense history was violent or non-violent, there was a significant difference in the proportion of offenders who were violent within the groups ($\chi^2$ (1) = 5.376, $p < .05$ (FET p=.035)), with 35% of offenders motivated by a sexual orientation bias and 16.3% of those motivated by a racial/ethnic bias found to have a violent criminal history.

*4.2.6 Other Offender Background Information*

A chi-square association test did not find a significant association between motivating bias and background anti-social behavior ($\chi^2$(1) = .183, $p$>.05 (FET $p$=.821)), with a majority of all offenders (77.2% in the racial/ethnic group and 80.5% in the sexual orientation group) having such a history.

A comparison of bias motivation with sexual/physical/emotional abuse in the offender's background found a significant association ($\chi^2$=5.983, $p$<.05 (FET p=.026)). Offenders motivated by a sexual orientation bias were more likely (16.1%) to have such experiences in their past than those motivated by a racial/ethnic bias (2.8%). Considering that this variable was missing for just under 30% of the offender this result should be cautiously considered.

It was not possible to tell for 57% of the offenders whether they had a family history marked by violence because there was no indication either way in the case files. For the 70 offenders where this information was known, there was no significant difference between the two groups.

Considering that all of this information was obtained from case files compiled by investigators, it also must be remembered that different investigators in different cases

include different facts in their case notes, and a history of anti-social behavior, abuse, or family violence may not be routinely relevant to a homicide investigation.

*4.2.7 Offender Education*

The educational background of 61% of the offenders was not recorded in the case files. Comparing motivating bias to offender education level did not result in a significant association. Obviously, this could be an artifact of the extreme proportion of cases where this information was not recorded.

*4.2.8 Offender(s) – Victim(s) Relationship*

The files were missing information on whether the offender was a stranger or known to the victim in only 9% of the cases. The test failed to find a significant association between motivating bias and the offender's relationship to the victim ($\chi^2(1) = 1.111$, $p>.05$ (FET $p=.369$)).

Specifically comparing motivating bias with the type of relationship offenders had with victims they knew is tenuous because only 82 of the offenders knew their victims, and the relationship type was not recorded for 17 of them; however, based on the 65 where relationship type was known, the chi-square association test (specifically the FET) found a significant association (FET $p=.003$), with most of the victims murdered because of a sexual orientation bias killed by an offender who was an acquaintance (54.5%) or a friend (22.7%). Victims who were killed because of racial/ethnic bias also were killed mostly by an acquaintance (55.8%) or by someone they had just met (20.9%), while none were killed by someone at the level of friend.

*4.2.9 Distance Traveled by Primary Offender*

It was almost universally true that multiple offender homicide case files recorded only the address of the offender(s) who was criminally implicated in each homicide. As a result, when analyses were conducted using the offender's residence, only the instigating offender's address was considered. Using an independent-samples t-test, the comparison of average distance traveled to the homicide scene (not including offenders who were traveling far from their permanent residences) by primary offenders motivated by different biases resulted in a non-significant difference ($t(70) = -.380$, $p>.05$). Racial/ethnic offenders traveled an average of 4.89 miles from their homes to where they committed the homicide, while sexual orientation bias offenders traveled an average of 5.36 miles.

*4.2.10 Offender Motivation*

Each of the different types of non-bias motivations was compared across the motivating biases to determine any association between other motivations stated/expressed by the offenders and bias motivations. All of the non-bias motivations, which had at least one offender stating/expressing the motivation, were included, and only two had significant associations with the motivating bias: a personal financial motivation ($\chi^2=13.543$, $p<.001$ (FET $p=.000$)) and a victim instigation motivating ($\chi^2=7.816$, $p<.01$ (FET $p=.008$)) (see Table 4.2.10).

**Table 4.2.1: General Offender Motivations Across Motivating Biases**

| Motivation | | Bias | | | |
|---|---|---|---|---|---|
| | | Racial/Ethnic (%) | Sexual Orientation (%) | $\chi^2$ | FET |
| Personal Financial | No | 96.1 | 65.5 | 13.543*** | .000 |
| | Yes | 3.9 | 34.5 | | |
| Gang | No | 80.8 | 89.7 | 1.091 | .360 |
| | Yes | 19.2 | 10.3 | | |
| Personal Cause | No | 18 | 34.5 | 2.730 | .111 |
| | Yes | 82 | 65.5 | | |
| Conflict | No | 39.2 | 48.3 | .621 | .485 |
| | Yes | 60.8 | 51.7 | | |
| Revenge | No | 86.3 | 89.7 | .193 | .740 |
| | Yes | 13.7 | 10.3 | | |
| Victim Instigated | No | 84 | 55.2 | 7.816** | .008 |
| | Yes | 16 | 36.7 | | |

*p<.05, **p<.01, ***p<.001

*4.2.11 Summary of Offender Demographic Comparisons Between Biases*

Bias crime research suggests that there are different pathologies involved in those who hold, and especially those who act on, racial/ethnic versus sexual orientation biases (Franklin, 2000). This part of the study sought to examine offender and offender-related crime scene demographics to determine if there were variables might highlight distinctions between these offenders in relation to the violent act of homicide. In line with the investigative psychology theoretical approach of the larger study, identifying individual variables on which offenders differed was important to the overall process of

selecting those characteristics and behaviors that would be examined for co-occurrences to determine themes of crime scene behaviors and offender background characteristics.

Generally, the 164 offenders involved in these 91 bias-motivated homicides are very similar when compared by motivating bias. Of the more than one dozen demographic variables on which offenders were compared, there were five significant differences, most of which, due to disproportionate group sizes, should be considered cautiously as tentative differences.

Some of the significant differences point to potential areas that future research, both in the remaining sections of this study and in future work, should investigate to better understand who commits these crimes. There was a higher proportion of White offenders in sexual orientation bias homicides than in racial/ethnic homicides. This seems to indicate that while most of the offenders were White, as noted in the previous study (Chapter 3), so few of the sexual orientation bias homicide offenders were Non-White (17.4%) that the racial/ethnic bias offenders almost by default had to have a higher proportion of Non-White offenders. This raises the question of what aspects of sexual orientation bias-motivated homicides makes them more likely to be committed by White offenders.

Two of the other significant differences were the higher proportion of sexual orientation bias offenders who had violent criminal justice histories (35% v. 16.3%) and histories of experiencing sexual/physical/emotional abuse (16.1% v. 2.9%). Both of these differences suggest that racial/ethnic bias offenders are much less likely to have personal histories of violence, yet they still murdered someone – the most extreme form of violence – at least

in part because of their race or ethnicity. This finding begs for an examination of the both the factors leading up to racial/ethnic homicides, as well as of any behaviors that can shed light on the impulsive nature of either type of bias homicide.

In relation to the non-bias motivations involved in many of these homicides, two of the non-bias motivations were significantly associated with the motivating bias. That is, offenders motivated by a sexual orientation bias were the most likely to have stated/evidenced a personal financial motivation or a "victim instigated" motivation. Both of these motivations have been addressed in qualitative and theoretical research (Dressler, 1995), where they are often described as "legal defense afterthoughts" by the offenders who feel that saying it was a "robbery gone bad" or self-defense will lessen the blame. Determining whether sexual orientation homicides are characterized as instrumental – or goal focused – or expressive (i.e., emotional) will help to explain whether these non-bias motivations played a role in the homicide, or only in the investigation.

The offender-related comparisons raised questions that cannot be adequately answered through cross-tabs of, or comparisons of the means of, individual variables; rather, answers to these queries most likely lay in the outcomes of the multi-dimensional scaling procedures that will be conducted in later sections of the larger study. Through examinations of the co-occurrences of these offender-related variables, and the victim-, scene-, and bias-related variables soon to be discussed, behavioral themes will be developed, which will allow the significant differentiations discussed here to be fully considered in relation to other relevant behaviors and characteristics.

## 4.3 Victim Demographics

The analyses conducted throughout the larger study, including those in this chapter, primarily are focused on gaining insight into the psychological motivations of the offenders' violent behaviors. To achieve this goal, offender characteristics, past behaviors, and crime scene behaviors are the main unit of analysis; however, it is still important to consider characteristics of the victims in order to provide context for the interpersonal interaction of which a homicide is the result. Victim characteristics are limited in these cases files, which very generally can be explained as a function of the fact that the victim is very rarely the focus of the investigation. For the most part, the case files note the number of individuals in the victim group, the gender, age, and race of those victims, and any victim behaviors that might have put the victim at risk (e.g., occupation and drug use/sale). The following comparisons represent the victim characteristics that were routinely noted in the bias-motivated homicide case files.

### *4.3.1 Number of Victims*

To determine if bias was associated with the numbers of victims an independent-samples t-test was performed to compare the average number of victims in the bias types. The analysis found a significant difference in the number of victims involved in the two types of homicides ($t(105) = 4.275$, $p<.001$). Homicides motivated by a racial/ethnic bias had an average of 1.80 victims in the victim group, while those motivated by a sexual orientation bias had an average victim group size of 1.24 victims.

*4.3.2 Gender of Victims*

There was no significant association between the gender of victims involved in homicides and the bias motivating the bias ($\chi^2(1) = .788$, $p>.05$ (FET $p=.672$). Given the small number of female victims this comparison is tenuous even with the strictness of Fisher's Exact Test.

*4.3.3 Age of Victims*

An independent-samples t-test analysis found no significant difference between the bias motivations and the age of victims involved in the homicides ($t(107) = -1.863$, $p=.065$). Homicides motivated by a racial/ethnic bias had an average victim age of 31.85, while those motivated by a sexual orientation bias had an average victim age of 36.87.

*4.3.4 Race of Victims*

A significant association was found between victim race and the motivating bias of the homicide ($\chi^2(1) = 20.062$, $p<.001$ (FET $p=.000$)), with 46.9% of racial/ethnic bias victims being non-white and only 3% of sexual orientation bias victims being non-white. Considering the social power dynamics that often are present in bias-motivated crimes and the often higher visibility of white homosexuals or bisexuals, this distribution is not unexpected.

*4.3.5 Occupation of Victims*

Considering that the occupational status of almost half of the victims was not recorded in the case files, any information concerning this variable should be carefully considered. In

order to solve the problem of there being too many categories of "occupation" for the limited number of victims for whom this information was collected to perform a valid chi-square, the occupation variable was collapsed. Collapsing occupational status (to unemployed/employed) resulted in a non-significant association ($\chi^2(1) = .333$, $p>.05$ (FET $p=1$)).

*4.3.6 Distance between Victim Residence and Crime Scene*

The comparison of average distance between victim residence and homicide crime scene motivated by different biases resulted in a non-significant difference ($t(77) = .057$, $p>.05$). Homicides motivated by a racial/ethnic bias had an average distance of 5.52 miles between the victim's residence and the homicide scene, while those motivated by a sexual orientation bias had an average distance of 5.63 miles between the two locations.

*4.3.7 Distance between Victim Residence and Primary Offender Residence*

Comparing the average distance between victim and primary offender residences based on the biases did not find a significant difference ($t(71) = .069$, $p>.05$). Instigating offender residence was the only location used in this analysis because, as noted before, addresses of offenders not officially prosecuted were rarely included in the case files. It should be noted, however, that narratives in the case files were fairly consistent in their suggestion that when there were groups of offenders they were mostly friends/neighbors, so primary offender residence can serve as a reasonable estimate of all of the offenders. Homicides motivated by a racial/ethnic bias had an average distance of 19.72 miles

between the victim's residence and the offender's residence, while those motivated by a sexual orientation bias had an average distance of 21.72 miles between the two locations.

*4.3.8 Victim Drug History*

Involvement in drug use and/or selling can expose individuals to potentially violent situations that they may not have otherwise encountered; therefore, it was important to examine whether there was a significant difference in the drug histories of the victims of either of the two groups of bias-motivated homicides. Chi-square analyses did not find significant associations for either current victim drug involvement ($\chi^2(1) = .355$, $p>.05$ (FET p=.534)) or past victim drug involvement ($\chi^2(1) = 1.584$, $p>.05$ (FET p=.332)). For both measures of drug involvement, more than two-thirds of the victims (86.4% and 94.3%, respectively) had no past or current drug involvement.

*4.3.9 Summary of Victim Demographics Comparisons across Biases*

Establishing baseline distinctions between the kinds of bias-motivated homicides included in this study's dataset was an important first step in understanding which variables, theoretically and quantitatively, should be included in the end-goal thematic examinations of these homicides. The main focus, of course, will always be on the offender, the crime scene, and any evidence of the offender's actions that was present at the crime scene; however, since homicide is an interpersonal event (Canter, 1994), with homicide research finding that homicides can be understood best by examining the role the victim plays for the offender, and that the intimacy of the relationship between offender and victim affects the outcome of the incident, it is always important to develop some understanding of those individual upon whom this lethal violence was inflicted.

While there were no official hypotheses for this exploratory and descriptive sub-study, it generally was theorized that because almost all of the existing bias crime research has found that victims of interpersonal bias crime share similar basic characteristics: young, non-criminal, male, and in groups of 1-2 people, that there would be few if any significant differences.

Between the two bias groups two distinct differences relating to the victims of these homicides were uncovered. The number of victims involved in the homicides significantly differed by the motivating bias, with racial/ethnic bias homicides having more victim group members than sexual orientation bias homicides. Following the results of the offender analysis, there was an expected difference in the proportion of racial/ethnic victims who were non-white compared to those who were victims of sexual orientation bias, with only 3% of sexual orientation victims non-white compared to 47%. These two significant differences both combined to suggest questions similar to one raised by the offender analyses: why are sexual orientation homicides almost exclusively the purview of White offenders and victims; and, what about racial/ethnic homicides leads them to occur between significantly larger groups of offenders and victims?

### 4.4 Offender Crime Scene Actions

The manner in which the offender interacts with their victim before, during, and after the completion of the homicide is one of the two key elements under examination in the overall study. As has been shown in previous homicide research, the co-occurrences of offender crime scene actions can be used to develop thematic classifications of the kinds of behaviors in which types offenders tend to engage when they interact with other individuals. These crime scene behavioral themes can then be linked to specific background characteristics of possible offenders, which illustrate how the individual who engaged in the crime scene behaviors most likely would have interacted with other individuals in the past.

As previously mentioned in the methods discussion (Chapter 2), this study advances existing research on bias-motivated crime because it does not limit itself to analyses of individual variables; rather, the co-occurrences of every variable with every other variable will be examined to protect against the possibility of making incorrect interpretations out of context with co-occurring behaviors. In this section, however, crime scene behaviors were analyzed individually to determine, in addition to what homicide/aggression research suggests, which behaviors on their own differentiate the homicides in relation to the motivating bias. Since there is no published behavioral research on bias-motivated homicide, it was important to see if, based on the most basic differentiation of these homicides – the motivating bias – any of these crime scene behaviors would suggest differences in the way in which offenders carried them out. If there were significant differences for certain variables it would further support their inclusion in the multidimensional scaling analyses yet to come.

*4.4.1 Method of Killing*

A firearm was the primary murder weapon in half of the bias-motivated homicides. Since there were not enough crime scenes where some of the weapons were used the weapon categories were collapsed to knife/sharp object, blunt object, firearm, and other. As illustrated in Table 4.4.1, there was a significant difference in the proportion of homicides using the different weapons ($\chi^2(3) = 20.369$, $p<.001$ (FET p=.000)).

**Table 4.4.1: Comparison of Primary Weapon Used**

| Bias | Blunt Object | Knife | Gun | Other |
|---|---|---|---|---|
| **Racial/Ethnic** | 6.9% | 12.1% | 67.2% | 13.8% |
| **Sexual Orientation** | 19.4% | 41.9% | 19.4% | 19.4% |

The finding that firearms were more associated with racial/ethnic homicides than sexual orientation homicides is consistent with bias research. The literature indicates that victims of sexual orientation bias tend to suffer extreme, repetitive violence (Mouzos & Thompson, 2000), while racial/ethnic victims are often involved in "turf wars" (Levin & McDevitt, 1993) where guns are often involved.

The analyses of associations between where on the body victims were wounded and the motivating bias resulted in two significant associations. A chi-square test found a significant association between whether the victim was wounded in the face and the motivating bias ($\chi^2(1) = 8.228$, $p<.01$ (FET p=.006)), with 42% of racial/ethnic bias victims and 58% of sexual orientation bias victims having facial injuries. Another chi-square test found a significant association between whether the victim had wounds on

their limbs (i.e., hands, arms, legs & feet) and the motivating bias ($\chi^2(1) = 7.482$, $p<.05$ (FET p=.013)), with 44% of racial/ethnic bias victims and 56% of sexual orientation bias victims having such injuries.

Comparisons also were run for whether the offender inflicted one or multiple wounds to kill the victim. There was a significant association between the victim having a single wound and the motivating bias ($\chi^2(1) = 4.999$, $p<.05$ (FET p=.035)), with 82% of racial/ethnic victims and 19% of sexual orientation victims dying from one wound. There was no significant association between the victim suffering multiple wounds ($\chi^2(1) = .233$, $p>.05$ (FET p=.653)). There also was no significant difference in the number of wounds suffered by victims wounded multiple times ($t(38) = -2.689$, $p>.05$).

*4.4.2 Treatment of Victim(s) Body*

Regarding the offender's post-mortem treatment of the victim's body, there were not enough cases with such behaviors to examine such actions on a behavior-by-behavior basis, so all of the post-mortem behaviors were collapsed to post-mortem treatment of the body being present or not present. The chi-square test found a significant association between motivating bias and whether or not the offender interacted with the body after the victim's death ($\chi^2(1) = 6.934$, $p<.05$ (FET p=.016)), with 4% of racial/ethnic motivated homicides having evidence of this behavior and 36% of sexual orientation bias homicides having such evidence.

There also was a significant association between the motivating bias and whether there was evidence of the offender interacting with the victim in a sexual manner (i.e., semen

on victim body, semen at the crime scene, victim unclothed) ($\chi^2(1) = 4.848$, $p<.05$ (FET p=.047)). Racial/ethnic bias homicides had evidence of sexual behavior on the part of the offender in 4% of those cases, while 29% of the sexual orientation homicides had such evidence.

### *4.4.3 Property-related Behavior*

A chi-square test was run on the variable coded to indicate whether there was evidence that the offender had taken property belonging to the victim before, during, or after the homicide. The test did not find a significant association between offenders taking property and the motivating bias ($\chi^2(1) = 1.713$, $p>.05$ (FET p=.233)).

### *4.4.4 Behavior Indicative of Planning*

There was no significant association between motivating bias and whether the offender engaged in preparatory actions ($\chi^2(1) = .285$, $p>.05$ (FET p=.513)).There also was not a significant association between motivating bias and the offender bringing a weapon to the homicide scene ($\chi^2(1) = .094$, $p>.05$ (FET p=1)). There was no significant association between motivating bias and the victim's body being found at the murder site ($\chi^2(1) = .094$, $p>.05$ (FET p=1)).

### *4.4.5 Post-incident Behavior*

A chi-square test did not find a significant association between motivating bias and the offender spending time at the crime scene after the victim was deceased ($\chi^2(1) = .042$, $p>.05$ (FET p=1)).

Offenders often engage in behaviors following the homicide that either directly or indirectly result in their connection to the homicide being discovered. No significant associations were found to exist between the motivating bias and any of the post-incident behaviors (see Table 4.4.1).

**Table 4.4.1: Results of Chi-Square Analyses for Post-Incident Behaviors**

| Post-incident Behavior | Test | |
|---|---|---|
| | $\chi^2$ | FET p= |
| Re-visited Crime Scene | .544 | 1 |
| Writings/Drawings Left | 1.224 | .345 |
| Commission of another Crime w/connection to homicide | .151 | 1 |
| Commission of another Crime separate from homicide | .310 | 1 |
| Offender turns Self In | 1.224 | .345 |
| Bragged to Others | 1.046 | .570 |
| Suicide | .526 | 1 |

*4.4.6 Summary of Offender Crime Scene Actions Comparisons across Biases*

The behaviors offenders engage in at homicide crime scenes constitute a group of variables which are immediately observable to investigators. If these behaviors can be analyzed against each other – as the multidimensional analyses reported on later in the larger study allowed – psychological themes of crime scene behaviors can be developed that could then be linked – based on the psychological theory of behavioral consistency – to the phenotypically similar ways in which possible offenders interacted with others in the past. These links could assist investigators in limiting the number of potential offenders to those who most likely would have interacted with a victim in the manner portrayed by the crime scene. Any significant differences at this basic level of distinction would highlight characteristics and/or behaviors that should be included in the more advanced analyses. Several significant differences were uncovered in this sub-study.

Racial/ethnic bias motivated offenders were significantly more associated (67.2%) with using a firearm – as compared to any other type of weapon – to commit their murders than sexual orientation bias offenders (19.4%), who were most likely to use a knife or other sharp object (41.9%). Sexual orientation bias offenders were more likely to injure their victims in the face (58%) than racial/ethnic bias offenders (42%). Similarly, sexual orientation bias offenders were more likely to have wounded their offenders' limbs (56%) than racial/ethnic bias offenders (44%). In their wounding, racial/ethnic bias offenders were more likely to kill their victim with a single wound (82%) than sexual orientation bias offenders (19%). In relation to treatment of the victim's body, sexual orientation

offenders were more likely to both interact with the victim in a sexual manner (29% v. 4%) and to engage in post-mortem treatment of the body (36% v. 4%).

These six significant individual variable differences between homicides motivated by a racial/ethnic or sexual orientation bias already demonstrate a thematic differentiation between the homicides, with sexual orientation bias offenders more likely to engage in behaviors indicative of more intimate interaction with the victim. This suggests that when these crime scene behaviors are analyzed together through multidimensional analyses, it will be important to examine the results for further evidence supporting this initial interaction style distinction.

## 4.5 Homicide Setting

### *4.5.1 Setting of Homicide*

When and where a homicide occurs reveals information concerning the dynamics of the incident, as well as the behaviors of the offender(s) and victim(s). No significant association was found between whether the homicide occurred during daylight or at night ($\chi^2(1) = 1.576$, $p>.05$ (FET p=.296)), and the motivating bias. There also was no significant association (using Fisher's Exact Test) for when the homicide occurred – weekend or weekday ($\chi^2(1) = 3.861$, $p=.05$ (FET p=.078)).

There was a significant association for whether the victim's body was found inside a building or outdoors ($\chi^2(1) = 13.515$, $p<.001$ (FET p=.001)), with 92% of racial/ethnic bias victims and 59% of sexual orientation bias victims found outside. Another significant association was for whether the victim was found dead in their residence ($\chi^2(1) = 16.267$, $p<.001$ (FET p=.000)), with 3.4% of racial/ethnic bias victims and 34% of sexual orientation bias victims found in their residences. Too few victims (i.e., one sexual orientation bias victim) were found dead in the offender's residence to determine if this factor was associated with the motivating bias.

*4.5.2 Precipitating Factors*

Interactions between victims and offenders preceding a lethal encounter impact the final interaction between the victims and offenders and allow that interaction to be put in context. There were no significant associations found between any precipitating factors and the motivating bias (see Table 4.5.1).

**Table 4.5.1: Precipitating Factors Compared across Biases**

| Precipitating Factor | Test | |
|---|---|---|
| | **$\chi^2$** | **FET** |
| Alcohol Use | 1.279 | .330 |
| Drug Use | .203 | .781 |
| Argument | .888 | .370 |
| Fight | .056 | 1 |
| Loss of Employment | 2.961 | .121 |
| Relationship Problems | 0 | 1 |
| Family Death | .242 | 1 |
| Financial/Property Loss | .242 | 1 |
| Legal Problems | 1.456 | .312 |

*4.5.3 Summary of Homicide Setting Characteristics Comparisons across Biases*

Where a homicide takes place provides insight into the dynamics of the homicide just as offender and victim characteristics do; therefore, it was important to determine whether there were differences in homicide setting variables between the motivating biases. Whether or not a homicide occurred inside or outside was significantly associated with the motivating bias. Sexual orientation bias motivated homicides were more likely to occur inside (41%) than racial/ethnic bias homicides (8%). Sexual orientation bias homicides also were more associated with occurring in the victim's residence (34%) than racial/ethnic bias homicides (3.4%).

These results, again while based on examinations of individual variables, offer further support for the idea that racial/ethnic bias-motivated homicides are more impulsive events where the offender encounters the victim away from the victim's residence and out in the open – suggestive of a chance or surprise encounter. Offenders motivated by a sexual orientation bias were more likely to kill their victims inside, which is indicative of a continued theme of these homicides being more intimate because the offender and victim are inside together…often in the victim's home. The differences discussed in this section need to be examined in comparison with other behaviors that provide insight into the impulsivity and intimacy of the homicides to make sure they are not the result of single variables taken out of context – this is the task of the multidimensional scaling analysis chapters.

### 4.6 Bias-related Behavior

There were two significant associations (one was not based on Fisher's Exact Test) between motivating bias and the expression of bias-related behaviors/factors before, during, or after the homicide: offender group affiliation (see Table 4.6.1)

**Table 4.6.1: Bias-related Behaviors Compared across Biases.**

| Bias-related Behavior | | Bias (% of Scenes) | | Test | |
|---|---|---|---|---|---|
| | | **Racial/Ethnic** | **Sexual Orientation** | **$\chi^2$** | **FET** |
| Comment/Gesture | No | 8.9 | 12.9 | .340 | .715 |
| | Yes | 91.1 | 87.7 | | |
| Drawing/Symbol | No | 94.7 | 93.5 | .053 | 1 |
| | Yes | 5.3 | 6.5 | | |
| Bias-Object Used | No | 96.5 | 100 | 1.113 | .538 |
| | Yes | 3.5 | 0 | | |
| Victim group Affiliation | No | 64.9 | 50 | 1.892 | .185 |
| | Yes | 35.1 | 50 | | |
| Locality | No | 91.5 | 89.7 | .072 | 1 |
| | Yes | 8.5 | 10.3 | | |
| Frequency of bias crime | No | 78.3 | 86.7 | .854 | .546 |
| | Yes | 21.7 | 13.3 | | |
| Community Perceived Bias | No | 10.3 | 20 | 1.565 | .325 |
| | Yes | 89.7 | 80 | | |
| Victim Activities | No | 96.6 | 100 | 1.109 | .539 |
| | Yes | 3.4 | 0 | | |
| Holiday Significance | No | 94.9 | 93.8 | .054 | 1 |
| | Yes | 5.1 | 6.3 | | |
| Offender Group Affiliation | No | 60.8 | 81.5 | 3.472 | .077 |
| | Yes | 39.2 | 18.5 | | |
| Hate Group Involvement | No | 82.8 | 90 | .824 | .529 |
| | Yes | 17.2 | 10 | | |
| Group Animosity | No | 72 | 92 | 3.972* | .071 |
| | Yes | 28 | 8 | | |
| Offender Lured Victim | No | 94.9 | 61.3 | 16.5*** | .000*** |
| | Yes | 5.1 | 38.7 | | |

* - p<.05, ** - p<.01, ***p<.001

*4.6.2 Summary of Bias-related Behavior Comparisons across Homicides*

Identifying bias-motivated homicides often is based on the presence of certain bias-related behaviors, which investigators can consider to help reach conclusions about whether any and/or which specific bias was part of the motivation for the homicide. Only two bias-related behaviors – the offender being affiliated with a group that is biased against other groups and the offender luring the victim to a location where detection would be unlikely – were significantly associated with the motivating bias. While the chi-square analysis for offender group affiliation was significant ($\chi^2(1) = 3.972$, $p<.05$ (FET p=.071)), and the Fisher Exact Test was non-significant, the distribution of this particular behavior does not require the Fisher Exact Test. So, while it may be barely significant, racial/ethnic homicides were more likely to have offenders who were members of a group of like-minded individuals with an established dislike of the victim's group (28%) than sexual orientation bias homicides (8%). This is in-line with previous findings in this study and in other research, which has suggested that racial/ethnic bias incidents more often are the results of on-going feuds between two groups who differ racially/ethnically (Levin & McDevitt, 1993).

The other significant association, offender luring the victim, was almost exclusively the domain of sexual orientation bias homicides. This finding supports previous research showing that sexual orientation bias offenders most often are out "hunting for 'fags'," or engaging in homosexual activity with the victim prior to the offense, both of which are activities that are easier to accomplish if there is privacy (Richardson & May, 1999). Even with these two significant associations, the overall lack of distinction between the

two bias categories in relation to bias-related behaviors displayed at the crime scene suggests the possibility that looking at these behaviors individually is masking potentially significant thematic differentiations between how these offenders display their biases at homicide scenes. Such differences could be uncovered if the behaviors were all examined together. The multidimensional analysis conducted later in the larger study will accomplish this task.

## 4.7 Summary of Results

This sub-study reported on comparisons across the two motivating bias categories present in the study homicides across offender-, victim-, crime scene-, and bias-related behaviors and characteristics. These comparisons were necessary for two main reasons: (1) this level of research has not been done using bias-motivated homicides, so it is important to establish as much descriptive knowledge as possible; and, (2) significant differences in these factors between the bias categories will be used to identify additional behaviors to be included in the end-goal multidimensional scaling analyses that are not found in the research literature; this is important considering the paucity of bias-motivated violence/homicide research.

### *4.7.1 Offender Characteristics Discussion*

The analyses of differences between the bias categories and offender characteristics found that sexual orientation bias offenders, compared to racial/ethnic bias offenders, were almost exclusively White individuals who were more likely to have violent criminal histories, personal histories marked by experiencing sexual, physical, and/or emotional abuse, and were more prone to claiming that the motivation for the homicide was either

financial or a defensive response to something the eventual victim did to the offender. Each of these significant differences raises important questions about why, among a group of violent offenders who have demonstrated the capability to express their personal bias toward another person in the most extreme fashion, there are differences in who commits the different kinds of these homicides.

It is interesting that of all the demographic characteristics compared, the only significant difference was the race of the offender. There is an obvious slant toward bias offenders being White, with previous research and the statistics in the previous study (Chapter 3) showing that most bias-motivated offenders are White; however, the fact that almost all of the sexual orientation bias offenders were White suggests that there is something about this bias that lends itself to being committed by White offenders. It could be that the cultural tradition of Black homosexuals not letting other Blacks know that they are homosexual, compared to the increasing number of White homosexuals coming out, makes it easier for offenders to identify potential homosexual targets. In most of the study homicides, however, the offender did not know that the victim was homosexual until they actually interacted with each other, since most were strangers, so the question remains as to why Black bias-motivated offenders so rarely are motivated by a sexual-orientation bias.

The finding that a higher proportion of sexual orientation offenders had a previous violent criminal conviction than racial/ethnic offenders is not specifically addressed in bias research; rather, the research almost uniformly suggests that bias crimes offenders – specifically sexual orientation bias crime offenders – do not have criminal records (Cotton, 1992). It is possible that because these offenders committed an extremely violent

form of criminal activity they differ significantly, in terms of their willingness to engage in crime, from those who perform random acts of bias.

The significant difference among the biases for offender background experience with sexual/physical/emotional abuse, with sexual orientation bias offenders more likely to have such histories, could be an artifact of those offenders being subjected to some form of abuse, especially sexual, and either lashing out at homosexual individuals who they saw as representative of their abuser, or, as is suggested in some literature, lashing out in general due to that traumatic experience (Korem, 1995).

The comparisons in this sub-study found that sexual orientation offenders were significantly more associated with a personal financial or "victim instigated" motivation accompanying the bias motivation. That is, in the course of the investigation, either by way of evidence or offender testimony it became apparent that part of the motivation for the homicide, aside from the bias, which only needs to be part of the motivation for the offense to be classified as bias-motivated, was either to steal from the victim or to "get back" at the victim for something that did to the offender. Research has found that most bias crimes are not committed for monetary gain (Medoff, 1999). Descriptions present in the research and discussions included in the study case files suggest that the sexual orientation offenders tend to argue that they only intended to rob their victims or that the victim had tried to sexual assault them. It is very possible that the stealing behaviors and related statements/arguments that the offenders were protecting themselves were simply attempts by the offenders to explain away intentional murder. The more advanced co-occurrence analyses will attempt to investigate whether the theme of the behaviors

expressed by those claiming to have been focused on profit or self-defense match-up with either of those claimed intentions.

*4.7.2 Victim Characteristics Discussion*

It was found that on average there were both more victims in the victim group in racial/ethnic bias homicides, and more of these victims were non-white than in sexual orientation bias homicides. Both of these findings suggest that sexual orientation bias homicides occur through a different process than racial/ethnic homicides. For a reason yet to be uncovered, sexual orientation bias homicides are almost exclusively White on White crimes involving one or two victims, while racial/ethnic crimes involve more victims and, logically, a more diverse racial/ethnic makeup of offenders and victims.

The White-on-White nature of the sexual orientation bias homicides can partially be explained by theories of routine activities and "targets of convenience" (Harry, 1990), with racially/ethnically similar offenders and victims generally living in the same areas so they are more prone to have situations where they would interact with each other in a violent way; however, it does not explain the lack of Non-White-on-Non-White sexual orientation bias homicides. The larger victim groups associated with racial/ethnic bias homicides are representative of the trends found in bias crime research showing that racially and ethnically motivated bias crimes are often about groups fighting over turf (Ituarte, 2000). The ideas at the heart of these two questions – sexual orientation bias homicides as acts of offenders picking small groups of victims similar to themselves and thought to be homosexual and racial/ethnic bias homicides as acts of groups of offenders violently interacting with groups of dissimilar individuals – both suggest that there are

different dynamics involved in separate cases of bias-motivated homicide. The search for these differences, which can only be verified if the analyses are not limited to examinations of one variable at a time, is the task of the remaining sections of the larger study.

*4.7.3 Crime Scene Behaviors Discussion*

The pieces of evidence that allow an objective examination of the behaviors in which offenders engaged at the crime scene, in conjunction with offender background characteristics, are the primary focus of this entire study. The crime scene characteristics that allow investigators to objectively determine that certain events occurred in the course of the homicide are often the only leads they have at the beginning of such investigations. If it can be found that these observable behaviors can be used to differentiate types of homicides, then investigators will have objective, empirical strategies to follow at the beginning of their investigations.

Before killing their victims, sexual orientation bias offenders were more likely to engage in sexual behavior with the victim (29% v. 4%) than racial/ethnic offenders. In relation to how they killed the victims, racial/ethnic offenders were more likely to use a firearm than sexual orientation bias offenders (67% v. 19%). Instead, a plurality of the sexual orientation offenders (42%) chose a knife as their murder weapon. Sexual orientation offenders were more likely to inflict multiple wounds (81% v. 18%) to kill their victims, while racial/ethnic offenders mostly (82%) killed their victims with a single wounding event. In terms of where offenders inflicted their wounds on the victims' bodies, the only significant differences were that sexual orientation were more likely to either injure the

victim's face (58% v. 52%) or their arms and legs (56% v. 44%). After the victim was deceased, sexual orientation offenders more likely to engage in post-mortem treatment (i.e., staging, covering, burying, moving) than racial/ethnic offenders (36% v. 4%).

Bias crime research shows that racial bias offenders are the most likely to use a firearm and that sexual orientation offenders often seek to both teach the victim a lesson and send a message to similar individuals by personally and intensely injuring the victim (Richardson & May, 1999; Rothchild, 1997; Van de Ven et al., 1996). Research has found that sexual orientation offenders often (70% of such homicides) engage in "overkill" (Bufkin, 1999). The also is evidence in the literature that offenders motivated by a sexual orientation bias tend to treat their victims like impersonal objects and that these offenders – as found in this study – tend to use *close-quarters* weapons (Richardson & May, 1999; Rothchild, 1997; Same & Tomsen, 1997).

The results of this sub-study support the findings in the literature, with the sexual orientation offenders wounding their victims multiple times, with a knife (a "close quarters," penetrating weapon). Almost a third of sexual orientation homicide victims' bodies were interacted with by the offender post-mortem – a significant difference from the other motivations. There is no discussion of such behaviors in relevant literature. The higher likelihood of sexual interaction with the victim's body in sexual orientation homicides is interesting, considering the almost complete lack of any discussion in the bias research literature concerning sexual elements to these incidents and crimes. Researchers posit that some bias crimes, particularly anti-homosexual ones, may be attempts to assert masculinity, but they are not sexually motivated (Bufkin, 1999). Analyses in the succeeding sub-studies will attempt to discern whether there are some

bias-motivated, particularly sexual orientation bias-motivated, homicides where psychological and behaviorally there is an underlying theme of the offender committing the homicide as part of a sexual motivation.

The significant associations between facial and arms/hands wounding and motivating bias was not surprising. Facial wounds generally indicate attempts to depersonalize the victim and arms/hands wounds often are indicative of defensive wounds; both of these wounds/behaviors would not be uncommon in violent homicides, which the sexual orientation bias homicides have been found in this study to epitomize. The greater association of sexual orientation homicides with post-mortem treatment of the body suggests that these are offenders who may be concerned about the body being discovered and, thus, being found out, or have a continued need to distance themselves from the victim by covering the body, particularly the face (Salfati, 2000).

The significant differences found between the homicides, based on their motivating bias, all individually support findings that have been reported for non-fatal bias-motivated crime. Together, though, these analyses of individual variables begin to form a picture where sexual orientation bias homicides are committed by offenders who more intimately engage with their victims before, during, and after the homicides, while racial/ethnic offenders seem to display behaviors suggesting that they sought to kill the victim quickly and then move on. It will be possible to test the validity of these suggested themes, however, when the crime scene actions are examined later using multidimensional analyses.

*4.7.4 Homicide Setting Discussion*

The homicide setting variables comparisons suggest that sexual orientation bias victims are more associated with being killed inside a structure (41% v. 8%) or in their own residences (34% v. 3.4%). The literature suggests that sexual orientation bias crime victims tend to be targeted in public places, particularly those known to be "LGBT spaces" (D'Augelli, 1998; Reasons & Hughson, 2000; Richardson & May, 1999). The results of this study, however, make sense when considered together. Already, it has been suggested that racial/ethnic homicides seem to be impromptu reprisal killings, which are the result of turf wars or on-going feuds (Ituarte, 2000), while the sexual orientation bias homicides appear more planned. While these analyses do not allow us to determine if there is a thematic difference between the two bias categories in relation to whether one is more associated with impulsiveness or planning, this question will be addressed later in the larger study.

*4.7.5 Bias-related Behaviors Discussion*

Based solely on examinations of each bias-related behavior, one-by-one, there was only one significant difference between the two categories in relation to the expression of behaviors at the crime scenes that are thought (FBI, 2004) to be bias-related: racial/ethnic bias offenders were more likely to be associated with some type of group (i.e., group of friends, gang, or non-organized hate group) that had a stated dislike for the victim's group. Taken on its own, such a result leads to the conclusion that this group of homicide offenders does not display their biases any differently at crime scenes; however, such a conclusion should not be considered until all of the bias-related behaviors have been analyzed together for co-occurrence.

### *4.7.6 Conclusion*

This comparison sub-study helped to establish profiles for homicides motivated by the different biases included in the study; however, these profiles are based mostly on tests of association between frequencies of variable pairs, which do not constitute complete pictures of the entire homicide event. Nonetheless, the constructed profiles indicate that bias-motivated homicides have key differences depending on the bias involved. Overall, these differences suggest that homicides motivated by a sexual orientation bias are more planned and involve more close quarter interaction between the offenders and victims, while those motivated by racial/ethnic bias are spontaneous, impersonal, and reactionary. Ending the discussion here, however, with postulations based on bi-variable analyses, would leave too much doubt about whether the entire homicide events differed thematically or, if, the apparent differences were only between specific variables, which would disappear if thematically similar factors were considered.

The next step in the larger study was to investigate whether the similarities and differences suggested in this study maintained their significance when subjected to multidimensional scaling techniques, which would allow themes of offender characteristics and behaviors to be developed based on the entirety of events rather than simple comparisons of isolated variables. To guide these more advanced analyses, a pre-established bias-crime classification schema first was tested to see if it could help behaviorally classify bias-motivated homicides.

# CHAPTER 5:
# AN EMPIRICAL TEST OF THE LEVIN & MCDEVITT BIAS CRIME TYPOLOGY

## 5 INTRODUCTION

Bias crimes, still in their relative infancy as a codified group of offenses, routinely are examined in terms of who commits them, why these offenders target their victims, who those victims are, and the effects that such incidents have on the victims and similar out-group members. While these avenues of inquiry all add valuable information to the overall body of research on bias crime, there is a dearth of published work attempting to understand bias crimes in ways that could be helpful to law enforcement officials responsible for investigating bias-motivated incidents and crimes.

Levin and McDevitt (1993), along with Bennett (McDevitt, Levin & Bennett, 2002), formulated what still stands as the primary bias crime offender typology, hoping that it could aid investigators in identifying the type of offender who would commit particular kinds of bias crime. Their typology classifies offenders based on a non-exclusive conglomeration of crime scene behaviors/evidence, offender background characteristics, and inferred offender motives. Such a typology is difficult to empirically validate – as found in similar research by Canter and Wentick (2004) in their empirical test of the Holmes and Holmes (1998) serial murder typology – because objective crime scene and offender/victim factors, such as *weapon left behind* or the gender of the victim become as important as subjective variables such as the interpretation of the offender's psychological motivation. Classifying crime scenes based on such a typology provides limited benefits to real-world homicide investigators who usually are without insight into

the motivation of the offender, and instead, must rely on the objective factors that can be identified at the crime scene.

The issues inherent with a classification scheme based on interpretations of offender motive were a primary concern of individuals focused on studying and investigating murder until the work of Canter (2000), Canter and Heritage (1990), Salfati (2000, 2003), and other investigative psychologists. Before the work of these professionals most of the existing classification systems, including the FBI's (Ressler, et al., 1988) organized/disorganized dichotomy and the serial murder classification proposed by Holmes and Holmes (1998), were based on investigator experience and top-down deductions of crime scene variables into types. Acknowledging concerns about the validity of classification approaches such as these that are subjective and nonexclusive, Canter and Wentick (2004) conducted an empirical test of the Holmes and Holmes typology and found that it was much more informative to focus on how the offender and victim interact than on inferences about the offender's motivation. The success of Canter and Wentick's (2004) methodology in testing a typology of homicide – a typology that is very similar in style to the McDevitt, Levin, and Bennett model – suggests the appropriateness of approaching the testing of criminal behavior classifications through the empirical testing of behavior-type co-occurrence and exclusivity with the use of multidimensional scaling analyses (Levin & McDevitt, 1993; McDevitt, Levin & Bennett, 2002).

### 5.1 The McDevitt, Levin, and Bennett Classification

McDevitt, Levin, and Bennett have been working on their classification scheme since Levin and McDevitt's earlier work in 1993, and have revised the scheme from the

original three divisions – excitement/thrill, defensive, and mission bias crimes – to the most recent four-division model, which added the additional category of retaliatory bias crimes (McDevitt, Levin & Bennett, 2002).

The original and revised schemes were based on case files for bias crimes reported between July 1991 and December 1992 to the Community Disorders Unit of the Boston Police Department, which is manned by experienced police investigators specially trained to investigate bias crimes in Boston (McDevitt, Levin & Bennett, 2002). Every case file was examined and coded by graduate students trained in assessing the files based on a code sheet collecting information ranging from crime scene characteristics to offender relationships. Intercoder reliability for the revised study reached 90% (McDevitt, Levin & Bennett, 2002, p.307).

McDevitt, Levin, and Bennett approached the construction of their current typology based on underlying theories present in the work of several bias crime researchers (Van de Ven, Bornholt, & Bailey, 1996; Byers, Crider, & Biggers, 1999), as well as their original work, all of which had investigated how bias-motivated crimes are justified in the minds of those who commit them. Out of this research, which found that many bias crimes are explained away in the minds of offenders in a variety of very similar ways, Levin and McDevitt (1993) postulated that violent bias crime offenders could be classified according to what motivated them to commit specific incidents of bias-motivated crimes (McDevitt, Levin, & Bennett, 2002). They acknowledge that bigotry is the underlying motivation for all bias crimes; however, they stress that aside from the base motivation, every offender is different in respect to the specific situational and psychological variables that lead them to violently act out their bigotry. It is these

differentiating variables which offer theoretical support to the hypothesis of McDevitt, Levin, and Bennett (2002) that the location of a bias crime, the situational factors surrounding the commission of the crime, and how the offender commits the crime, all can be used to determine the motivation of the offender, and thus, some of the characteristics of the offender.

McDevitt, Levin, and Bennett (2002) present their types of bias crime as follows: the *thrill* bias crimes where the offenders commit the crimes simply for the excitement or thrill of the act; *defensive* bias crimes where the offenders see themselves as defenders of neighborhoods or resources; *mission* bias crimes where the offenders take it as their mission to rid the world of individuals or groups they believe are evil; and, *retaliatory* bias crime with the offenders responding to a real or perceived affront to them or their group.

While most bias crime research has not focused specifically on violent bias-motivated crimes, the general body of research has found that each of the motivations suggested by McDevitt, Levin, and Bennett (2002) are present in many bias crimes. Researchers focused on the nexus of limited economic opportunities and bias behavior have theorized that some bias offenders commit their crimes to protect or *defend* those opportunities (Green et al., 2001); general bias crime research has found both that many bias-motivated offenders commit their crimes because they believe that minority victims represent *easy* opportunities to commit a crime simply for the *thrill* of it and that many bias-motivated crimes spur on *retaliatory* crimes (Richardson & May, 1999), which are responses to real or rumored offenses against a specific person or group; and, some individuals focused on understanding the beliefs and behaviors of organized hate groups have described the

motivation of individuals who belong to these groups as *mission*-based with the intention to purify the earth. Obviously, the motivations themselves have theoretical support; however, the supposition that crime scene information can reveal an offender's motivation, as well as the approach used to test that supposition, does not share the same theoretical support. Concerns about the theoretical support and real-world usefulness of a typology directly tied to offender motivation, combined with additional questions surrounding the approach used to develop the typology, make it obvious that the McDevitt, Levin, and Bennett (2002) typology – the main bias crime typology available in the literature – needs to be empirically tested to determine if it can successfully distinguish bias-motivated crimes into meaningful categories.

### *5.1.1 Critique of the McDevitt, Levin, and Bennett, typology*

In determining the situational and crime scene behaviors that are indicative of each motivation-type of bias crime, McDevitt, Levin, and Bennett (2002) admit that many of the variables are not exclusive to one motivation category. It is this lack of exclusivity that gives rise to the main criticism of this type of classification (Canter & Wentick, 2004). If variables that are apparent at a crime scene are associated with multiple motivations, then they offer little help in distinguishing one crime from another. Aside from issues surrounding the creation of the list of factors/behaviors associated with different motivations, there is a theoretical problem with formulating a crime-scene related classification scheme that is based on the motivation of the offender. When an investigator begins examining a crime scene, particularly a homicide scene such as all of the scenes analyzed in the current research, they only have observable crime scene

variables with which to work – unless there is a witness or a surviving victim (Salfati, 2000).

Even if all of the motivations were exclusive in terms of their associated situational/behavioral factors and the motivation for a crime could be discerned based on the presence of certain groups of those factors, a question about the usefulness of such a typology remains, at least for crime scene investigators. Motivation is important when it comes to understanding why someone committed a crime, but without many unobservable factors, which would not always be present, investigators might routinely not be able to narrow down the types of offenders who could have committed that crime based solely on knowing the motivation (Canter & Wentick, 2004).

McDevitt, Levin, and Bennett also do not provide a systematic explanation of how the information gleamed form the case files was used to develop the classification scheme. The process was described generally as based on the connection between case file information and information gathered from the offenders about their motivations. With the motivation for each crime known, the most common characteristics across each motivation were grouped together to develop attack characteristics representative of each motivation. The problems with this process are: it once again bases the development of this type of classification scheme on a top-down model where incident characteristics are matched to a later-known motivation; and, that it results in typologies that share multiple attack characteristics, and, therefore, it is nearly impossible to connect crime scenes exclusively to one type of offender based on their perceived motivation because some crime scenes will have offenders who share characteristics and behaviors from more than one type (McDevitt, Levin & Bennett, 2002). At many crime scenes there may only be a

select few of the possible observable attack characteristics present, and if there are too many non-exclusive variables in the typology, it is possible that a crime scene would have a majority of its observable characteristics be variables that are also associated with another motivation-type. This would leave the typology useless for an investigator unless they somehow became aware of non-observable attack characteristics. Both Canter et al., (2004) and Salfati (2003) have discussed the issue of high frequency behaviors in relation to the ability of a classification system to establish discriminating groups. The McDevitt, Levin, and Bennett (2002) model has helped investigators understand the dynamics of bias-motivated crimes, particularly those where there are victims, witnesses, and offenders with which to speak.

McDevitt, Levin, and Bennett dealt with these issues by focusing on the presence or absence of one or two particular crime scene characteristics that may distinguish bias crimes; however, most of these characteristics could be described as precipitating factors that would not be readily apparent from the evidence available at a crime scene. They state that whether a fight occurred before a bias-motivated assault helps to distinguish *defensive* vs. *retaliatory* incidents; however, as discussed previously, it would not be apparent usually to a homicide investigator if a fight occurred beforehand unless there were witnesses or a surviving victim. There needs to be a set of criteria that can distinguish offenders when a variety of features that are present are typical of several types of bias crime.

There are other concerns about the formulation of the typology. One of the primary concerns is the lack of direct empirical testing of the typology. There is no way to know if any of the definitive characteristics they cite as useful for determining bias crime type

predictably co-occur. There have been no statistical differentiations of the types to support if there are even simple differences in the frequencies of specific behavioral occurrences across the four categories of bias-motivated crimes; rather, the model is supported by describing how examples of different types of crimes – such as a bias-motivated assault which was clearly an attempt by the offender to retaliate against being insulted – are used to illustrate how the behaviors that occurred in that particular incident can be distinguished from similar behaviors in another assault motivated by a desire purely for excitement/thrill. Relying on this sort of distinction instead of on empirical testing, means that there is no framework for determining when a bias-motivated offense would be classified as a one of the four types.

The researchers briefly discussed each of the bias crime types; however, there is a lack of detail about the process of determining the motivation. There also is no discussion about the crime scene variables essential to the process. For example, how close, temporally, must a real or perceived degradation of the offender's honor/self-esteem occur to the moment of the commission of the bias crime for it to be classified as a retaliatory bias incident (McDevitt, Levin & Bennett, 2002).

If a classification system with mixed types is going to be useful, a clear set of criteria would need to be created to establish how an offender should be categorized if their crime shared characteristics with multiple types. That is, if two bias-motivated homicides shared seventy-percent of their total observable crime scene attack characteristics, there would need to be definitive, and preferably empirically-derived, distinguishing (i.e., exclusive) attack characteristics that could be used to determine if the two homicides had the same motivation, or if they simply shared behaviors common to most bias-motivated

homicides while, as expressed in certain unique behaviors, finding their origins in different motivations. Overall, these issues make it very difficult to operationalize the crime scene characteristics that could be used to empirically test the model in question. The current analysis will focus heavily on describing and understanding how the McDevitt, Levin and Bennett (2002) bias crime types overlap in terms of crime scene attack characteristics and how, if at all, the types can be distinguished. If the model is found to accurately classify the bias-motivated homicides included in the study there would be evidence that the McDevitt, Levin, and Bennett (2002) typology provides a meaningful classification of this particular type of bias-motivated crime based on objectively observable crime scene behaviors; however, if there is limited or no support for their typology then there would be further support for the concerns expressed previously about motivation-based typologies and other approaches to classifying violent interpersonal encounters would have to be considered.

## 5.2 Purpose of the Present Study

### *5.2.1 Hypotheses*

The main aim of the current study was to test the hypotheses that within-type bias crime attack characteristics (i.e., crime scene characteristics that illustrate the behaviors engaged in by the offender) consistently co-occur with each other, while not co-occurring with characteristics linked to other types. If there are discernable patterns of co-occurrences and absences of co-occurrences reflecting the characteristics outlined for each bias crime type, then there is support for the typology. It should be clearly stated, however, that the results of this study should not be used to judge the typology overall. A classification system which improves society's understanding of what drives certain

individuals to violently act out their prejudices is important in and of itself and McDevitt, Levin, and Bennett's (2002) typology is most definitely groundbreaking in this regard. This study was conducted to determine if this model could help to categorize observable bias-motivated homicide crime scene behaviors. The study aimed to expand on the existing model by evaluating its applicability to investigators by focusing on the more behavioral elements of the model. In doing so, as should be the case in all scientific exploration, the existing model can only be improved through an improved understanding of its strengths and weaknesses.

## 5.3 METHOD

Many of the discerning aspects of the McDevitt, Levin, and Bennett typology represent ideas that are difficult to operationalize. For example, the victim group "[intruding]…into the offender's neighborhood," does not define what constitutes a viable intrusion (McDevitt, Levin, & Bennett, 2002, p.311). Canter and Wentick (2004) faced this same issue in their test of the Holmes and Holmes serial murder typology. Canter and Wentick followed an approach – similar to the work of other investigative psychologists – where only those factors that could be noted objectively at the crime scene – information that would be readily available to police investigators in a murder investigation – were included in the analysis (Canter, 2000; Canter & Wentick, 2004; Salfati & Canter, 1999; Salfati, 2003).

Considering the success of Canter and Wentick's (2004) methodology in testing the serial murder typology, the same method was employed in this study. McDevitt, Levin, and Bennett's bias crime typology, which primarily included assaults, was not formulated specifically for bias-motivated homicides; however, if the typology is to have universal

value, it should apply to all levels of bias crime. The first step in the analysis was to identify those variables which overlapped across multiple types. Identifying these high-frequency variables would both delineate the general core of bias-motivated homicides and clarify which behaviors would be most helpful in the distinguishing of homicides. With the high-frequency variables addressed, the bias crime typology was tested by examining the frequency of co-occurrences among every variable included in the analysis to determine, beyond simple frequencies, whether the presence of certain variables together at a crime scene could be used to determine if that crime scene is indicative of a specific classification of bias-motivated crimes consisting of psychologically similar behaviors. Producing all of these frequencies would be rather simple, but interpreting them would be a monumental task; therefore, Smallest Space Analysis (SSA) was the methodology of choice because it allows the frequencies of co-occurrences of all the variables to be displayed and interpreted in a geometric space and because it was the technique utilized by Canter and Wentick (2004). There now have been numerous influential studies investigating crime scene actions through the analysis of behavior frequencies and the use of SSA models to uncover behavioral themes (Canter et al., 2004; Canter & Heritage, 1990; Canter & Wentick, 2004; Salfati, 2003; Salfati & Canter, 1999).

SSA represents every crime scene variable as a point in space, where the amount of distance between any two points represents how frequently they co-occur, with points that are closer together the higher their associations with each other (Borg & Shye, 1995). There is an inherent regional hypothesis with the SSA methodology: characteristics of each type of bias crime should be found in distinct regions of the SSA geometric space.

The particular SSA methodology that has been utilized in crime scene research is known as smallest space analysis (SSA-I; Lingoes, 1973). SSA-I is the preferred approach in these sorts of analyses because instead of relying on absolute frequencies within the sample, which would make it susceptible to bias from high and low frequencies, it represents the rank-order of the co-occurrence as distances in the geometric space. In addition to reducing the effect of biased samples, the SSA-I approach also makes the analysis of regional structures easier because it focuses on the relative locations of the variable points instead of their absolute values (Lingoes, 1973).

It is the preferred practice in research that employs this methodology to utilize the Jaccard coefficient as the overall measure of the co-occurences of the variables when the data are dichotomous (Canter & Heritage, 1990; Salfati, 2000). The coefficient is a "calculation of the proportion of co-occurrences of any two variables as a proportion of all occurrences of both variables" (Canter & Wentick, 2004, p.495). The Jaccard coefficient is particularly useful when dealing with police crime scene data because it only considers the occurrence of a variable and not the nonoccurrence of variables. This is important because police data is very often not exhaustive, and just because a behavior was not indicated as present in a case file that does not mean the behavior did not occur. Ignoring the nonoccurrence of variables minimizes the impact of missing data more so than other approaches.

The testing of the hypotheses involves a visual examination of the SSA-I geometric plots, which, if the typology is valid, should reveal four distinct regions with variables corresponding to the four types of bias crime outlined by McDevitt, Levin, and Bennett (2002). The lack of any identifiable regions would indicate a lack of support for the four

type model, while the presence of one or two regions would provide limited support for the classification scheme. If the SSA-I space does not reveal a corresponding four-region model, it still can be directly examined to determine a more applicable model identifying the main distinctions among bias crimes (Canter & Wentick, 2004). That is, even if there are not four regions corresponding to the behaviors associated with the Canter and Wentick (2004) typology, the typology may have captured specific behaviors that could reveal a different, more accurate thematic classification of the bias-motivated homicides based on an examination of the resulting SSA plot.

## 5.4 DATA

The data for this research – 91 bias-motivated homicides reported to the FBI's UCR program – represent approximately two-thirds of all of the bias-motivated homicides that were reported to the FBI, following the passage of the Hate Crime Statistics Act (HCSA) of 1990, between 1991 and 2002. Homicides committed prior to 1991 were not included in the study because they were not officially classified as bias crimes. Specifically, the data for this research were taken from closed, fully adjudicated state and local cases that were contributed from law enforcement agencies from around the country for the purpose of research. All identifiers, including names of victims, suspects, offenders, officers, departments, correctional agencies, are removed. Only aggregate data are reported on. A randomization of the cases was not possible given the nature of the data collection; however, a review of the states from which the cases came showed that the cases came from 32 states and represented all regions of the country. There were no areas of the country that were uniformly not submitting cases and there were no years in the study that were disproportionately missing cases.

The classification of these cases as bias-motivated homicides by the investigating agencies was structured according to several legal definitions. According to the UCR data collection guidelines the crime of "murder and non-negligent manslaughter [is] defined as the willful (non-negligent) killing of one human being by another. Not included in this definition are deaths caused by negligence, suicides, or accidental deaths. Attempts to commit murder are classified as aggravated assaults" (FBI, 2003, p.497). The FBI, according to the HCSA, defines a bias crime as any criminal offense that is "motivated, in part or in full, by prejudice based on race, religion, sexual orientation, or ethnicity, including where appropriate the crimes of murder and non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property" (FBI, 2003, p.3). In September 1994, the Violent Crime Control and Law Enforcement Act amended the HCSA to include bias against individuals with disabilities.

Given the FBI's requirements for classifying a crime as motivated by bias, which requires law enforcement personnel to reach the conclusion on their own, it is possible that some homicides that were motivated by bias are not included in these cases. Also, the current UCR guidelines ignore crimes motivated by a gender bias. While it may be possible to get information from other sources on bias homicides that are not included in this sample, the data available would be different and may not represent the type of information that law enforcement officials would have noticed/collected at a homicide crime scene. Analyzing non-official data could provide meaningful descriptions of such incidents; however, doing so would not complement the overall intent of this research to develop classifications based on observable crime scene behaviors.

*5.4.1 Selecting the Files*

Data for this study came from files where at least one of the offenders was investigated/charged as an adult. Obtaining information on juvenile offenders is extremely difficult given the protections placed on juvenile offenders in the criminal justice system. Also, this research is particularly focused on the connections between crime scene behaviors and the past experiences of offenders, and it would be difficult to establish these connections with offenders who did not have a significant record of past life experiences (Canter, 1994; Salfati, 2000; Salfati & Canter, 1999).

Given that interpersonal relationships are a key element in investigating the causes and dynamics of homicides, stranger and domestic bias-motivated homicides both were included in the analysis to provide an array of interpersonal relationships. Stranger homicides, as opposed to domestic homicides where the offender kills a family member or partner, involve incidents where the offender is not immediately known. The importance of interpersonal relationships in the study of homicides also precluded using homicide cases lacking any sort of personal interaction between the offender and victim. Such homicides include cases of reckless driving and contract killings (Canter, 1994; Salfati, 2000; Salfati & Canter, 1999). None of these specifications excluded any of the available 91 bias-motivated homicides; rather, only 91 are analyzed because that is all that were provided by the investigating agencies. If a case was classified by the investigating agency as motivated by bias, and the UCR program accepted that classification, and all of the qualifications discussed above were met, it was included in the study. No attempts were made to second-guess the classifications of the investigating agencies or the UCR.

*5.4.2 The Files*

The files contain the entire crime/investigative report, with some files being more complete than others. These reports represent the entire discovery for the investigation and may include pre-crime information, victim and offender information, crime and autopsy photographs, witness statements, crime scene analyses, confessions, and if necessary, forensic evaluations. This is similar in nature to the type of data that were used to formulate the McDevitt, Levin, and Bennett typology (2002). Canter and Alison (2003) have detailed the outweighing of the potential limitations (i.e., primarily that it is not collected for research purposes, often lacks consistent definitions, and is characterized by a large amount of missing information) to using unobtrusive police data for these types of analyses by the multitude of concomitant benefits, including the wealth of information, the very unobtrusive nature of the data collection, and the avoidance of experimenter effects.

**5.5 Defining the Variables**

McDevitt, Levin, and Bennett (2002) did not suggest a method for operationalizing the crime scene variables supporting their bias crime typology that would allow a researcher to test the scheme. As a result the current study, as described previously, had to develop a list of observable crime scene behaviors based on comparisons of descriptions of such behaviors in bias crime and homicide research to the McDevitt, Levin, and Bennett typology to determine which variables would best represent the traits suggested by the typology. There was no effort made to exclusively define variables to one type of bias crime because in many cases variables applied to more than one type in the model and because many of the behaviors explicitly detailed by McDevitt, Levin, and Bennett

(2002), were not exclusive either. It should be noted that only variables which could objectively be gleamed from the crime scene evidence were included because variables such as whether the offender lured the victim or the offender was on drugs, may be indeterminable without access to witnesses or the offender. The variables that were operationalized based on the typology descriptions and chosen to be included in the analyses can be found in Table 5.1.1 and are described in full in Table 5.1.2. The process of selecting the variables and allocating them to the appropriate motivation(s) is discussed in detail in the following section.

**Table 5.1.1: Bias-motivated Homicide Types with Variables Selected for Each**

| | Thrill | Retaliatory | Defensive | Mission |
|---|---|---|---|---|
| **Offenders** | Multiple* | Single* | Multiple* | Multiple* |
| **Location** | Outside | Outside, Victim Residence | Outside | Inside, Victim residence |
| **Wounding Method** | Manual*, Blunt*, knife*<br><br>Multiple wounds | Blunt*, firearm*<br><br>Single Wound | Manual*, blunt*, knife*<br><br>Multiple wounds | Firearm*, knife*<br><br>Multiple Wounds |
| **Control/Preparation** | Binding & gagging, strangulation, | None | None | None |
| **Treatment of the body/Awareness of Evidence** | Post-mortem activity, sexual behavior, forensically aware offender, covering body, property stolen, Spent time at crime scene | Forensic evidence, body left at murder site | Body left at murder site | Forensically aware offender, body left at murder site |
| **Weapon** | Weapon to*, from* | Weapon to* | Weapon from* | Weapon to* |
| **Wound Location** | Face, torso, pelvis | Torso, head | Limbs, torso | Neck, Head, Pelvis |
| **Precipitating and Hate Factors** | | Frequent hate crimes, locality, bias object*, bias symbol* | Locality, frequent hate crimes, bias object* | Holiday, bias object*, frequent hate crimes, bias symbol* |

* - derived from McDevitt, Levin, & Bennett (2002) study

**Table 5.1.2: Definitions of Variables Selected for Analysis**

| Variable Definitions |
|---|
| 1. injpelv: pelvis injured |
| 2. injface: face injured |
| 3. injhead: head (other than face) injured |
| 4. injneck: neck injured |
| 5. torso: torso (front or back) injured |
| 6. Limbs: arms/hands or legs/feet injured |
| 7. m_wnds: multiple wounds present |
| 8. single: single wound present |
| 9*. firearm: wound from a firearm |
| 10. Cutting: wound(s) from a cutting instrument |
| 11*. manual: victim killed manually |
| 12*. bluntins: wounds from a blunt instrument |
| 13. strangul: evidence of strangulation |
| 14*. weapto: weapon brought to scene |
| 15*. weapfrom: weapon came from scene |
| 16. Bin_gag: victim bound and/or gagged |
| 17. murdsite: body found at murder site |
| 18. outside: body found outside |
| 19. vicres: body found in victim residence |
| 20. forevid: forensic evidence at scene |
| 21. ForOff: forensically aware offender tampered with potential evidence |
| 22. pm_treat: post-mortem treatment of body, including dismemberment |
| 23. Covering: body covered partially or completely |
| 24. Sex_tot: sexual behavior toward/with victim |
| 25. propstol: property stolen from scene or victim |
| 26. spenttim: offender spent time at scene after murder |
| 27*. multioff: evidence of multiple offenders |
| 28*. viclocal: victim was in another group's "territory" |
| 29*. freqhate: history of frequent bias crimes in the area |
| 30. holiday: homicide occurred in conjunction with a significant holiday |
| 31*. biasdraw: bias-related drawings or writings left at scene |
| 32*. biasobj: bias-related object left at scene |
| * - derived from McDevitt, Levin & Bennett (2002) study |

*5.5.2 Variable Selection Criteria for Each Type*

The variables for each type were conceptualized through an examination of bias crime research as well as general violence/homicide research. The work of Canter and Wentick (2004) was particularly helpful in developing the methods for this study given that they were facing a similar challenge in defining a set of behavioral variables that were not directly discussed by the creators of the typology under examination. As noted in Tables 5.1.1 & 5.1.2, those variables that are marked with an asterisk came directly from the information included in the McDevitt, Levin & Bennett (2002) study. Only two variables outlined in the McDevitt, Levin, and Bennet (2002) typology were not covered by the included behaviors – commitment to bias and deterrence. These were not included because they are not objective observable crime scene behaviors. There were very few objectively observable crime scene behaviors discussed in either the original (Levin & McDevitt, 1993) or revised (McDevitt, Levin, & Bennett, 2002) typologies; therefore, most of the behaviors that are included in this study were added based on research findings suggesting their association with behaviors that were compositionally similar to the behaviors describe by McDevitt, Levin, and Bennett (2002). The variables for each type were conceptualized as follows:

Thrill-related Bias Crimes

The crime scenes of thrill-related bias crimes are described as instances of perpetrators leaving their turf (McDevitt, Levin & Bennett, 2002) in search of a victim in an area or particular location where individuals of a particular racial, ethnic, religious, or sexual orientation group are known to be found (Franklin, 2000). These targeted victims are not

chosen randomly; instead, they are selected because they represent or are thought to represent an out-group. The offenders engage in these incidents seeking out a cheap thrill, for bragging rights amongst their peer group, and mostly for a sense of power and/or control (Franklin, 2000).

They derive pleasure from inflicting pain on the victim, and, in a sense, controlling the victim. As a result the killer may not seek a quick death, wishing instead to enjoy the pain and suffering for as long as possible by restraining and torturing the victims. Methods of killing may include strangulation, beating, or stabbing. Continuing their desire for control and power, the offender may engage in sexual activity with the victim while they are still alive (Canter & Wentick, 2004). Post-mortem the offender may still desire the ability to control the victim, so they become concerned with concealing their crime and dispose of or hide the body – either by covering, isolating, or concealing the body – and remove any weapons. Some offenders may remove particular body parts to maintain the sense of control and power. These murders have a very professional feel to them, including evidence that the offender was cognizant of forensic evidence (Canter & Wentick, 2004).

Mission-related Bias Crimes

The mission killer crime scenes are described as well-planned and particularly focused on the actual act of killing the victim (Canter & Wentick, 2004; McDevitt, Levin & Bennett, 2002). There is no desire to engage in postmortem activities such as torture, dismemberment, or sexual activity. Methods of killing are all designed to achieve the end of the victim's life as quickly as possible (Canter & Wentick, 2004). Based on the description provided by McDevitt, Levin, and Bennett (2002), and following the work of

Holmes and Holmes (1998), it is likely that mission-oriented murderers will remove the weapon from the scene to reduce the chance of their identity being revealed or because of possible symbolic meanings of the weapon. There is an inherent difficulty in connecting objective crime scene characteristics to the mission motivation because of how strongly it is based on a particular motivation. That is, while a retaliatory bias homicide could be said to be based on a particular motivation, in reality it can be seen as an attempt to restore self-esteem or honor that has been diminished because of a real or perceived affront. Mission bias homicides, however, are all about achieving an end – riding the world of an evil group – so that a lot of the behaviors that theoretically are associated with such crimes (e.g., hate group membership, personal writings, etc.) would not result in observable crime scene characteristics.

Defensive-related Bias Crime

Defensive-type killers engage in a kill designed to restore honor or dignity (McDevitt, Levin & Bennett, 2002). These are not quick kills, and the method of killing is often very severe – the thought being that a message needs to be sent to other out-group members by violently injuring the victim (Franklin, 2000). The particular victim is not important; rather, it is only necessary that the victim is or is perceived to be a member of the group the offender believes is invading their turf or stealing their resources (Franklin, 2000).

Retaliation-related Bias Crime

Retaliatory bias-motivated homicides are murders where the offenders are responding to real or perceived affronts to the honor of their group (McDevitt, Levin & Bennett, 2002). These incidents are distinct from incidents where the offenders are responding to the

mere presence of a group or individual, such as is the case with defensive bias crimes. These murders involve quick kill weapons and techniques, as the main goal is to kill the individual(s) who committed the initial incident (Dunning, 2000).

Summary

Considering that there were a limited number of crime scene variables identified by the creators of the typology, most of the variables included in the following analyses had to be based on related research using the general descriptions of the motivations as a guide for matching behaviors to motivation(s). This was the same approach taken by Canter and Wentick (2004). Obviously, in this scenario the amount of interpretation causes some concern about the validity of the variables added; however, the choices were grounded in available research – the only possible method for determining which behaviors would be associated with each motivation given the level of information provided in the original studies.

**5.6 Results**

There were two primary aims for this study: (1) to identify those behaviors in the existing classification model that overlapped across types and how frequently they did so, and (2) to test the applicability of the model – armed with the knowledge of the occurrence and overlap rate of every variable – to bias-motivated homicide. To achieve the first goal, the overall rate of occurrence of every variable included in the analysis was examined. As indicated in Table 5.6.1, there were several variables – marked with asterisks – which occurred in more than fifty-percent of the crime scenes, and many of these occurred in around eighty-percent of the crime scenes. The frequent occurrence of these variables

means that they cannot assist in differentiating crime scenes since they occur in most of the scenes; rather, they represent underlying basic behaviors that are common to bias-motivated homicides (Canter et al., 2004; Salfati, 2003).

**Table 5.6.1: Variables Cross-referenced by Each Type**

| | % of Crime Scenes | Thrill | Retaliatory | Defensive | Mission |
|---|---|---|---|---|---|
| Multiple Offenders | 42.9 | ✓ | | ✓ | ✓ |
| Multiple Wounds | 44 | ✓ | | ✓ | ✓ |
| Blunt Instrument | 26.4 | ✓ | ✓ | ✓ | |
| Injury to Torso** | 71.4 | ✓ | ✓ | ✓ | |
| Outside** | 80.2 | ✓ | ✓ | ✓ | |
| Frequent Hate | 15.4 | | ✓ | ✓ | ✓ |
| Bias Object | 2.2 | | ✓ | ✓ | ✓ |
| Weapon To Scene** | 80.2 | ✓ | ✓ | | ✓ |
| Murder Site** | 84.6 | | ✓ | ✓ | ✓ |
| Forensic Aware Offender | 17.6 | ✓ | | | ✓ |
| Injury Pelvis | 14.3 | ✓ | | | ✓ |
| Manual Wounding | 23.1 | ✓ | | ✓ | |
| Cutting | 25.3 | ✓ | | ✓ | |
| Weapon From Scene | 25.3 | ✓ | | ✓ | |
| Forensic Evidence** | 65.9 | | ✓ | ✓ | |
| Victim Residence | 14.3 | | ✓ | | ✓ |
| Bias Drawing | 5.5 | | ✓ | | ✓ |
| Injury to Head | 42.9 | | ✓ | | ✓ |
| Firearm** | 51.6 | | ✓ | | ✓ |
| Strangulation | 3.3 | ✓ | | | |
| Binding/Gagging | 4.4 | ✓ | | | |
| Spent Time at Crime Scene | 13.2 | ✓ | | | |
| Covering Body | 6.6 | ✓ | | | |
| Property Stolen | 25.3 | ✓ | | | |
| Injury to Face | 28.6 | ✓ | | | |
| Post-mortem Treatment of Body | 12.1 | ✓ | | | |
| Sexual Treatment | 9.9 | ✓ | | | |
| Injury Limbs | 29.7 | | | ✓ | |
| Holiday | 5.5 | | | | ✓ |
| Injury to Neck | 23.1 | | | | ✓ |
| Single Wound | 29.7 | | ✓ | | |
| Victim Locality | 7.7 | | ✓ | | |
| **TOTAL** | | **19** | **14** | **13** | **14** |

** - Crime Scene Behavior Occurred in over 50% of all the cases

Table 5.6.1 also illustrates one of the other initial findings of this study: a large percentage of the observable crime scene behaviors apply to more than one category in

the McDevitt, Levin, and Bennett (2002) typology. There were far too many variables that could be indicative of multiple types of homicide for any clear distinctions to be made between crime scenes based on the current descriptions of the types. Obviously, this could be a result of how the behaviors were identified and allocated to the various motivations; however, all of the included behaviors theoretically matched their motivations based on the descriptions provided by McDevitt, Levin, and Bennett (2002) and other bias crime and homicide research. Based on the classification scheme, a majority of the objective, observable crime scene behaviors were representative of thrill-related bias-motivated homicides. Very few of the crime scene characteristics were related to only one type, except for a few that were unique to thrill-related bias-motivated homicides. Analyzing the SSA-I plots in the next section clarified whether there were any distinction between the types when all of the variables were considered together.

### *5.6.2 SSA Results*

A SSA was run which produced an association matrix correlating the presence or absence of each variable across the 91 homicide cases and using the Jaccard coefficient to indicate the degree of co-occurrence between every one of the 32 variables included in the analysis. The Guttman-Lingoes coefficient of alienation is an indication of how well the spatial representation produced by the SSA fits the co-occurrences as represented in the association matrix. The smaller the coefficient of alienation is, the better the fit of the plot to the original matrix (Borg & Lingoes, 1987). This three-dimensional SSA showed a coefficient of alienation of .142 in 28 iterations, indicating a good fit for this type of data. The results of the analysis were clearest when examining the projection of the first

dimension against the second dimension for the three-dimensional solution, so that configuration is used in this sub-study (see Figure 5.6.1).

#### 5.6.2.1 Patterns of Co-Occurrence

A visual examination of the SSA plot showed a general clustering of almost all of the variables in the upper-half of the plot, which suggested that in relation to these variables, the 91 bias-motivated homicides were fairly similar and that there probably are other variables that could be included if they were available that would have occupied the large blank area. The plot displayed in Figure 5.6.1 is the original SSA-I with the frequencies of occurrence in the entire sample noted. Examining frequency contours for empirical evidence about the nature of crime is a method that has been found to be a successful method of identifying those behaviors which represent the core nature of the phenomenon under analysis, along with those that are indicative of more specialized types of that phenomenon (Canter, 2000; Canter & Fritzon, 1998, Canter & Heritage, 1990; Canter & Wentick, 2004; Salfati, 2003).

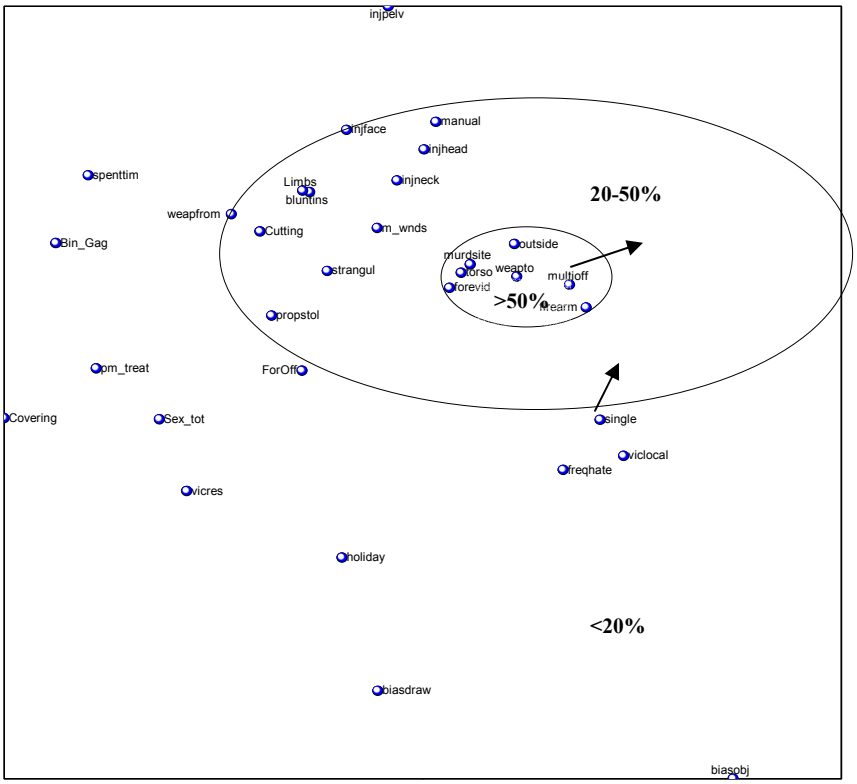



**Figure 5.6.1: Three-Dimensional (1st Vector v. 2nd Vector) Small Space Analysis Plot of Bias-motivated Crime Scene Behaviors with Frequency Contours (Coefficient of alienation =.142, 28 iterations)**

An interesting empirical finding here was that the frequencies form contours of decreasing frequency from a core group of variables (i.e., firearm, body left at scene, murder occurring outside, viable forensic evidence, and the offender bringing a weapon to the scene) which are associated with quick, excited interactions between strangers – all variables that could be described as thrill variables. This suggests that there is a thrill element involved in most bias-motivated homicides. This is similar to the result of Canter et al.'s (2004) testing of the FBI's organized/disorganized typology. The smaller inner-circle contains the variables with the highest frequencies of occurrence in the study sample. Other research (Canter & Heritage, 1990; Canter et al., 2004) discussing instances where one particular group of variables are occurring most frequently in a

sample gives credence to the idea that when the highest frequency variables are associated with one type – in this instance the thrill type – it further suggests the dominant role of that theme in the overall crime type or that those behaviors are not specifically associated with that type, and, are instead more characteristic of the crime as a whole.

The frequencies of all the variables are noted again in Table 5.6.2. The high-frequency variables are situated closely together in the plot, the variable *multoff* (multiple offenders) is not a high frequency variable by definition and the arrow is meant to show in which contour it should be. It is located close to them because of its high level of co-occurrence with the *weapto* (weapon to crime scene) variable. These high frequency variables also reveal that the core aspects of bias-motivated murder focus on wounding behaviors associated with quick kills, i.e., bringing a gun to the murder site and shooting the victim in the torso.

**Table 5.6.2: Frequencies of Selected Variables across Sample**

| Crime Scene Variable | Frequency | Grouping |
|---|---|---|
| Body found at Murder Site | 85% | High Frequency (>50%) (i.e., cannot be used to classify scenes) |
| Weapon Brought to Scene | 80% | |
| Body found Outside | 80% | |
| Wound to Torso | 71% | |
| Forensic Evidence Found | 66% | |
| Firearm Used | 52% | |
| Multiple Wounds | 44% | Medium Frequency (20-50%) |
| Multiple Offenders | 43% | |
| Injury to Head | 43% | |
| Injury to Limbs | 30% | |
| Single Wound | 30% | |
| Injury to Face | 29% | |
| Blunt Object Used | 26% | |
| Property Stolen | 25% | |
| Weapon from Scene | 25% | |
| Cutting Victim | 25% | |
| Manual Wounding | 23% | |
| Injury to Neck | 23% | |
| Forensically Aware Offender | 18% | Low Frequency (<20%) |
| Frequent Bias Crimes in Area | 15% | |
| Murder at Victim Residence | 14% | |
| Injury to Pelvis | 14% | |
| Offender spent Time at Scene | 13% | |
| Post-mortem Treatment of Body | 12% | |
| Sexual Behavior | 10% | |
| Victim in “other” Locality | 8% | |
| Covering of Body | 7% | |
| Bias-related Drawings | 6% | |
| Holiday Significance | 6% | |
| Binding & Gagging | 4% | |
| Strangulation | 3% | |
| Bias-related Object | 2% | |

They also reveal an unplanned, sudden quality of bias crime, with incidents involving strangers killing their victims outside and not disposing of the body or other forensic evidence. What is most important to remember about these high frequency variables is that they do not help in distinguishing one type of bias homicide from another. They are too common across all the types and represent the basic qualities of bias-motivated homicides. The variables outside of the high-frequency core are those crime scene factors that are less likely to be common across all of the crime scenes. These behaviors that

occur less frequently in the sample are those that can be used to best differentiate types of bias killings. Those crime scene characteristics that occur in less than a third of the cases are the clearest differentiators of the homicides (Canter et al., 2004). All of these low frequency variables reflected specialized means of controlling the victim and/or the scene or elements specifically related to particular biases.

#### 5.6.2.2 Testing the Regional Hypothesis

The following SSA figures (see Figures 5.6.2 through 5.6.5) all represent the same spatial configuration (i.e., each of the SSA plots is the same exact plot). Every one of the following figures has the same variables in the same positions. In each of the figures the variables representative of each McDevitt, Levin, and Bennett (2002) type are represented with triangles, while the remaining variables not associated with the type being examined are indicated with circles. For example, the figure relating to the discussion of the mission bias homicide crime scenes would have the variables hypothesized to be indicative of a mission-oriented crime represented in the plot as triangles, while those not found in research to be associated with that motivation are represented with circles. Overall, the figures reveal that four distinct regions representative of the four McDevitt, Levin, and Bennett bias crime types are not present in these figures. This finding will be put into context throughout the rest of this study.

### *5.6.3 The Thrill Bias Murder*

Figure 5.6.2 is the SSA-I configuration with the identified thrill variables highlighted. As noted previously (see Table 5.6.1) a majority of the observable crime scene behaviors could be associated with the *thrill* type. Despite the over-representation of thrill-identified

variables, they do co-occur in the upper-left hand corner of the plot with a majority of the variables focusing on how and where the victim was wounded. The group of *thrill* variables that flow into the lower-left section of the plot (i.e., sexual behavior, post-mortem treatment of the body, covering of the body, and removing forensic evidence), form a slightly distinct type of thrill murder – a type that is more concerned with the actual body of the victim as opposed to simply the act of committing the aggression. These victim-associated behaviors suggest that in these thrill homicides there is a sexual/control motivation underlying the overall desire for excitement and/or power.

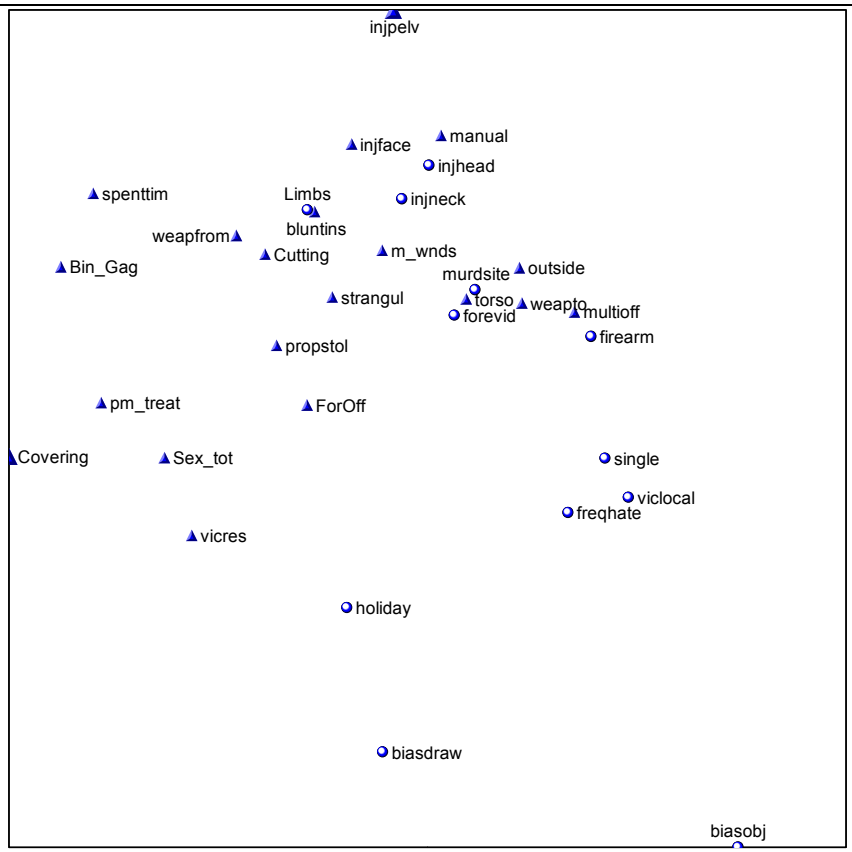



**Figure 5.6.2: Three-Dimensional (1 v. 2) Small Space Analysis Plot of Bias-motivated Crime Scene Behaviors: Thrill Killer Variables Highlighted with Triangles (Coefficient of alienation =.142, 28 iterations)**

The tight grouping of thrill variables occupies about half of the plot, again indicating that the thrill type dominates the overall classification system. This predominance of thrill-related variables does not support a typology where thrill is just one of the classification types; however, it is not surprising considering that McDevitt, Levin and Bennett (2002) found that, based on their typology, two-thirds of all bias-motivated crimes are thrill crimes. Since their scheme is a motivational typology, it is not unusual that a majority of the behaviors in almost half of the plot are thrill-related.

Given the paucity of variables that were not associated with thrill murders, what was more interesting was the lack of any of these variables in most of the three other primary areas of the plot. Not only were the remaining areas of the plot void of thrill-related variables, large portions of the plot did not have any variables. This either suggests that there are other variables that could help explain the model that were not suggested in the descriptions of the typologies, or that some of the thrill-related variables co-occured so frequently with the other variables that everything groups in the space occupied by thrill variables. This, again, indicated that these homicides, in relation to the observable crime scene behaviors that were recorded in the case files, are very similar at their cores, and only differ when specialized behaviors are examined.

*5.6.4 The Retaliatory Bias Murder*

The right side of the plot in Figure 5.6.3 contains ten variables indicative of retaliatory bias crimes. As opposed to the thrill murders, the retaliatory crime scene variables did not focus on aspects of the victim – specifically the victim's body; rather, they portrayed an incident that was centered on a quick kill related to the atmosphere of an area being charged with bias, i.e., these murders involved bias-related objects and drawings and took

place in areas that had frequent bias crime/incident activity and/or are locations where the victim was not necessarily a common sight (i.e., the victim was seen in a location/neighborhood where someone like them was not normally seen). One such incident involved a shooting amongst two groups of young adults who had been exposed to on-going racially-tinged arguments about the use of a bias-related symbol at a community sporting event.

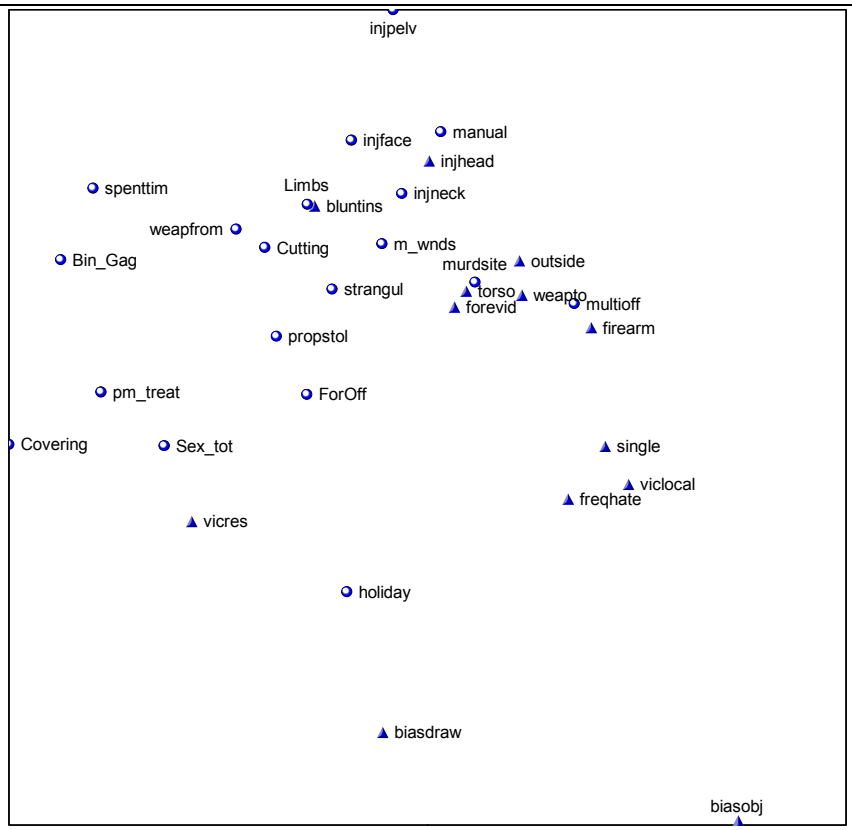



**Figure 5.6.3: Three-Dimensional Small Space Analysis Plot of Bias-motivated Crime Scene Behaviors: Retaliatory Killer Variables Marked with Triangles**

The clear divide between the thrill- and retaliatory-related variables suggested what may be an important distinction between bias-motivated homicides: some are acts designed to achieve a sense of power/control/excitement (i.e., thrill homicides where the offender

quickly dominates the victim through overwhelming force or through direct control of the victim's body) and others are acts committed to restore a sense of self-esteem/honor (i.e., retaliation homicides where the offender is primarily motivated by a desire to repay some perceived wrong against them). With the retaliatory-related variables focused more on quickly killing a specific victim who had, in some way, interacted with an area and group of offenders who were primed as a result of on-going bias-related incidents/beliefs that may have resulted in an affront to the offender(s)'s honor, as opposed to the thrill-related variables centering around wounding and controlling the victim, the plot indicated that there were at least two themes of bias-motivated homicide that could be distinguished based on an analysis of variable co-occurrence. It should be emphasized, however, that the general lack of variable exclusivity across types makes any distinction questionable.

*5.6.5 The Mission Bias Murder*

As seen in Figure 5.6.4, the mission killing variables crossed both sides of the plot and were not confined to one particular region. The variables encompassed the wounding behaviors/locations associated with thrill killings and the bias-atmosphere of the crime scene variables connected to the retaliatory killings. This again highlighted one of the main issues with the current typology: there is an exceptional amount of *variable sharing* among the typology's four motivations, which results in an absence of a discernable thematic region of crime scene behaviors associated with mission-motivated bias crimes. What seems to cause this blending among *mission* variables and *thrill* and *retaliatory* variables is the lack of clear distinctions in the wounding and overt bias behaviors – based on the descriptions in McDevitt, Levin and Bennett (2002) – that are associated with the different motivations. Based on the allocation of behaviors in this study *mission*-

associated bias crime scenes, as illustrated in the frequencies and plots, did not have very many behaviors that were unique to their crime scenes; rather, they share the wounding behaviors of the *thrill* scenes and the overt bias behaviors of the *retaliatory* and *defensive* scenes, which implies that mission-motivated homicides are a specialized sub-group of the other homicides – delineated through their specific focus on bias-related items.

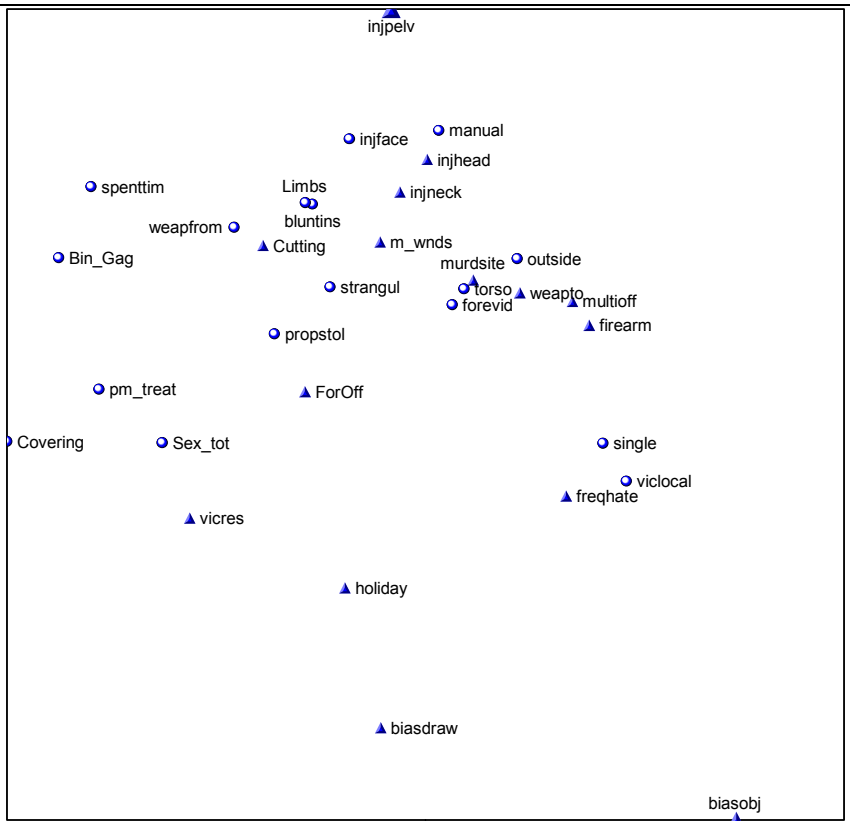



**Figure 5.6.4: Three-Dimensional Small Space Analysis Plot of Bias-motivated Crime Scene Behaviors: Mission Killer Variables Highlighted with Triangles**

*5.6.6 The Defensive Bias Murder*

Much like the mission bias crime scenes, the defensive bias crime scenes, as can be seen in Figure 5.6.5, were mostly confined to the right side of the SSA configuration. These defensive crimes scenes were characterized by a slightly different set of wounding behaviors, which were less focused on quickly killing the victim, as well as a lack of concern about forensic evidence left at the crime scene. Defensive bias murders were associated with multiple wounds sustained from blunt or cutting instruments, and the offenders left possible forensic evidence undisturbed at the scene – indicating a lack of planning or concern about being connected to the scene.

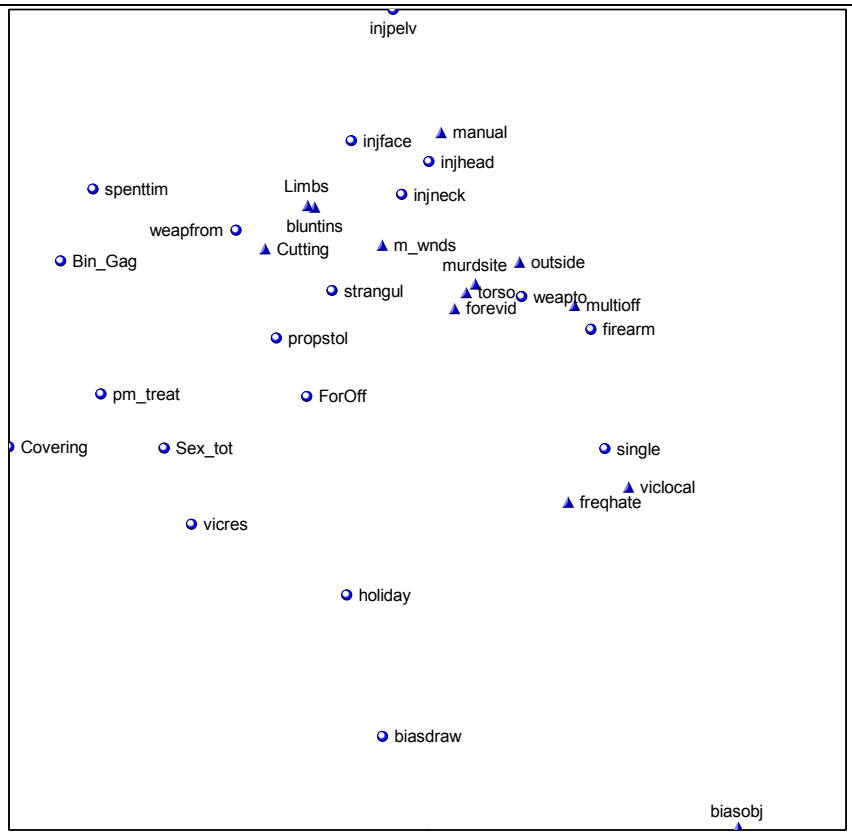



**Figure 5.6.5: Three-Dimensional Small Space Analysis Plot of Bias-motivated Crime Scene Behaviors: Defensive Killer Variables Highlighted with Triangles**

Summary

Given the large number of incidents that could be identified as thrill-related bias-motivated homicides, it was not surprising that the thrill variables mapped onto most areas of the plot. In general, there appeared to be two sub-groupings of thrill behaviors – those indicative of intent to interact with the victim's body (i.e., sexual behavior, post mortem treatment of the body, covering the body, binding/gagging, strangulation) and those illustrative of a desire simply to act out aggression. Overall, the thrill plot highlighted the key issue with the McDevitt, Levin, and Bennett (2002) typology: there is too much overlap between thrill-related behaviors, which seem to be the core of bias-motivated homicide, and the other types. The retaliatory behaviors, represented by behaviors designed to quickly kill the victim, had more of a connection to some of the bias-related elements (i.e., previous bias-related incidents), which showed that a key divide between bias-motivated homicides may be whether the offender's actions were designed to achieve a sense of power/control/excitement – as was the case with thrill-related homicides – or whether they wanted to restore their sense of self-esteem/honor.

The mission and defensive types, both of which overlapped thrill/retaliatory, as well as each other, could not be linked to specific sets of behaviors; instead, all that could be concluded in relation to these types was that mission-oriented homicides were associated with more bias-related behaviors (i.e., bias-related drawings, holidays, and objects), which was not surprising given that mission-oriented offenders are motivated by a bias against a group they believe to be less than human, or even evil.

If specific areas of the plots where the behaviors associated with the motivations are demarcated the finding discussed earlier – that there are too many behaviors that can be

allocated to multiple motivations based on simple frequencies – is afforded additional support through the regional hypothesis in the SSA-I plot. As illustrated in Figure 5.6.6, the solution space generally is divided in half by the *thrill* and *retaliatory* behaviors (the two triangles), with *mission* and *defensive* behaviors (the two circles) overlapping each other as well as the divide between *thrill* and *retaliatory*. Such an overlap of areas shows that as the model is currently defined, it would be difficult to classify a bias-motivated homicide based solely on observable crime scene behaviors.

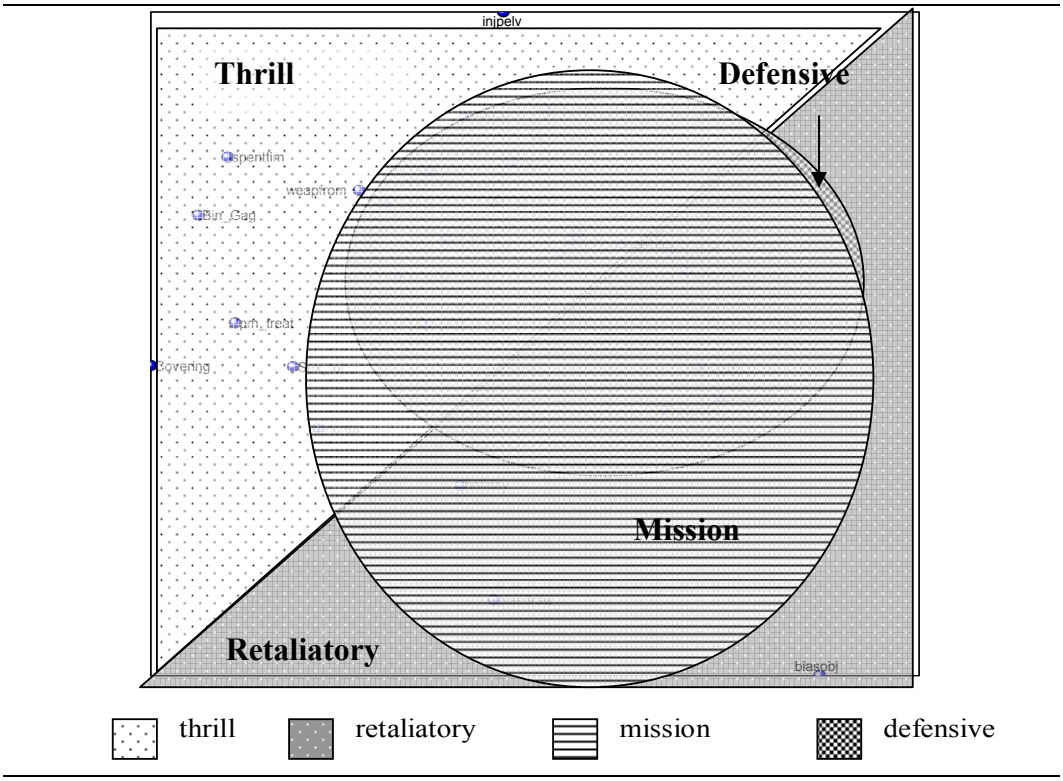



**Figure 5.6.6: Overlay of Each Motivation's Space on the Three-Dimensional Small Space Analysis Plot of Bias-Motivated Crime Scene Behaviors.**

*5.6.7 The Influence of the Motivating Bias*

Considering that bias crime research has found a connection between the motivating bias and the personal motivation (thrill/status), and that these results have further suggested that motivation is a vital distinguishing factor for these homicides since they share so many core behaviors, it was important to determine whether there was a connection between the behaviors that tended to co-occur at crime scenes and the motivating bias – as determined by investigators. If there was a pattern to the co-occurrences of behaviors in relation to the motivating bias that would indicate that the two-motivation groups manifest themselves in two different types of homicide. This would provide at least the first step in developing a classification system that could assist investigators in forming educated guesses about possible offenders.

A new SSA analysis was conducted with two new variables representing whether each case was classified by investigators as motivated by a sexual orientation or racial/ethnic bias. All of the bias-motivated homicides included in this study were classified by investigators as motivated in part or in full by a racial, ethnic, or sexual orientation bias. This is not surprising given that from 1992 until 2002, there were only 4 homicides reported to the UCR as motivated by a religious bias. No attempts were made to second-guess the investigating officers; instead, the bias reported to the UCR was accepted as the motivating bias. Racial and ethnic biases were combined for two reasons: (1) there were a low number of bias homicides motivated by an ethnic bias, and (2) there were very limited differences, based on simple frequencies, between the two in terms of observable crime scene behaviors. The degree of fit between the association matrix and the geometrical solution of the SSA-I, according to the Guttman-Lingoes coefficient of

alienation was .143 in 28 iterations – a good fit. As can be seen from the coefficient and the overall plot (Figure 5.6.7), the addition of the two motivating bias variables did not change the SSA-I in any major way.

The important finding, based on an analysis of the configuration, is the placement of the sexual orientation bias variable in what was found to be the thrill bias murder space and the racial/ethnic bias in the retaliatory bias murder region. Caution should be used in interpreting too much from this finding, as, overall, the crime scene variables derived from the McDevitt, Levin, and Bennett (2002) typology have been shown in this study to not result in the prescribed four distinct types of bias crime. However, this is suggestive of a general theme found in a qualitative analysis of the bias murder case files.

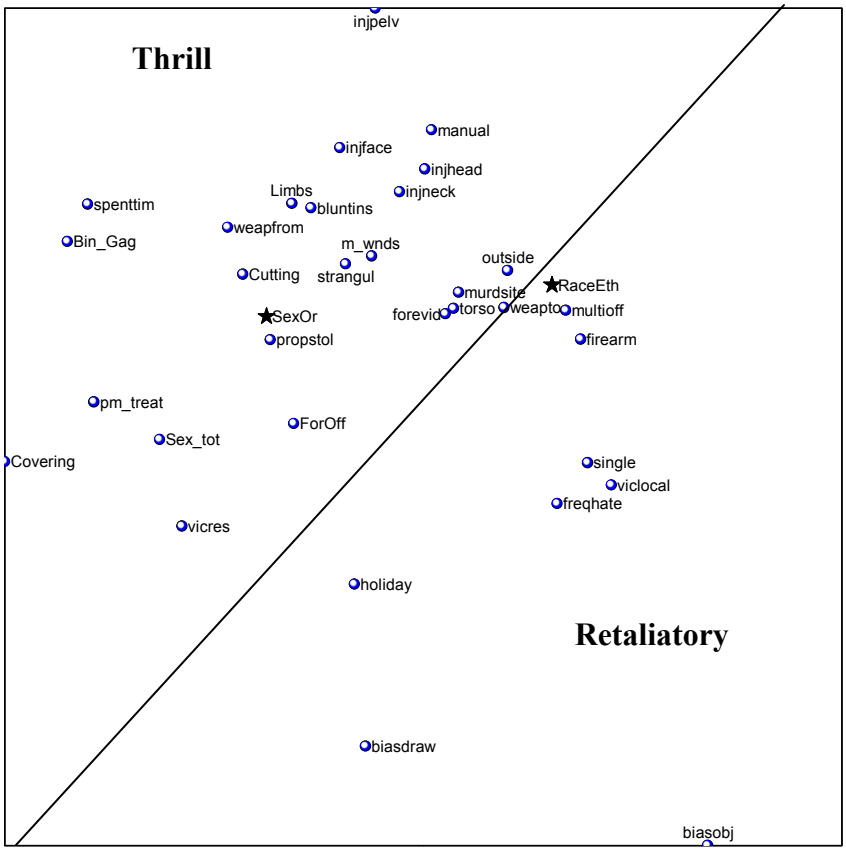



**Figure 5.6.7: Three-Dimensional Small Space Analysis Plot (1 v. 2) of Bias-motivated Crime Scene Behaviors: Grouping with highlighted Motivating Bias (Coefficient of alienation = .143, 28 iterations)**

That is, half of the racial/ethnic bias-motivated homicides grew out of confrontations between groups of differing racial/ethnic appearance, while sixty-percent of the sexual orientation bias-motivated homicides began as attempts by a few offenders to go have some fun "bashing some 'fags'". It may be that there is a stronger thrill style to sexual orientation bias homicides and a more prevalent retaliatory style to racial/ethnic bias homicides. The location of the sexual orientation variable (*SexOr*) in the area of the plot dominated by variables associated with the thrill motivation could suggest, as is found in the literature (Franklin, 2000), that individuals who chose to offend against those they

know to or perceive to be homosexuals do so often because they consider them easy targets who will not fight back and will be hesitant to report the offense to police because of fear of secondary victimization. Other research (Craig, 2002) suggests, in line with the location of the racial/ethnic variable (*RaceEth*) in the area of the plot where a majority of the variables are associated with the retaliatory motivation that bias-motivated violence involving racial or ethnic biases, except for instances of organized hate groups, tends to exacerbate situations that are already tense.

In order to further validate this finding, the SSA-I plot, with the bias variables removed, was next subjected to an external variable analysis (Salfati & Taylor, 2006) to see the overall association between all the variables and the motivation bias. External variable analysis involves the examination of each variable in relation to the frequency of its occurrence in bias-motivated crime scenes classified as motivated by either a racial/ethnic or sexual orientation bias. This allows every behavior to be classified in terms of whether it occurred more in one type of crime than the other. For example, strangling the victim occurred in three-times the percent of homicides motivated by a sexual orientation bias than those with a racial/ethnic motivating bias, so it was classified as predominantly associated with sexual orientation bias. Since there were an uneven number of racial/ethnic and sexual orientation crime scenes, the percent of the crime scenes of each type of crime where each behavior occurred was used instead of overall frequency.

The solution of using bias motivation (racial/ethnic or sexual orientation) as an external variable in the SSA plot is shown in Figure 5.6.8. As illustrated in the plot, all the behaviors that occurred in a higher percentage of the total sexual orientation scenes are

located on the left side of the space, while the behaviors occurring in a higher percentage of racial/ethnic scenes are situated on the right side of the plot. The distinct distribution of behaviors in the space further supports the previous analysis suggesting that homicides motivated by a racial/ethnic or sexual orientation bias are predominantly associated with unique groups of behaviors. As noted previously, those behaviors most associated with a sexual orientation bias reflect a thrill attack as describe by McDevitt, Levin and Bennett (2002), while the racial/ethnic behaviors are matched with retaliatory-associated behaviors.

Interestingly, only 12 of the 32 variables were within ten percentage points, which shows that these behaviors are clearly associated with one or the other motivating biases. It should be noted that 6 of the 14 racial/ethnic-associated behaviors are also the high frequency variables (i.e., occurred in more than 50% of all crime scenes). This follows the early discussion of the difficulty of parsing out behaviors that are not on some level associated with the *thrill* motivation. This study has shown that sexual orientation homicides are associated with behaviors allocated to the *thrill* motivation as described by McDevitt, Levin, and Bennett (2002); however, the three *thrill* behaviors (i.e., injury to torso, murder outside, and weapon brought to scene) that are high frequency variables are clearly in the racial/ethnic section of the solution space – suggesting again that under the current operationalization of *thrill* most of these bias-motivated crime scenes share an underlying *thrill* aspect in their behaviors. This means that while the application of this model to the study homicides did reveal a thrill element associated more with sexual orientation homicides and a retaliation element associated with racial/ethnic homicides, it also highlighted a common issue when motivation-based classification systems are used.

That is, there is a lack of exclusivity among types when behaviors are connected to the motivations. Still, this model did accomplish the aim of bringing some structure to the homicides.

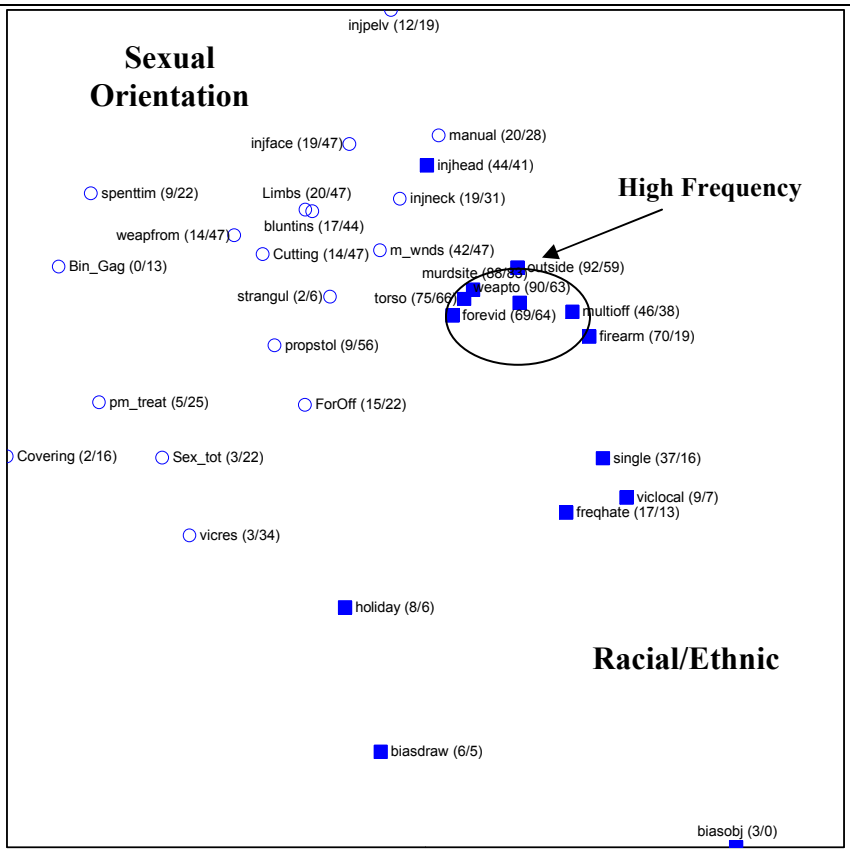



**Figure 5.6.8: Smallest Space Analysis of crime scene actions in 59 racial/ethnic bias-motivated homicides and 32 sexual orientation bias-motivated homicides:** Testing of the model. The plot is overlaid with the predominant frequency of occurrence for racial/ethnic and sexual orientation homicides. The first value in the parentheses is the percent of occurrence for racial/ethnic homicides; the second value is for sexual orientation homicides. The bias type which is most strongly represented is denoted by a symbol (■, racial/ethnic; ○, sexual orientation). **(Coefficient of alienation = .142, 28 iterations)**

## 5.7 Discussion

### *5.7.1 The McDevitt, Levin, and Bennett Typology*

The results of this SSA analysis supported the idea that high frequency crime scene characteristics cannot be used to distinguish between offenses based on the proposed typology and thus, that with the level of detail about the motivations currently available, the McDevitt, Levin and Bennett (2002) typology – at least in terms of observable crime scene behaviors – is not an effective basis for a behavioral classification scheme. The solution space highlighted a divide between offenses with an element of power/control and of restoring a sense of self by retaliating or getting the other guy back. The SSA analysis also showed that the other two proposed typologies (i.e., mission and defensive), may be subtypes of the two dominant styles, with, for example, some defensive bias homicides committed because of a need for power/control or excitement, and others to pay back a group that is perceived to be infringing on the dominant group's turf.

Overall, the analysis showed that the mission homicide scenes had very few variables that were not associated with one of the other types and that thematically it currently was not possible to distinguish it from the other motivations based on observable crime scene behaviors alone. As mentioned previously, the difficulty in connecting objective crime scene characteristics to the mission motivation was because of how strongly it is based on a particular motivation. Mission bias homicides are all about achieving an end – riding the world of an evil group – so that it becomes hard to identify this type based on a crime scene unless particular bias-related evidence is left at the scene.

The defensive type, much like the mission type, was found to have very limited support from the SSA-I. It did not have a unique region of the plot and instead was spread across

the same geometric space as the other motivations and did not have any variables that were limited to its definition.

This analysis of the McDevitt, Levin, and Bennett (2002) typology emphasizes both the strengths and weaknesses of their conceptualization of bias crimes. Before their work, no one had considered the idea that there were different motivations for bias crimes aside from the different sources of the bias (i.e., race, ethnicity, sexual orientation, etc.). Through their focus on elements of the crime, Levin and McDevitt, and later Bennett, began the development of a better understanding of the various motivations that could lead a potential offender to choose a specific type of person to victimize because of what they were perceived or known to represent. However, in this SSA analysis a model of bias homicide emerges that may be focused more on the role that the victim serves for the offender. That is, in some bias homicides the offender may have chosen victims that were easy targets, which allow them to attain a sense of power/control or general excitement/thrill, and in other bias-motivated homicides a particular individual may have been targeted because offending against them allowed the offender to take back their honor that was diminished. Given the high percentage of variables that were associated with multiple motivations this distinction was not clear-cut; however, with the one distinct spatial divide being the distribution of the *thrill* versus *retaliatory* behaviors, and research (Franklin, 2000) finding that seeking out excitement or getting back at another group are frequent motivations for bias-motivated crimes, it is reasonable, acknowledging certain limitations, to find that *thrill* and *retaliation* may be the main underlying themes of behavior in bias-motivated homicides.

### 5.8 Limitations

The main limitation confronting this sub-study was that the behaviors included in the analyses mostly were derived from descriptions of the typology's motivations. Very few of the behaviors were explicitly described by McDevitt, Levin and Bennett (2002); instead, they were based on similar studies and bias and violence research. This limitation could be ameliorated and the research greatly improved if the creators of the typology followed this methodology and assisted in determining appropriate behaviors and how they are allocated to their respective motivations. This would include an interactive process where McDevitt, Levin, and Bennett, with their in-depth experience with the data and methods would work with this researcher to provide the most applicable and exclusive set of behaviors that would still fit with their system but would be better suited for this empirical validation approach.

There are other limitations that also need to be addressed such as that the data used in this analysis was collected primarily not for research but for police investigations; and, therefore, the potential for bias and general mistakes in the data cannot be ignored. Additionally, because of this, it must be assumed that not all the information relevant to this analysis was relevant to the investigation, and therefore, if all information was accessible, the model might fit more clearly. The strength of the particular material used in this study, however, cannot be ignored. Various other research has shown that by limiting the detail of the information to the presence or absence of the variable in the case files, that police records are suited very well for this kind of analysis (Salfati, 2000). The cases examined in these analyses were all homicide cases, while the typology was constructed with and for violent bias crime in general. This should be remembered in any

interpretation of the results; however, it does not discount the results outright as any typology of violent bias crime should be applicable to all forms of violent bias crime. McDevitt, Levin, and Bennett (2002) is the only typology that is based on the level of detail that is available in bias-motivated crime scene case files, so it is important, even with the limitations, to determine if it applies to all forms of violent bias crime. Nevertheless, it would be interesting to conduct this type of analysis using assault files instead of homicide files.

### 5.9 Conclusions

This particular SSA analysis of bias-motivated homicide revealed a general style or theme divide based on the crime scene characteristics that could be associated with the McDevitt, Levin, and Bennett typology. Thus, this was only the first step in developing a model that could be used to differentiate between bias-motivated homicides. It has now been shown that as they are currently described by McDevitt, Levin, and Bennett, and as translated into behaviors, these types are not distinct except for the separation between *thrill* and *retaliatory* – a separation that was not completely clear given the presence of thrill variables in all of the other types. Given the concerns with the allocation of behaviors according to this typology, this limited thematic difference should only serve as a stepping-stone in the on-going work to classify bias-motivated homicides in a way that can assist investigators. That is, the determination of a thrill/retaliatory under-belly of bias-motivated homicides should be considered when trying to understand additional analyses. That is, this analysis has shown that these bias-motivated offenders interacted with their victims in ways that either reflected a desire to participate in violence/aggression for thrill's sake, or to participate in violence/aggression to achieve

some goal, specifically as identified by McDevitt, Levin and Bennett (2002) – as well as the behaviors found to be associated in these analyses. However, because of the high level of crossover with the thrill-related behaviors, such a thematic divide should be seen as a suggestion, which needs to be further investigated with more refined sets of behaviors and other methodologies.

With the sole existing bias crime typology examined to see if it could successfully classify bias-motivated homicides, the next step was to approach the classification of these homicides strictly from a behavioral perspective using existing regular homicide classification schemes (Salfati, 2000). These schemes were developed based on behaviors, and thus this methodology, as the organizing principles. Psychological theory was used to identify the behaviors that were included, with special attention given to whether they reflected the nature of the interpersonal interaction at crime scenes. Therefore, the regular homicide classification systems, which were found to be valid and exclusive, provide an outline of the process for continuing the investigation of whether thrill/retaliatory is the primary classification, as well as determining whether that approach – including most of the same variables – can model a specific sub-type of homicide. Future analyses also should continue to examine whether there always is a clear divide among the behaviors in relation to with which bias they are most associated. All of this work however, will always be built on the groundbreaking work of Levin and McDevitt (1993), and with Bennett (2002), who took the first steps toward understanding bias crime.

# CHAPTER 6:
# APPLYING THE EXPRESSIVE/INSTRUMENTAL HOMICIDE DICHOTOMY TO BIAS-MOTIVATED HOMICIDE

## 6 INTRODUCTION

The previous study (Chapter 5) found that the main bias crime typology, as described in the literature (McDevitt, Levin, & Bennett, 2002), when applied to the study sample with the selected representative variables, did not classify bias-motivated homicides in a way that would be meaningful to investigators faced with a crime scene providing only evidence of behaviors engaged in by the offender at the scene. That is, the typology did not provide enough insight into the observable behaviors that would be associated exclusively with each particular type to allow a behavior-based classification system to be formulated. Therefore, the next step in developing a behavior-based, bias-motivated, homicide classification scheme was to go outside the bias crime literature and look at the behavior-based classification approaches employed by violence/homicide researchers. This behavioral approach, aside from being routinely cited in homicide literature (Block, 1977; Block & Block, 1993; Block, Devitt, Donoghue, Dames & Block, 2001; Canter, 1994; Miethe & Drass, 1999; Salfati, 2000; Salfati & Canter, 1999; Santtila et al., 2001), was the next logical step in analyzing bias-motivated homicide because it, as a direct result of its bottom-up empirical analysis of objective, observable, crime scene behaviors, does not fall victim to the weakness of non-exclusive behaviors, which limited the applicability of the McDevitt, Levin, and Bennett (2002) typology.

### 6.1 Literature Review

Fesbach (1964) and Toch (1969) found that there are two basic types of aggression: hostile/expressive, and instrumental. These two types of aggression, according to Fesbach, are differentiated by the end result that the behavior accomplishes for the

offender. That is, expressive aggression is intended primarily to harm the victim in response to such anger-inducing incidents as attacks on the character or physical person of the offender. Conversely, instrumental aggression is undertaken to accomplish the goal of obtaining objects or status from another individual. Incidents of instrumental aggression usually do not originate with the goal of harming the victim; however, if violence against another person is necessary to overcome any hindrances to the initial goal, the offender will do so (Salfati & Haratsis, 2001). More simply, either the aggression/violence is directed toward a specific victim or the victim experiences aggression/violence because they interfered with the offender's main criminal goal.

When Fesbach's work was applied to the field of criminal profiling, researchers (Canter, 1994; Salfati, 2003, 2000; Salfati & Canter, 1999; Salfati & Haratsis, 2001; Santtila et al., 2001) found it possible to determine the psychological themes of the behaviors offenders engage in, and leave evidence of, at crime scenes. These themes then could be connected to the backgrounds of possible offenders who had interacted with others in their past in ways psychologically similar to their interactions with their victims at the crime scenes. Those who have investigated the applicability of the Expressive/Instrumental dichotomy (Block, 1977; Block & Block, 1993; Miethe & Drass, 1999; Salfati, 2000; Salfati & Canter, 1999; Santtila et al., 2001) have consistently found that it classifies homicide, serial homicides, homicide committed in different countries, and other forms of violence (e.g., rape and arson).

Some psychological researchers (Dunbar, 2003) examined bias-motivated behavior to see if it theoretically could be seen as existing along the dichotomy/continuum of Expressive/Instrumental. Dunbar proposed that bias-motivated perpetrators can be seen

as defending a set of social values or economic opportunities against attack from an out group when they act reactively, or they can be viewed as hoping to maintain or achieve social dominance when they perform instrumental bias violence (2003).

### *6.1.1 The Expressive/Instrumental Typology*

Homicide research (Canter, 1994; Salfati, 2000; Salfati & Canter, 1999; Salfati & Haratsis, 2003) has found that co-occurrences of crime scene behaviors have an interpretable structure based on psychological theory. In a study clearly showing this type of approach is possible, Salfati and Canter (1999) established three distinct themes of single victim – single offender stranger homicides: Expressive (Impulsive), Instrumental (Opportunistic), and Instrumental (Cognitive). Expressive homicides included random, varied violent offender behaviors, with offenders who had a history of violence. Instrumental (Opportunistic) homicides had offenders who viewed their victims as means to an end. The Opportunistic offender picked victims who made it easier to achieve their goal of obtaining property or even sex, while the Instrumental (Cognitive) offender committed their crimes in a way that demonstrated their recognition of and concern about being detected and/or linked to the victim/scene. In a refinement of the 1999 study, Salfati (2000) again found support for the Expressive/Instrumental dichotomy, with the inclusion of a refined list of variables resulting in a clearer Expressive versus Instrumental split.

With the success that homicide researchers have had employing the Expressive/Instrumental schema, the fact that bias-motivated homicide is still very much a crime of homicide, and that Dunbar (2003) has found support for viewing bias-motivated crime as expressive/instrumental, it was hypothesized that it would be

similarly possible to thematically differentiate bias-motivated homicide crime scenes based on the co-occurrences of instrumental and expressive behaviors. This study aimed to investigate the presence of these themes in the behaviors found at the bias-motivated homicide crime scenes. In a way, this was an exploratory study based on the limited research on the expressive/instrumental nature of bias-motivated crime and the continuously growing body of research indicating the presence of that dichotomy/continuum for other homicides and other forms of aggressive behavior. Since there is no published research indicating which behaviors common to bias-motivated homicide should be viewed as expressive or instrumental – Dunbar restricts his comments to general aggression and the overall point of the behavior, not the specific behaviors – the theoretical and empirical work published by non-bias homicide researchers formed the basis for the inclusion or exclusion of crime scene behaviors into this analysis.

## 6.2 Purpose of the Present Study

### *6.2.1 Hypotheses*

The main aim of the current study was to test the hypotheses that within-theme (i.e., Expressive versus Instrumental) bias-motivated crime scene behaviors co-occur with each other while not co-occurring with behaviors characteristic of other themes. If there were discernable patterns of co-occurrences reflecting the characteristics outlined for each bias crime type (Expressive/Instrumental), then there would be support for the typology. This study was conducted to determine if the Expressive/Instrumental behavioral typology, as developed by Salfati (2000), could categorize observable bias-motivated homicide crime scene behaviors since the main existing typology specific to

bias-motivated crimes was found to be unable to provide exclusive classifications of the study's bias-motivated homicides. If neither this model, or the bias model already shown to not be a good fit, does not clearly classify bias-motivated homicide based on observable crime scene behaviors, then either other methodologies will need to be explored, or it may need to be conceded that these kinds of homicides are defined so much by their motivation that they cannot be behaviorally profiled. Furthermore, it also was conditionally hypothesized that if the Expressive/Instrumental thematic divide hypothesis was supported, there would be a similar split between homicides motivated by either a racial/ethnic bias or a sexual orientation bias. That is, based on bias crime research (Dunbar, 1999; Franklin, 2000) homicides motivated by a sexual orientation bias would be associated with instrumental forms of violence while those motivated by a racial/ethnic bias would be linked to expressive violence.

## 6.3 METHOD

This study followed the same methodology employed by Salfati in both her 1999 (with Canter) and 2000 studies examining offender behavioral consistency as expressed in the ability to classify homicide crime scenes as either instrumental or expressive in 247 British homicide cases. Salfati (2000) established the same guidelines employed in the current study concerning the selection of the files including, for example, only using solved cases, disregarding the legal outcome of the case, focusing on adult offenders, and including cases that were classified as both domestic and stranger. Salfati's (2000) study did, however, limit its cases to those involving only one offender and one victim. As noted previously, the present study included multiple offender/victim homicide cases, where, based on multiple offender research, crime scene behaviors were theorized to be

the observable actions of the group leader or the offender most responsible for the overall violence.

Smallest Space Analysis allows the frequencies of co-occurrences of all the variables to be displayed and interpreted in a geometric space and it is the technique used by Salfati (2000) and by many other influential researchers investigating crime scene behaviors (Canter & Fritzon, 1998; Canter & Heritage, 1990; Salfati & Canter, 1999). The same analysis methodology was used in the current study, which means that the bias crime typology was tested by examining the frequency of co-occurrences among every variable included in the analysis to determine if there was a discernable pattern of crime scene behavior co-occurrence.

SSA represents every crime scene variable as a point in space, where the amount of distance between any two points represents how frequently they co-occur, with points closer together the higher their associations with each other are (Borg & Shye, 1995). There is an inherent regional hypothesis with the SSA methodology: crime scene actions that are similar in their underlying psychological themes are more likely to occur together in the same area of the SSA plot than are behaviors that are thematically dissimilar. The particular SSA methodology that has been utilized in crime scene research is known as smallest space analysis (SSA-I; Lingoes, 1973). SSA-I is the preferred approach in these sorts of analyses because instead of relying on absolute frequencies within the sample, which would make it susceptible to bias from high and low frequencies, it represents the rank-order of the co-occurrence as distances in the geometric space. In addition to reducing the effect of biased samples, the SSA-I approach also makes the analysis of

regional structures easier because it focuses on the relative locations of the variable points instead of their absolute values (Lingoes, 1973).

It is standard practice in research that employs this methodology to utilize the Jaccard coefficient as the overall measure of the co-occurences of the variables when the data are dichotomous (Canter & Heritage, 1990; Salfati, 2000). The coefficient is a "calculation of the proportion of co-occurrences of any two variables as a proportion of all occurrences of both variables" (Canter & Wentick, 2004, p.495). The Jaccard coefficient is particularly useful when dealing with police crime scene data because it only considers the occurrence of a variable and not the nonoccurrence of variables. This is important because police data is very often not exhaustive, and just because a behavior was not indicated as present in a case file that does not mean the behavior did not occur. Ignoring the nonoccurrence of variables minimizes the impact of missing data more so than other approaches.

The testing of the main hypothesis involves a visual examination of the SSA-I geometric plots, which, if the Expressive/Instrumental dichotomy is applicable, should reveal two distinct regions with variables corresponding to the instrumental and expressive themes. The lack of any identifiable regions would indicate that with the variables included in the current study, bias-motivated homicide crime scenes cannot be classified as either instrumental or expressive.

Most of the behaviors included in Salfati's study (2000) are behaviors that also were collected for this current research; however, some of the behaviors occurred rarely, or not at all in this group of bias-motivated homicides, so they were collapsed into behaviorally

similar variables or excluded for the purposes of analysis. A description of the Salfati (2000) behaviors and the corresponding behaviors included in this study can be seen in Table 6.3.1. The frequencies of the behaviors in the current study also are indicated. The current study included 22 behaviors representing 32 of the 36 original behaviors included in Salfati's study.

## 6.4 DATA

The data for this research – 91 bias-motivated homicides reported to the FBI's UCR program – represent approximately two-thirds of all of the bias-motivated homicides that were reported to the FBI following the passage of the Hate Crime Statistics Act (HCSA) of 1990. Homicides committed prior to 1991 were not included in the study because they were not officially classified as bias crimes. Specifically, the data for this research were taken from closed, fully adjudicated state and local cases that were contributed from law enforcement agencies from around the country for the purpose of research. All identifiers, including names of victims, suspects, offenders, officers, departments, correctional agencies, are removed. Only aggregate data are reported on. A randomization of the cases was not possible given the nature of the data collection; however, a review of the localities from which the cases came showed that there were no areas of the country that were uniformly not submitting cases and there were no years in the study that were disproportionately missing cases.

**Table 6.3.1: Description of behaviors in Salfati (2000) and the current study**

| | Salfati (2000) | Current Study (% of scenes) |
|---|---|---|
| **Expressive** | Victim face not hidden at crime scene** | Not Coded |
| | Victim found at scene where they had been killed** | Same Scene** (85%) |
| | Victim found where they fell** | Not Coded |
| | Multiple wounds on victim** | Multiple Wounds (44%) |
| | Face wounds | Face (29%) |
| | Head wounds | Head (43%) |
| | Torso wounds | Torso** (71%) |
| | Stab wounds | Stab (combined Stabbing and Cutting) – Instrumental (24%) |
| | Multiple wounds over body | Multiple Wounds Distributed (32%) |
| | Forensically aware offender | Forensically aware Offender (18%) |
| | Wounds to Limbs | Limbs (30%) |
| | Weapon brought to scene | Weapon to** (80%) |
| | Blunt instrument | Blunt (26%) |
| | Victim shot | Shot (46%) |
| | Victim bound | Bound (combined Binding and Gagging) (4.4%) |
| | Victim blindfolded | Never Occurred |
| | Victim suffocated | Strangled (3.3%) |
| | Victim drugged/poisoned | Never Occurred |
| | Body of victim hidden | Hidden (4.4%) |
| | Body of victim transported away from original crime scene | Transport (4.4%) |
| | Body of victim found in water | Not Coded |
| | Property stolen (identifiable) | Collapsed into other variable |
| **Instrumental** | Neck wounds | Neck (23%) |
| | Manual wounding | Manual (23%) |
| | Weapon from scene | Weapon from (25%) |
| | Property stolen (not identifiable) | Collapsed into other variable |
| | Property stolen (of value) | Property Stolen (combined all property stealing behaviors) (25%) |
| | Victim found partially undressed | Collapsed into other variable |
| | Sexual activity at crime scene | Sex (combined undressed, naked, and all forms of penetration) (10%) |
| | Anal penetration | Collapsed into other variable |
| | Vaginal penetration | Collapsed into other variable |
| | Foreign object used to penetrate | Collapsed into other variable |
| | Victim clothing damaged | Not Coded |
| | Victim found naked | Collapsed into other variable |
| | Body of victim found covered | Covering (6.6%) |
| | Arson committed at crime scene | Never Occurred |

** - High Frequency (>50%) Behaviors

The classification of these cases as bias-motivated homicides by the investigating agencies was structured according to several legal definitions. According to the UCR data collection guidelines, the crime of "murder and non-negligent manslaughter [is] defined as the willful (non-negligent) killing of one human being by another. Not included in this definition are deaths caused by negligence, suicides, or accidental deaths. Attempts to commit murder are classified as aggravated assaults" (FBI, 2003, p.497). The FBI, according to the HCSA, defines a bias crime as any criminal offense that is "motivated, in part or in full, by prejudice based on race, religion, sexual orientation, or ethnicity, including where appropriate the crimes of murder and non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property" (FBI, 2003, p.3).

## 6.5 Results

### *6.5.1 Classifying Bias-motivated Homicide Crime Scenes*

The distribution of the 22 crime scene behaviors is shown in Figure 6.5.1, in a 1 by 2 by 3 projection of the three-dimensional SSA. The coefficient of alienation for this SSA was .126 in 48 iterations, showing a good fit of the spatial representation of the co-occurrences of the behaviors. To test the hypothesis that there would be a regional thematic split or grouping of the crime scene behaviors understood, according to previous research, to be either Expressive or Instrumental – the basis of the regional hypothesis – the SSA plot was examined to determine if the different themes of offender-victim crime scene interaction were present.

As is illustrated in Figure 6.5.1, a visual examination of the SSA plot showed that the 91 bias-motivated crime scenes generally are dispersed across the plot and could not be

differentiated in terms of the expressive and instrumental role the victim had for the offender. There was no clear delineation of the plot, on any of the three dimensions, which would result in thematic regions corresponding to expressive and instrumental motivations. Since it may be difficult to visually discern a thematic divide because of the comparatively low number of instrumental behaviors included in this analysis, an external variable analysis was conducted to verify whether the model truly did not classify offender behaviors (Salfati, 2000).

### *6.5.2 Distribution of Cases Across Homicide Scene Themes*

An external variable analysis does not seek to ascertain whether the model classifies behaviors exclusively to one theme since it is unlikely that an offender would only exhibit behaviors known to be only instrumental or expressive (Berkowitz, 1993). Instead, this type of analysis looks at the predominant theme of behavior in which the offender engaged. This approach is supported by research showing that the expressive/instrumental dichotomy should not be seen as so rigid that an expressive homicide could not have an element of calculation (Block, 1977; Block et al., 2001).

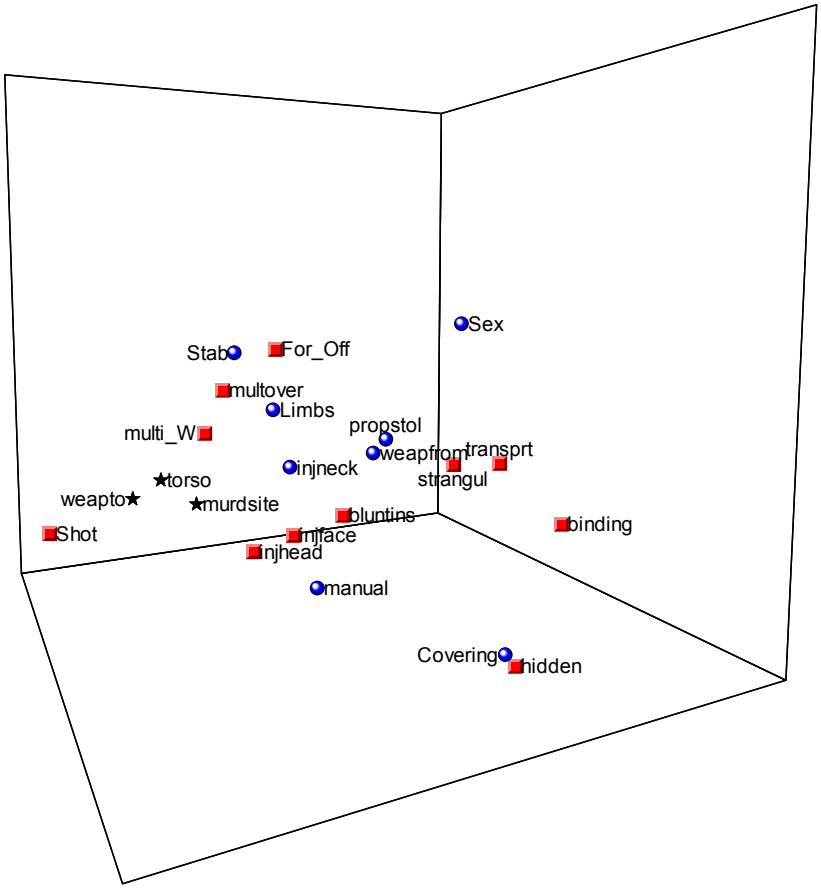



**Figure 6.5.1: Three-Dimensional Smallest Space Analysis: Crime Scene Action Themes (coefficient of alienation = .126 in 48 iterations)**
(■, Expressive; ●, Instrumental, ★, High Frequency)

**Variable Legend**

| Variable Abbreviation | Definition | Variable Abbreviation | Definition |
|---|---|---|---|
| Weapto | Weapon to Scene | Propstol | Property Stolen |
| Multi_w | Multiple wounds to victim | Multover | Multiple wounds over victim |
| For_off | Forensically aware offender | Murdsite | Body found at murder site |
| Sex | Sexual behavior at scene | | |

Note: weapto = weapon brought to scene, multi_w = multiple wounds to victim, For_off = forensically aware offender, Sex = sexual behavior at crime scene, propstol = property stolen from victim or scene, multover = multiple wounds distributed over victim, murdsite = body found at murder site

Each of the 91 bias-motivated homicides included in this study was examined individually to determine if they could be classified as predominantly one particular crime scene theme on the basis of the observable offender behaviors. Each crime scene was given a percentage score for each of the two behavioral themes, reflecting the proportion of expressive or instrumental behaviors that occurred during the homicide. A

stringent criteria (i.e., a case needed to have twice the percentage of possible behaviors in one theme compared to the other theme) was used to classify cases as being either expressive or instrumental. For example, in the eleventh crime scene in the data set 57.14% of the instrumental behaviors and 25% of the expressive behaviors, making it a predominantly instrumental crime scene. The percentage of possible intratheme behaviors that occurred was used instead of the raw number of occurrences, because the number of total behaviors in each theme was different. The three high frequency behaviors (i.e., they occurred in more than 50% of all the homicide cases included in this study) were not included in the external variable analysis because they define the sample in general instead of providing information that assists in classifying the different styles of offending. Homicide scenes were classified as mixed if they did not have a predominant theme.

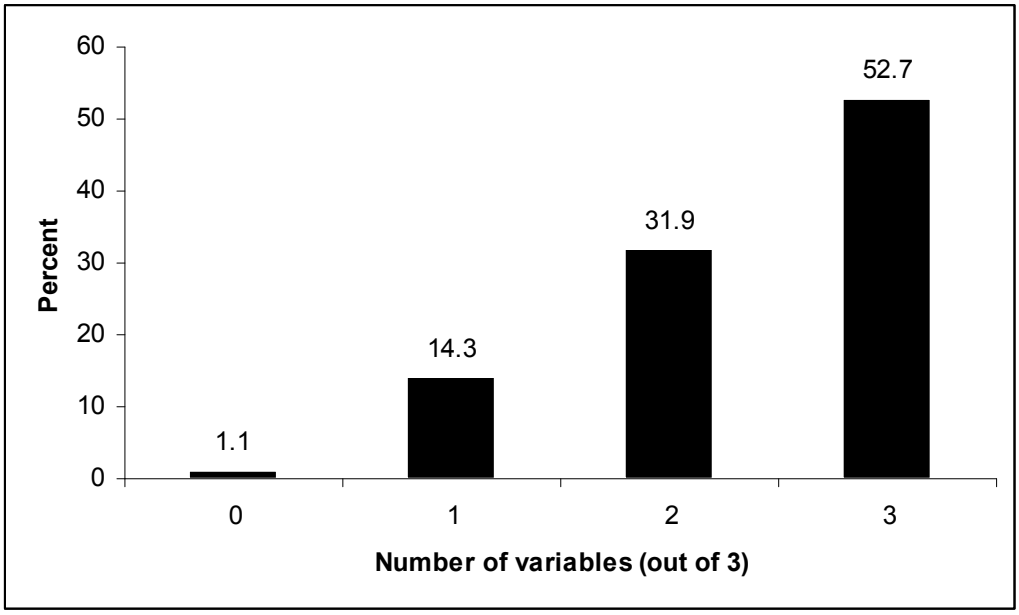
Table 6.5.1 shows that through the use of the stringent classification method, 36.3% of the scenes could be classified as expressive, 16.5% as instrumental, and 47.3% as mixed, so that a total of 52.8% of the homicide cases could be classified as exhibiting a predominate theme. This percentage is slightly less than the percent of cases that could be classified in the Salfati (2000) study, but it is in line with homicide research. Chi-square analysis revealed a significant difference ($\chi^2 = 13.3$, $p<.001$) between the proportion of cases falling into either of the two themes (expressive or instrumental) and those falling into the mixed category. Chi-square analysis also found that there was a significant difference ($\chi^2 = 6.750$, $p <.05$) between those cases that were predominantly expressive and those that were instrumental. Interestingly, of the 33 cases that could be classified as

expressive, only two were not exclusively composed of behaviors considered to be expressive.

**Table 6.5.1: Distribution of Cases Across Crime Scene Themes**

| Theme | Number | Percentage Distribution |
|---|---|---|
| **Expressive** | 33 | 36.3 |
| **Instrumental** | 15 | 16.5 |
| **Mixed** | 43 | 47.3 |
| **Total** | **91** | **100** |

**Figure 6.5.2: Variables in High Frequency Group**

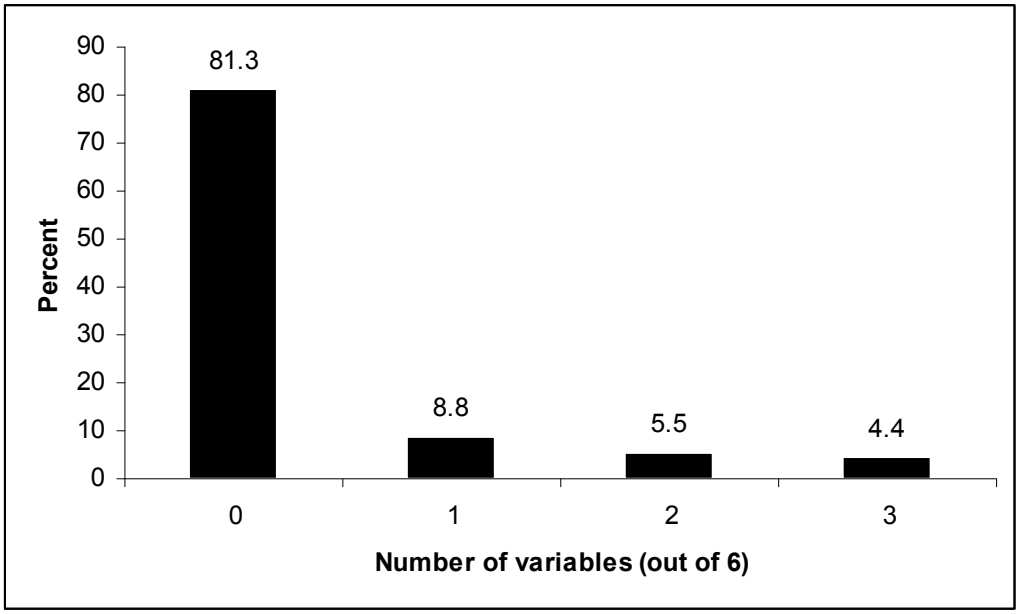



As was illustrated in the SSA plot (Figure 6.5.1) three of the behaviors from the 2000 (Salfati) study occurred in over fifty-percent of the homicide cases included in this study. These behaviors (e.g., wounding the torso, bringing a weapon to the scene, and leaving the body at the murder site) all represent behaviors suggestive of an intention to kill the victim and an impulsive element symbolized by a lack of concern about the body being discovered. This supports the idea that at its core homicides is an act of impulsive

aggression. As shown in Figure 6.5.2, over fifty-percent (52.7%) of the 91 bias-motivated homicides had evidence of all three high-frequency variables, with an additional 32% exhibiting two of the three. With only 15% of cases having only one or none of the high frequency variables, it is shown that most of the cases had most of these behaviors, and thus, that these behaviors can be said to characterize the norm of behavior within the sample (Salfati & Haratsis, 2003).

Comparatively, behaviors occurring in less than 10% of the cases (see Figure 6.5.3.) are those that are more about the offender's specific goals (e.g., sexual behavior and strangling) or making sure that the victim is not discovered and/or connected to the offender (e.g., transporting the victims away from the crime scene, hiding the body, and covering the body), than the actual killing of the victim.

**Figure 6.5.3: Variables in the Low Frequency Group**




Of the six behaviors that occurred in less than 10% of the crime scenes, over eighty-percent of the 91 cases had none of those behaviors. Only 4 of the scenes had all three. This illustrates that these behaviors are very specialized in nature; however, they do not occur in enough of the homicides to suggest that they could be used to differentiate number of the homicides.

While many of the scenes could be behaviorally classified under the stringent criteria, the large percentage of cases classified as mixed, however, shows that a significant proportion of the bias-motivated homicide offenders expressed behaviors from each theme. This result generates a logical question concerning the high number of unclassifiable crime scenes: which behaviors are consistent to the act of a bias-motivated homicide and which behaviors may be the result of the specific bias motivation?

*6.5.3 Classifying Bias-Motivated Homicide Crime Scenes based on Motivating Bias*

For this analysis the same 22 crime scene behaviors in the last analysis were re-examined; however, instead of examining the plot for a division between expressive and instrumental behaviors, in this analysis each behavior was cross-referenced against the bias motivation determined by investigators to be involved in each homicide to determine the motivation with which each behavior was predominantly associated. Proportions were used because there are an unequal number of racial/ethnic bias-motivated homicides and sexual orientation bias-motivated homicides. The same stringent criterion of requiring a behavior to have twice the proportion of one motivation compared to the other, which was used in the previous analysis, was employed again.

The distribution of the 22 crime scene behaviors is shown in Figure 6.5.4 in a 1 by 2 by 3 projection of the three-dimensional SSA. Since this is the same SSA projection as the initial behavioral analysis, the coefficient of alienation for this SSA was the same (i.e., .126 in 48 iterations), showing a good fit of the spatial representation of the co-occurrences of the behaviors.

As is illustrated in Figure 6.5.4, a visual examination of the SSA plot shows that the 91 bias-motivated crime scenes could be differentiated in terms of the motivating bias because there is a clear delineation of the plot. Behaviors in the right-half of the plot all were associated predominantly with homicides motivated by a sexual orientation bias, and behaviors on the left-half were associated with a racial/ethnic bias. Behaviors associated with a racial/ethnic bias reflected how the offender interacted with the victim in a unplanned manner but with the intent to accomplish a quick kill with minimal victim interaction. These behaviors all suggest that homicides motivated by a racial/ethnic bias

are not about controlling the victim, as there are no controlling behaviors predominantly associated with racial/ethnic homicides, but are mostly about the need to perform violence and kill the victim.

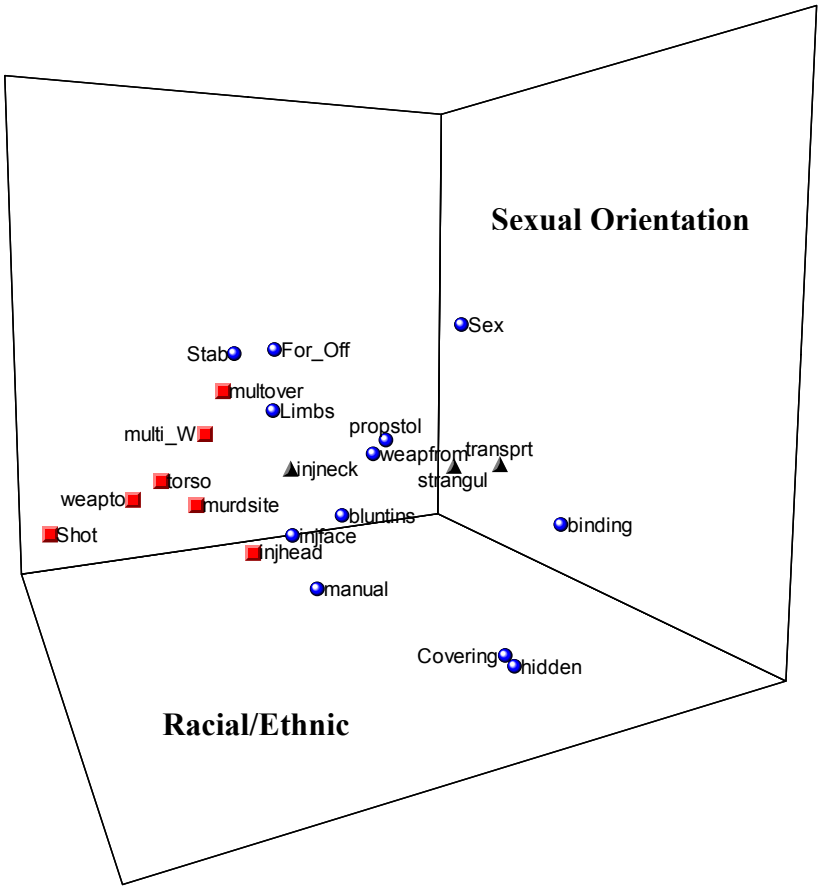



**Figure 6.5.3.: Three-Dimensional Smallest Space Analysis: Crime Scene Action Themes Across Motivating Bias**

**(■, Racial/ethnic; ●, Sexual Orientation, ▲, Mixed)**

**Variable Legend**

| Variable Abbreviation | Definition | Variable Abbreviation | Definition |
|---|---|---|---|
| Weapto | Weapon to Scene | Propstol | Property Stolen |
| Multi_w | Multiple wounds to victim | Multover | Multiple wounds over victim |
| For_off | Forensically aware offender | Murdsite | Body found at murder site |
| Sex | Sexual behavior at scene | | |

Interestingly, while the three high frequency behaviors could not be included in the following external variable analysis because they occur so commonly; all three are disproportionately predominantly associated with homicides motivated by a racial/ethnic bias. So, while they could not be used to determine how many homicide crime scenes could be stringently classified as consisting of behaviors associated with either motivating bias, they did offer further support for the finding that homicides motivated by a racial/ethnic bias occur through behaviors exhibiting an intention to quickly kill the victim (i.e., weapon to, torso wound, multiple wounds, and shooting the victim) and disregard for the body being discovered (i.e., body found at murder site).

Comparatively, behaviors associated with a sexual orientation bias were more focused on interacting with the victim in a controlling fashion (i.e., sexual behavior, binding, manually wounding the victim). These behaviors also exhibited an element of distancing the offender from the victim as the bodies were often hidden or covered. These crime scenes also were associated with an apparent need by the offenders to depersonalize the victim, as their faces were often the target of wounding behaviors – a finding that is supported by other bias crime research (Franklin, 2000).

*6.5.4 Summary of the Salfati (2000) Behaviors Results*

The lack of clarity in the external variable analysis examining the role of the motivating bias; the apparent differentiation of the motivating biases in the SSA analysis; and, the inability of the expressive/instrumental homicide SSA analysis to meaningfully classify the bias-motivated homicides in contrast with an external variable analysis showing both that 52% of the cases could be classified as either instrumental or expressive and that those behaviors that could be classified consisted almost exclusively of expressive

behaviors, all these findings raise questions both about the ability of the included behaviors to meaningfully classify bias-motivated homicides and whether bias-motivated homicides should be conceived of as more diverse than either expressive or instrumental in nature.

To address the first question, in the next analysis section additional behaviors were included. These behaviors were drawn from Salfati's original 1999 study and from bias crime literature. It became apparent through these initial analyses, which were supported by some bias crime research (Dunbar, 1999), that what may separate bias-motivated crimes into types could be bias-related behaviors. For example, research suggests that inter-racial/ethnic offenses often involve individuals who have a relatively high level of commitment to their personal biases, and therefore would be more likely to leave behind a bias-related object/drawing/writing at the crime scene, so the presence of a symbol/drawing/writing could be meaningful in profiling the bias-motivated homicide and in understanding the interaction of the motivating bias with the crime scene behaviors. It will be important throughout the rest of the larger study to determine how much the motivating bias impacts the crime scene behaviors. The other question of whether bias-motivated homicides are more diverse than expressive/instrumental again was tested, in part, with the analysis of the additional crime scene behaviors, but will not be fully understood without additional analytic methods. These will be carried out in upcoming sub-studies.

*6.5.5 Classifying Bias-motivated Homicide Crime Scenes with Additional Behaviors*

The same methodology employed in the preceding analysis was used to test the effect of adding behaviors. Most of the behaviors in Salfati's revised study (2000) remained in the

analysis; however, one was replaced: instead of having the general *multiple wounds to the victim*, it was replaced with *multiple wounds concentrated to one area on the victim*, which, in tandem with *multiple wounds distributed over the victim*, covers more precisely the nature of the amount of wounding. Several behaviors were added that were not considered in either of Salfati's studies. These behaviors were theorized either to have particular relevance to homicides motivated by bias or were recorded in this study and not in either of the initial Salfati studies. Again, some of the behaviors occurred rarely so they were collapsed into behaviorally similar variables. A description of the Salfati (Canter & Salfati, 1999 & Salfati, 2000) behaviors and the corresponding behaviors included in this study can be seen in Table 6.5.3. The frequencies of the behaviors also are indicated. The additional behaviors are noted as not included in either Salfati study. This modified analysis included 29 crime scene behaviors. The same bias-motivated cases included in the previous analysis were the basis of this examination.

The distribution of the 29 crime scene behaviors is shown in Figure 6.5.5., in a 1 by 2 by 3 projection of the three-dimensional SSA. The coefficient of alienation for this SSA was .158, in 30 iterations, which indicates the additional behaviors still provide a good fit but did not improve the spatial fit of the associations of all the variables, although they did make it easier, as evidenced by the lower number of iterations, for the best spatial fit to be determined.

**Table 6.5.3: Description of the behaviors in Salfati (1999 & 2000) and the current study**

| | Salfati (1999/2000) | Current Study (% of scenes) |
|---|---|---|
| **Expressive** | Daytime | Day (23%) |
| | Victim found at scene where they had been killed** | Same Scene** (85%) |
| | Face wounds | Face (29%) |
| | Head wounds | Head (43%) |
| | Torso wounds | Torso** (71%) |
| | Stab wounds | Stab (combined Stabbing and Cutting) – Instrumental (24%) |
| | Multiple wounds over body | Multiple Wounds Distributed (32%) |
| | Forensically aware offender | Forensically aware Offender (18%) |
| | Wounds to Limbs | Limbs (30%) |
| | Weapon brought to scene | Weapon to** (80%) |
| | Blunt instrument | Blunt (26%) |
| | Victim shot | Shot (46%) |
| | Victim bound | Bound (combined Binding and Gagging) (4.4%) |
| | Victim suffocated | Strangled (3.3%) |
| | Body of victim hidden | Hidden (4.4%) |
| | Body of victim transported away from original crime scene | Transport (4.4%) |
| | Not Included | Multiple dead victims*** (5.5%) |
| | Property stolen (identifiable) | Collapsed into other variable |
| **Instrumental** | Neck wounds | Neck (23%) |
| | Manual wounds | Manual (23%) |
| | Multiple wounds concentrated | Multiple Concentrated (28.6%) |
| | Single Wound | Single Wound (30%) |
| | Weapon from scene | Weapon from (25%) |
| | Outside | Outside** (80%) |
| | Property stolen (not identifiable) | Collapsed into other variable |
| | Property stolen (of value) | Property Stolen (combined all property stealing behaviors) (25%) |
| | Victim found partially undressed | Collapsed into other variable |
| | Sexual activity at crime scene | Sex (combined undressed, naked, and all forms of penetration) (10%) |
| | Anal penetration | Collapsed into other variable |
| | Vaginal penetration | Collapsed into other variable |
| | Foreign object used to penetrate | Collapsed into other variable |
| | Victim found naked | Collapsed into other variable |
| | Body of victim found covered | Covering (6.6%) |
| | Victim residence | Victim residence (14%) |
| | Not Included | Forced entry into residence*** (3.3%) |
| | Not Included | Bias-related drawing/object/writing* (6.6%) |

*** - Not recorded in Salfati; ** - High Frequency (>50%) Behaviors; * - Bias Research

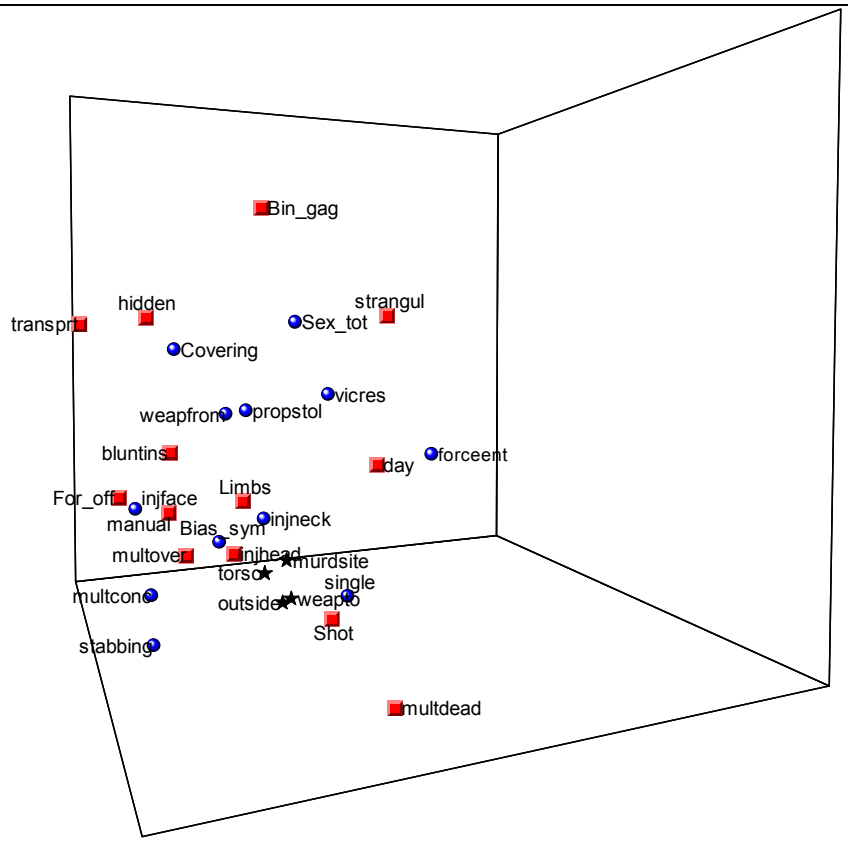



**Figure 6.5.5.: Three-Dimensional Smallest Space Analysis: Crime Scene Action Themes with Additional Behaviors**

**(■, Expressive; ●, Instrumental, ★, High Frequency)**

**(coefficient of alienation = .158 in 30 iterations)**

**Variable Legend**

| Variable Abbreviation | Definition | Variable Abbreviation | Definition |
|---|---|---|---|
| Weapto | Weapon to Scene | Propstol | Property Stolen |
| multconc | Multiple wounds concentrated on victim | Multover | Multiple wounds over victim |
| For_off | Forensically aware offender | Murdsite | Body found at murder site |
| Sex_tot | Sexual behavior at scene | Multdead | Multiple dead victims |
| Transport | Body transported post-mortem | Vicres | Victim found in residence |
| Strangul | Victim stranguled | Hidden | Body hidden |
| Stabbing | Victim stabbed | Shot | Victim shot |
| Single | Single wound | Day | Occurred during daylight |
| Limbs | Wounding to limbs | Manual | Manual Wounding |
| Forceent | Evidence of forced entry | Injneck | Victim Neck injured |
| Injface | Victim face injured | Bin_gag | Victim bound/gagged |
| Bias_sym | Bias symbol/writing left | Covering | Body covered |

As is illustrated in Figure 6.5.5, a visual examination of the SSA plot shows that the 91 bias-motivated homicide crime scenes could not be differentiated in terms of the expressive and instrumental role the victim had for the offender even when behaviors,

which theoretically should have improved the model were added to the analysis. Visually, the plot is even more unclear than it was without the added behaviors, which could be an effect of simply having more points on the plot, but it would be impossible to tell without performing an external variable analysis.

The same procedure followed in the previous external analyses was used again for this analysis. Table 6.5.4 shows that through the use of the stringent classification method, just under 20% of the scenes could be classified as expressive, 22% as instrumental, and over 58% as mixed, so that a total of 41.8% of the bias-motivated homicide scenes could be classified as exhibiting a predominate theme. This percentage is slightly less than the percent of cases that could be classified previously with solely the behaviors from the 2000 Salfati study. Chi-square analysis revealed a significant difference ($\chi^2$ = 25.5, p<.001) between the proportion of cases falling into either of the two themes and those falling into the mixed category. Chi-square analysis did not find that there was a significant difference ($\chi^2$ = .105, p>.05) between those cases that were predominantly expressive and those predominantly instrumental.

**Table 6.5.4. Distribution of Cases Across Crime Scenes with Additional Behaviors**

| Motivating Bias | Frequency | Percent |
|---|---|---|
| **Expressive** | 18 | 19.8 |
| **Instrumental** | 20 | 22.0 |
| **Mixed** | 53 | 58.2 |
| **Total** | **91** | **100** |

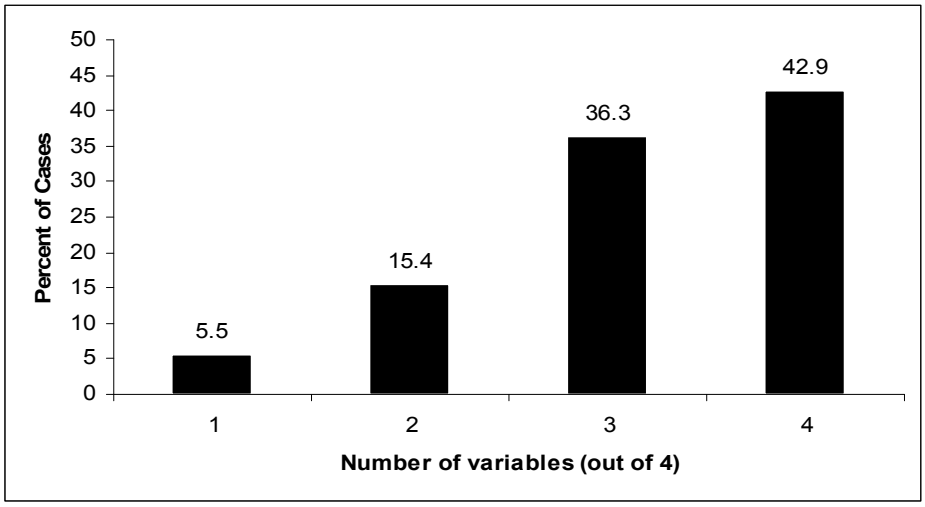
These findings indicated that the additional behaviors did improve the ability of the model to classify instrumental crime scenes – as the model based on the 2000 study was unable to classify any scenes as instrumental. Overall, however, this revised model

showed that using all of these behaviors did not allow homicide crime scenes to be behaviorally classified at a rate better than chance. This suggested that when these additional behaviors are considered – behaviors that were theorized to be indicative of particular styles of bias-motivated criminal behavior – it becomes less clear which, if any, behavioral strategies offenders were employing in these crime scenes. This result again raised the question of whether there are more subtle differentiations in the behavioral strategies bias-motivated offenders follow.

Replicating the high- and low-frequency analyses performed on the refined Salfati (2000) study behaviors, the combined original and additional behaviors considered in this section included four crime scene behaviors that occurred in more than fifty-percent of the homicides (e.g., body found outside, wounds to torso of the victim, victim left at murder site, and weapon brought to the scene). The addition of the behavior *body found outside* bolstered the conclusion reached in the previous section that the high frequency variables are indicative of an intention to kill the victim and an impulsive element illustrated through disregard for the possibility of being seen or detected.

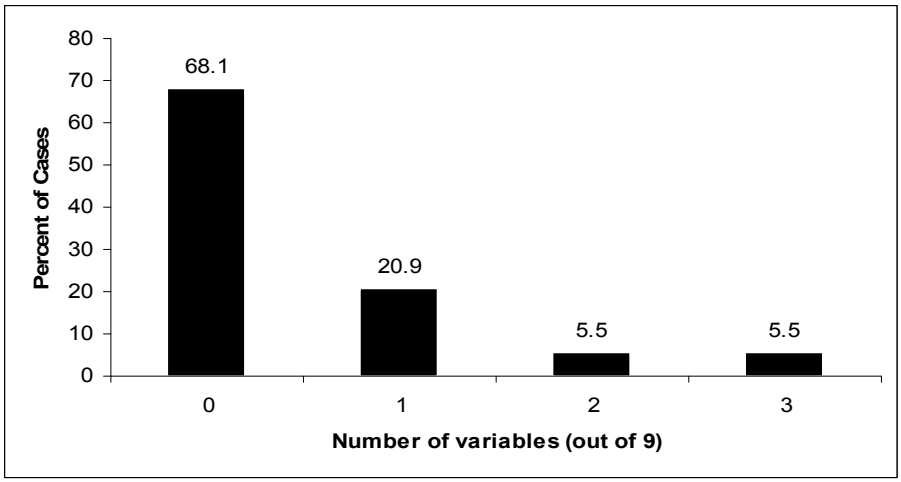
As shown in Figure 6.5.6, just under forty-three percent (42.9%) of all the 91 bias-motivated homicides included all four of the high frequency behaviors, with an additional thirty-six (36.3%) including three of the four. With a total of almost eighty-percent (79.2%) of the homicides containing either three or all four of the four high-frequency behaviors it can be said that this group of behaviors characterize the norm of behavior within the sample.

**Figure 6.5.6: Variables in the High Frequency Group**




Comparatively, behaviors occurring in less than ten-percent of the cases (see Figure 6.5.7.) are behaviors that signal the homicide was primarily focused on the offender's specific goals (e.g., sexual behavior and strangling) or insuring that the victim was not discovered and/or connected to the offender (e.g., transporting the victim away from the crime scene, hiding the body, and covering the body) instead of on specifically killing the victim.

**Figure 6.5.7: Variables in the Low Frequency Group**



Over two-thirds (68.1%) of the crime scenes had none of the nine behaviors that occurred in less than 10% of the crime scenes, with an additional 20.9% including only one of the nine, for a total of just under ninety-percent (89%) of the homicides containing one or none of the most discriminatory rare behaviors.

### *6.5.6 Classifying Bias-Motivated Homicide Crime Scenes based on Motivating Bias with Additional Behaviors*

For this analysis the same 29 crime scene behaviors in the previous additional behaviors were re-examined for associations between each behavior and either motivating bias. The same methodology – proportions being used because there are an unequal number of racial/ethnic and sexual orientation bias-motivated homicides and using a stringent criteria to determine if a behavior was predominantly associated with one bias – used to conduct this analysis with the smaller group of behaviors was employed again for this analysis.

The distribution of the 29 crime scene behaviors is shown in figure 6.5.8, in the same 1 by 2 by 3 projection of the three-dimensional SSA discussed in the previous analysis of the revised behaviors. Since it is the same SSA, the coefficient of alienation is again .158, in 30 iterations.

As illustrated in Figure 6.5.8., a visual examination of the SSA plot showed that the 91 bias-motivated crime scenes could be differentiated in terms of the motivating bias because, again, there was a clear delineation of the plot. Behaviors in the upper-half of the plot all were associated predominantly with homicides motivated by a sexual orientation bias, and behaviors in the lower-half were associated with a racial/ethnic bias.

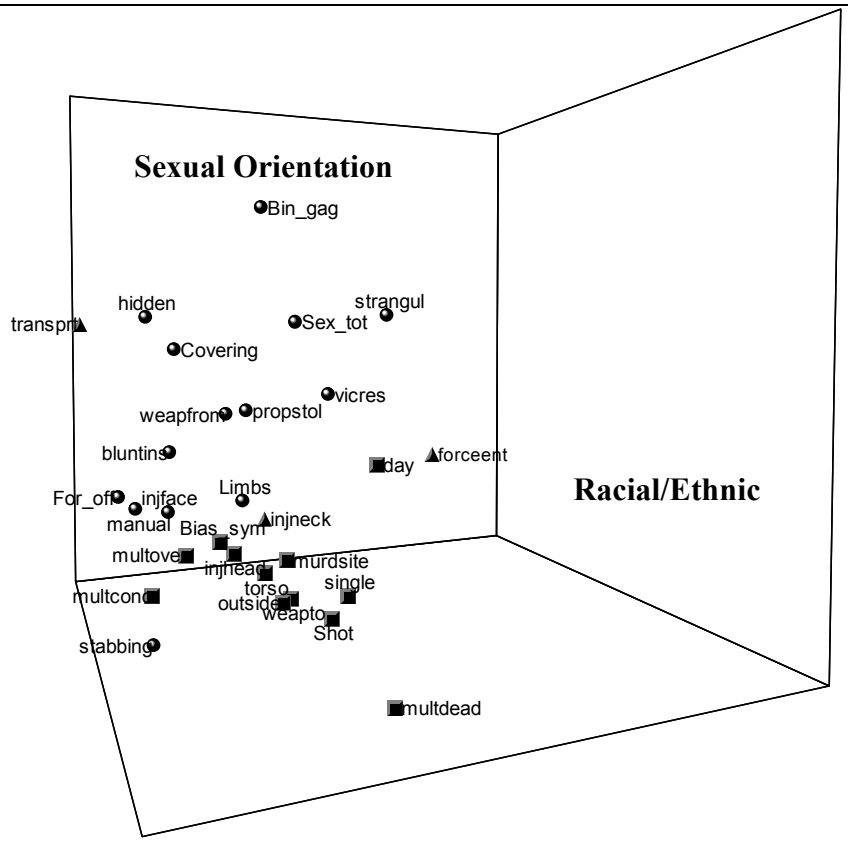



**Figure 6.5.8: Three-Dimensional Smallest Space Analysis: Crime Scene Action Themes Across Motivating Bias with Additional Behaviors**

**(■, Racial/ethnic; ●, Sexual Orientation, ▲, Mixed)**

**(coefficient of alienation = .158 in 30 iterations)**

**Variable Legend**

| Variable Abbreviation | Definition | Variable Abbreviation | Definition |
|---|---|---|---|
| Weapto | Weapon to Scene | Propstol | Property Stolen |
| multconc | Multiple wounds concentrated on victim | Multover | Multiple wounds over victim |
| For_off | Forensically aware offender | Murdsite | Body found at murder site |
| Sex_tot | Sexual behavior at scene | Multdead | Multiple dead victims |
| Transport | Body transported post-mortem | Vicres | Victim found in residence |
| Strangul | Victim stranguled | Hidden | Body hidden |
| Stabbing | Victim stabbed | Shot | Victim shot |
| Single | Single wound | Day | Occurred during daylight |
| Limbs | Wounding to limbs | Manual | Manual Wounding |
| Forceent | Evidence of forced entry | Injneck | Victim Neck injured |
| Injface | Victim face injured | Bin_gag | Victim bound/gagged |
| Bias_sym | Bias symbol/writing left | Covering | Body covered |

A careful examination of the patterns in the plot, combined with a thorough consideration of the meanings of the behavioral co-occurrences, allowed a division to be detected in the

plot reflecting the motivating-bias split. Since most of the behaviors are the same as in the previous motivating-bias analyses and were analyzed against the same cases, it should not be surprising that the racial/ethnic behaviors again were reflective of intent to accomplish a quick kill with minimal victim interaction. Even with the additional behaviors, which did not improve the clarity of the model, again the bias analysis suggested that homicides motivated by a racial/ethnic bias do not revolve around controlling the victim, since there were no controlling behaviors predominantly associated with homicides motivated by a racial/ethnic homicide. Instead, these homicides seem to be about the desire to harm and/or kill the victim. Again, it should be noted that the high-frequency variables, while they should not be used in any external variable analyses, could be visually examined to provide more support for the conclusion that homicides motivated by a racial/ethnic bias predominantly include behaviors indicative of an intention to kill the victim quickly (i.e., bringing a weapon to the scene and wounding the torso) while having little regard for the body being discovered and/or connected to the offender (i.e., leaving the victim's body at the murder scene).

As was the case in the previous bias analysis, the behaviors associated with a sexual orientation bias were reflective of intent to control the victim (i.e., sexual behavior, binding/gagging, manually wounding the victim), and behaviors designed to distance the offender from the victim as the bodies often were hidden or covered. Again, the offenders were found to exhibit a need to depersonalize their victims through injuries to the face.

Following the same procedure utilized in the previous analysis, an external variable analysis, reported in Table 6.5.5, found that the additional variables marginally improved the ability of the model to classify scenes based on the motivating bias. The additional

variables allowed the model to classify an additional two of the mixed homicides as predominantly involving behaviors associated with a racial/ethnic bias and one as predominantly involving behaviors associated with a sexual orientation bias. With these changes only one of the 59 racial/ethnic homicides could not be classified, while 35% of all the homicides still could not be classified as predominantly involving behaviors associated with one motivation. Chi-square analysis ($\chi^2$ = .53.62, p<.001) revealed that there was a significant difference among those cases falling into either of the two motivations (racial/ethnic or sexual orientation) and those falling into the mixed category. Since only one case was found to classify as predominantly consisting of behaviors associated with a sexual orientation bias, a chi-square analysis was not conducted to determine if there was a significant difference between the two motivations.

**Table 6.5.5: Distribution of Cases Across Crime Scene Motivating Biases with Additional Behaviors**

| Motivating Bias | Frequency | Percent |
|---|---|---|
| **Mixed** | 32 | 35 |
| **Racial/Ethnic** | 58 | 64 |
| **Sexual Orienation** | 1 | 1 |
| **Total** | **91** | **100** |

The very small increase in the number of cases that could be classified does indicated that the additional variables were helpful both in theory and application; however, their impact was almost negligible so the question still remained about what aspects of these homicides would allow all of the cases to be meaningfully classified behaviorally and according to the motivating bias.

### *6.5.7 Summary of the Combined Bias and Salfati Behaviors Results*

The external variable analysis conducted to confirm the results of the Expressive/Instrumental SSA plot, which showed that the addition of behaviors did not produce a spatial plot exhibiting a clearer thematic divide than in the initial SSA plot, found that just over 58% (compared to 52% in the initial analysis) of the cases could be classified as either Expressive or Instrumental. Together, these two results indicated that adding variables shown in homicide and bias crime research to distinguish types of homicide did not drastically improve the model, and that, at least visually on the SSA plot, they only confused it.

The analyses of the association of particular behaviors with either of the two motivating biases again found that there was a clear – even somewhat clearer than in the original analysis – split between those behaviors predominantly associated with homicides motivated by a racial/ethnic bias and those motivated by a sexual orientation. The external variable analysis found that 65% (compared to 61% in the original external variable analysis) of the crime scenes could be classified as predominantly associated with either of the motivating biases; however, the model was still incapable of classifying more than one of the homicides labeled as motivated by a sexual orientation bias as consisting predominantly of variables found the be associated with a sexual orientation bias. This result showed that the current group of behaviors included in the analyses did not allow homicides motivated by a sexual orientation bias to be distinguished from those motivated by a racial/ethnic bias. Too many of the behaviors associated with a racial/ethnic bias occurred across all of the homicides for the homicides motivated by a

sexual orientation to consist of a higher proportion of behaviors linked to homicides labeled as sexual orientation homicides than those linked to racial/ethnic homicides.

### 6.6 Conclusions & Implications

The main aim of this sub-study was to determine if one of the leading behavior-based homicide typologies (Canter, 1995; Salfati, 2000; Salfati & Canter, 1999) could successfully classify crime scene behaviors of bias-motivated homicide offenders. Since the main bias-crime classification scheme (McDevitt, Levin, & Bennett, 2002) was too dependent on the offender's motivation in its descriptions of its types, the behavioral model that was created to determine if that typology would allow a thematic classification system to be created that would be of assistance to law enforcement personnel was hampered by a lack of exclusivity among the variables. It was hoped that a typology created specifically for homicide crime scenes and their behaviors would also apply to bias-motivated homicides and their behaviors. If successfully applied, the originating homicide classification system would result in an understanding of the type of offender who would commit the different kinds of bias-motivated homicide in a way that would allow the crime scene to provide evidence-based, objective clues about the characteristics of the offender – something that was not possible with the existing bias crime classification scheme.

With the source homicide typology focusing on the thematic split between behaviors reflective of either an expressive or instrumental form of aggression it was hypothesized that the bias-motivated homicide crime scenes would exhibit a distinguishable pattern in terms of the co-occurrences of crime scene behaviors of the same aggression type. The results of the analysis showed that with standard and bias-specific crime scene behaviors

Smallest Space Analysis did not support any such Expressive/Instrumental dichotomy among bias-motivated homicides.

It was further hypothesized that there would be a behavioral divide between those behaviors predominantly associated with either a sexual orientation or racial/ethnic bias, resulting in an ability possibly to determine the motivating bias by the present crime scene behaviors. Initial results suggested that there was a very clear spatial divide between the behaviors with behaviorally similar controlling and forensically aware behaviors associated with a sexual orientation bias and violent, impulsive behaviors associated with racial ethnic bias; however, upon more detailed testing of the exclusivity of the behavioral associations, it was determined that racial/ethnic bias homicides could be reliably classified based on observable crime scene behaviors while sexual orientation bias homicides could not be. This finding suggested that since the SSA was so clear but the external variable analysis indicated that only one type of bias could be clearly identified that there may be underlying behavioral subtypes of the two motivations.

A combination of behaviors, which either had been found to allow homicide crime scenes to be classified along an Expressive/Instrumental divide or had been theorized by leading bias crime researchers to be distinguishing characteristics of types of bias-motivated crimes either only further muddled or nominally improved the SSA and external variable analyses. This suggested that either other crime scene behaviors should be examined or that other approaches to analyzing the behaviors that have been used should be employed. There also always is the possibility that bias-motivated homicides are, by definition, characterized so much by their motivating bias that looking at only observable crime scene behaviors will not result in a meaningful behavioral classification of the types of

homicide. Only additional analysis could explain the inability of the applicable primary classification systems for bias-motivated crime and homicide to delineate the study's bias-motivated homicides.

# CHAPTER 7:
# AN ANALYSIS OF BIAS-MOTIVATED HOMICIDE OFFENDER CRIME SCENE BEHAVIORAL PROFILES

## 7 INTRODUCTION

The preceding sub-studies (Chapters 5 and 6) focused on determining if bias-motivated crime scene behaviors could be thematically grouped and distinguished using existing classification schemes. The testing of the sole bias-crime classification system (McDevitt, Levin, and Bennett, 2002) in Chapter 5 found that a system intrinsically linked to the offenders' motivations did not identify a sufficient number of crime scene behaviors exclusive to specific motivations for themes to be useful in distinguishing types of homicides. The results of Chapter 6 – an application of Salfati's (2000) behavior-based homicide classification system – indicated similar results. The current sub-study was undertaken to deal with these failures. It was theorized that because bias-motivated offenders share many characteristics and exhibit similar behaviors that focusing on individuals and their entire crime scene behavior profile would allow the limited unique offender behaviors to distinguish the offenders' behavioral styles. That is, analyses comparing the similarities and differences between the behaviors engaged in by every offender would highlight those offenders who engaged in many of the same behaviors but were unique because of their engagement in less common, more specialized behaviors.

## 7.1 Literature Review

The relevant bias crime research, in conjunction with the results of Chapters 5 and 6, provided information indicating that bias-motivated homicide offenders tend to engage in a group of similar core behaviors (Comstock, 1991; Craig, 2002; Franklin, 2000; Ituarte, 2000). These behaviors include bringing a weapon to the scene, leaving the body at the

scene, shooting the victim, inflicting multiple wounds, and inflicting injuries to the victim's torso and head/face. Together, these behaviors describe bias-motivated homicides as events where the offender came prepared for violence (Buss & Shackleford, 1997; Canter et al., 2004; Cornell et al., 1996; Dunbar, 2003; Salfati, 2000). There were numerous more specialized behaviors (i.e., those focused on property, sex, and interaction with the victim's body) that occurred much less frequently across the sample. These more rare behaviors offer the possibility of distinguishing otherwise behaviorally similar bias-motivated homicide crime scenes (Salfati, 2003) because they are indicative of more specialized behaviors not commonly associated with a majority, or even a plurality, of bias-motivated homicide crime scenes.

There is no established psychological theory to guide the selection of specific behaviors that may distinguish between different types of bias-motivated homicide. There is some consensus, however, among bias crime researchers, as well as evidence provided by the preceding analyses, of different degrees of control, planning, motivation, and "sport violence," between crimes motivated by racial/ethnic and sexual orientation bias (Green, Strolovitch, & Wong, 1998; Harry, 1990; Ituarte, 2000). Bias crime research, along with previous homicide research (Canter et al., 2004; Salfati, 2000; 2003; Salfati & Canter, 1999; Santilla et al., 2001), suggests that crime scene behaviors indicative of the level of planning (e.g., weapon to the scene, shot, manually wounded, and a forensically aware offender), ulterior motives (e.g., property stolen and sexual behavior), and the level of interaction/control with/of the victim (e.g., victim stabbed, victim strangled, multiple wounds, body covered post-mortem), all offer insight into those differences among homicides. Furthermore, some bias research has suggested that bias crimes motivated by

different biases involve different types of aggression. Crimes motivated by a racial/ethnic bias tend to involve Expressive aggression – aggression aimed at a specific target. Those crimes motivated by a sexual orientation bias tend to involve Instrumental aggression – aggression aimed at a suitable target victimized to achieve ulterior aims (Anderson, Dyson, and Brooks, 2002; Bufkin, 1999; Dunbar, 2003; Fiske, 2002).

Given the theoretical and evidentiary suggestions that there may be specific, non-core behaviors that can distinguish otherwise similar crime scenes, the next logical step in the development of a classification system for bias-motivated homicide crime scene behaviors was to examine each individual crime scene against every other crime scene. Such an approach would highlight the differences amongst scenes that shared a large number of behaviors (Borg & Shye, 1995).

**7.2 Study Aims**

This sub-study sought to establish a behavior-based classification scheme for bias-motivated homicide. The existing schemas (McDevitt, Levin & Bennett, 2002; Salfati, 2000) were unable to exclusively and reliably classify the bias-motivated homicide crime scene behaviors based on independent analyses of the co-occurrence rates of crime scene behaviors (Chapters 5 & 6). Therefore, the aim of this study was to determine if offenders who otherwise behaved similarly to each other could be behaviorally distinguished if each homicide was analyzed as a whole behavioral profile. Considering that bias crime research has supported the Expressive/Instrumental dichotomy (Anderson, Dyson, and Brooks, 2002; Bufkin, 1999; Dunbar, 2003; Fiske, 2002), it was hypothesized that Instrumental bias-motivated homicides would be distinguishable from Expressive scenes based on the presence of specialized behaviors focused on controlling the victim so the

offenders could use them to obtain ulterior aims. That is, even though the previous analyses (Chapters 5 & 6) failed to support this dichotomy, the research supporting the hypothesis that these offenders might be better analyzed as events rather than individual behaviors indicated that the Expressive/Instrumental classification system had not been ruled out as a possible approach. Expressive bias-motivated homicides would be characterized primarily by the presence of almost exclusively core behaviors because these incidents represent the general nature of bias-motivated homicide, and homicide in general. It was further hypothesized that homicides motivated by a sexual-orientation bias would be scenes predominantly classified as Instrumental because of the research showing that these incidents are more often connected to ulterior motives such as property or social status gain (Anderson, Dyson, and Brooks, 2002; Bufkin, 1999; Dunbar, 2003; Fiske, 2002). Racial/Ethnic bias-motivated homicides would be scenes predominantly classified as Expressive due to the fact that these bias-motivated incidents have generally been found to be motivated by a desire to commit aggression/violence against a specific person – usually as a result of a prior encounter where racial/ethnic animus elevated the perceived level of appropriate violence.

## 7.3 Method

### *7.3.1 The Data*

The same 91 homicide case files examined throughout the previous studies were the source of the data for the current sub-study. As has been the case throughout the overall larger study, only those crime scene behaviors that could be objectively identified by investigators were included in the analyses.

*7.3.2 Multidimensional Scaling Analysis*

Multidimensional Scaling Analysis is based upon the algorithm developed by Lingoes (1979). MSA is part of a group of analyses generally associated with facet theory (Borg & Shye, 1995; Canter, 1985; Gutman, 1991; Shye, Elizur & Hoffman, 1994). This approach most often is used to identify similarities between each of the cases included in an analysis. More simply, instead of plotting the behaviors included in the analyses in a spatial plot where the distances between points correspond to how frequently those behaviors co-occur in the same crime scene as SSA does, MSA examines each homicide crime scene as a whole and develops a profile of each scene based on the presence or absence of the behaviors included in the analysis. Those scenes that share more crime scene behaviors are plotted closer together on the spatial plot (Guttman, 1995). If two or more incidents share the exact same presence/absence of behaviors in their profile, the same point on the plot represents them both. That is, in those instances where two offenders engaged in the exact same analyzed crime scene behaviors, one point on the plot represents them both since they have the same behavioral profile. The aim of this approach is to develop a final spatial configuration where the solution – the plotting of the profiles in positions that best represent their rates of overall co-occurrence – has a good enough fit that the plot can be regionally divided. These divisions would reflect those offender crime scene behavior profiles that share the same crime scene behaviors. The theory being that those homicides differentiated from the larger group of core homicides by the presence of rarer behaviors would be located in different regions of the plot.

MSA attempts to find a perfect fit for the spatial location of the plots; however, complex data sets often make it extremely difficult to produce such a plot, so a coefficient of contiguity is calculated for the MSA. This coefficient indicates how close the solution was to perfection. Researchers tend to accept a coefficient of contiguity of 0.9 or greater, though there has been limited study of the exact significance of this cut-off (Borg & Shye, 1995; Canter, 1985; Gutman, 1991; 1995; Shye, Elizur & Hoffman, 1994).

The nature and purpose of MSA precludes a large number of variables from being included in the analysis. It would be difficult to discern the overlap of variables if there were multiple variables overlapping everywhere (Wilson, 2000). Generally, 10 to 15 variables are included in an MSA (Borg & Shye, 1995; Canter, 1985; Gutman, 1991; 1995; Shye, Elizur & Hoffman, 1994). Therefore, behaviors which best characterize all of the behaviors associated with a theorized "type" have to be picked to limit the analyses to a set of behaviors that be visually and spatially understood.

The MSA output also includes separate plots for each of the included behaviors. These *item plots* show the same configuration of points as illustrated in the overall plot, but instead of displaying case numbers, the code indicating whether that behavior was recorded or not for that crime scene is displayed. These item plots allow the researcher to analyze regional divisions on the plot. These divisions distinguish between groups of homicides exhibiting or not exhibiting a particular behavior. One such division could be those homicides where the offender did or did not stab the victim. The theory behind the MSA plot holds that those homicides where the victim was stabbed generally should be behaviorally similar so they would all co-occur in the same region of the plot, while those homicides where the victim was not stabbed would share a different set of crime scene

behaviors and would be located in a different area of the plot. With each of the item plots so divided, the pattern in which the identified behavioral regions overlap can be compared across cases. The plots provide a summary of how similar the cases are and the specific behavioral reasons for those similarities. MSA analysis, therefore, is a response to the shift in focus from a classification based on the co-occurrence of variables to a classification based on analyses of similarities of behavioral profiles. More simply, because MSA analyzes the co-occurrences of behaviors among all of the profiles, it will allow those offenders who engage in rarer, specialized behaviors to be distinguished from the core group of offenders despite the likelihood that they all exhibited mostly the same behaviors. This, in turn, should illustrate which behaviors co-occur in the region where offenders engaged in specialized behaviors, thus supporting the classification system that was not supported in Chapters 5 and 6. The focus on the offender crime scene behavior profiles eliminates the confusion caused by multiple non-exclusive and high-frequency behaviors.

## 7.4 Behavioral Similarities and Differences among Bias-Motivated Homicide Crime Scenes

The first step in examining the homicide crime scenes for distinguishing behavioral themes was to pair down the 22 crime scene behaviors – empirically and theoretically – to a representative group of Expressive and Instrumental behaviors. A smaller number of variables representative of the Expressive/Instrumental dichotomy were chosen based on theory and on empirical results produced in the preceding sub-studies (Chapters 5 & 6). These representative variables were chosen because of the limit on the number of variables that can be included in a MSA analysis. As a reminder, the behaviors examined

in the SSA anlaysis of the application of the Salfati (2000) (Chapter 6) typology are provided in Table 7.4.1, with their frequencies of occurrence included in parentheses[3].

**Table 7.4.1: Descriptions of the behaviors in the current study**

| | Current Study (% of scenes) |
|---|---|
| **Expressive** | Same Scene** (85%) |
| | Multiple Wounds (44%) |
| | Face (29%) |
| | Head (43%) |
| | Torso** (71%) |
| | Stab (combined Stabbing and Cutting) – Instrumental (24%) |
| | Multiple Wounds Distributed (32%) |
| | Forensically aware Offender (18%) |
| | Limbs (30%) |
| | Weapon to** (80%) |
| | Blunt (26%) |
| | Shot (46%) |
| | Bound (combined Binding and Gagging) (4.4%) |
| | Strangled (3.3%) |
| | Hidden (4.4%) |
| | Transport (4.4%) |
| **Instrumental** | Neck (23%) |
| | Manual (23%) |
| | Weapon from (25%) |
| | Property Stolen (combined all property stealing behaviors) (25%) |
| | Sex (combined undressed, naked, and all forms of penetration) (10%) |
| | Covering (6.6%) |

*7.4.2 The MSA Analysis*

Research has suggested that while wound locations can be behaviorally important (e.g., see the previous discussion of the purpose of facial wounding), in a violent physical

[3] A MSA was run using all 22 crime scene behaviors tested in the Chapter 7 SSA to confirm that this methodology could classify these behaviors. Given the high number of variables it was not possible to graphically manipulate the results in a manner that allowed them to be easily comprehended. The results, however, did indicate a good fit (coefficient of contiguity = .926, 16 iterations). They also indicated that there was a Victim as Target (Expressive) / Victim as Means (Instrumental) distinction between offender crime scene behavior profiles in terms of the percent of each type of behaviors that was present in each profile. The item plots clearly distinguished between those behaviors characterized as either Expressive or Instrumental. Since these results could not be presented clearly, they are not reported here; instead, they are provided in Appendix 2.

encounter it can be difficult to ascertain whether wounds were defensive, accidental, or purposeful in nature (Salfati, 2003). Therefore, wound location variables, such as *injury to face*, *injury to torso*, and *injury to limbs*, were some of the variables picked to be excluded from the refined MSA. Additionally, since using a *weapon from the scene* mapped almost completely onto scenes that also had manual injuring or the use of a blunt instrument, only *weapon to the scene* was retained in the current analysis. Also, instead of having the duplicative variables *multiple wounds over the body* and *multiple wounds*, only the former was retained. The final list of variables included in the revised MSA was as follows:

1. Body found at murder scene
2. Victim Shot
3. Victim Stabbed
4. Victim Strangled
5. Victim Manually Wounded
6. Weapon to Scene
7. Property Stolen
8. Multiple Wounds over Body
9. Sexual Behavior
10. Forensically Aware Offender
11. Body Covered

The method of wounding variables all were included because they reflect the level of interaction the offender had with the victim, as well as whether the offender was planning on having to resort to violence. The variables *body found at murder scene*, *forensically aware offender*, and *body covered*, all were included because they reflect both the control the offender had over the crime scene as well as the offender's concern about the scene being discovered and connected to him. The variables *property stolen* and *sexual behavior directed at the victim* were included because they best indicate whether the offender was focused simply on the violence or what the violence could get them, by way of the victim.

The overall plot is presented in Figure 7.4.1. The coefficient of contiguity was .90 in 4 iterations, indicating a good approximation of a perfect fit. It is important to note those points on the plot that represent multiple cases because they shared the exact some profile of recorded crime scene behaviors. Those points that have an accompanying number in represent those scenes that share the exact same profile of present/absent crime scene behaviors with other crime scenes. The number of crime scenes that were represented by the single symbol corresponds to the number in the parentheses.

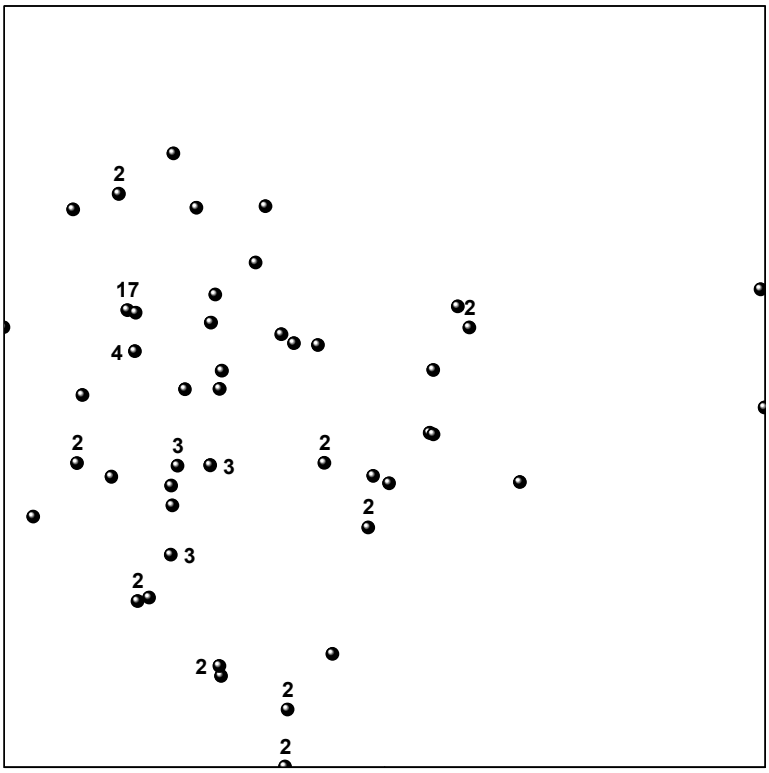



**Figure 7.4.1: Multidimensional Scalogram Analysis Plot (coefficient of contiguity = .90 in 4 iterations)**

Overall, with these 11 behaviors constructing the behavioral profiles of the bias-motivated homicide crime scenes, the 91 cases were collapsed down to 46 unique profiles.

The first aspect of the main plot that was apparent was the general clustering of the homicides on the left side of the plot, which then spread out to the other side more sparsely. This was especially pronounced considering that in the center of the group, very close to the left border, were several collapsed crime scenes, one of which represents 17 other bias-motivated homicide crime scenes that had the exact same behavioral profile.

This distribution again suggested that bias-motivated homicides seem to be very similar. That is why they are all relatively close together and collapsing onto each other. The smaller groups of homicides spreading away from the main group on the MSA plot are indicative of an increasing diversity of crime scene behaviors among those scenes.

Distribution of the Cases

It was possible to examine the distribution of scenes either predominantly Expressive or Instrumental. This distribution was tested by giving each crime scene behavioral profile a percentage score for each of the two behavioral themes, reflecting the proportion of Expressive or Instrumental behaviors that occurred during the homicide. A stringent criteria (i.e., a case needed to have twice the percentage of possible behaviors in one theme compared to the other theme) was used to classify cases as being either Expressive or Instrumental. The percentage of possible intra-theme behaviors that occurred was used instead of the raw number of occurrences, because the number of total behaviors in each theme was different. The resulting distribution was similar to the mixed distribution

portrayed in the Expressive/Instrumental test study (Chapter 6, Figure 6.5.5.). That is, most of the scenes that could be classified were Expressive in nature, with most of the remaining cases classified as mixed because there was no predominant theme.

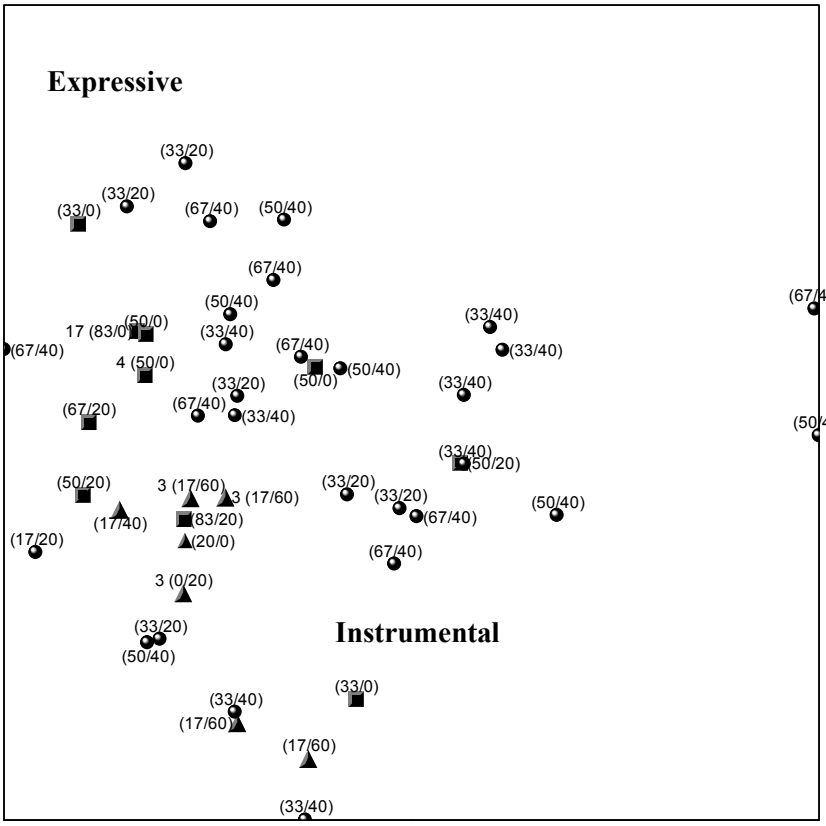



**Figure 7.4.2: Multidimensional Scalogram Analysis Plot for Instrumental/Expressive Dichotomy**
**(coefficient of contiguity = .90 in 4 iterations)**
**(■, Expressive; ▲, Instrumental; ●, Mixed)**

There were a few predominantly instrumental ones. Most of the predominantly Expressive bias-motivated homicide crime scenes were those grouped very closely together in the lower-left section of the plot. The predominantly Instrumental crime scenes were those that were still in the same general area as the expressive scenes, but which were definitively more spread out from each other than the expressive scenes. The

mixed crime scenes were scattered across the plot. Table 7.4.2 shows that this model was capable of classifying a majority of the crime scene profiles. Over two-thirds (68%) of the profiles could be classified as predominantly either Expressive or Instrumental.

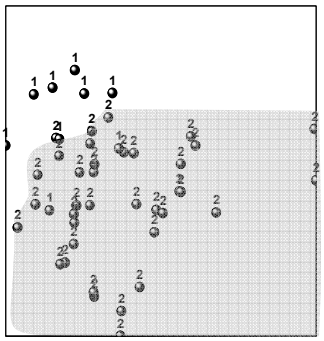
**Table 7.4.2: Distribution of Cases across Behavioral Style**

| Behavioral Classification | Frequency | Percent |
|---|---|---|
| **Mixed** | 29 | 32 |
| **Expressive** | 39 | 43 |
| **Instrumental** | 23 | 25 |
| **Total** | **91** | **100** |

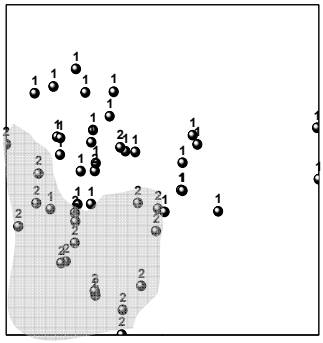
Overall, this distribution again suggested that the expressive crime scenes were very similar to each other – in terms of which groups of behaviors were recorded as being present or not, while the instrumental scenes tended to fall into smaller regional sub-groups around the plot. More simply, because so many of the crime scenes – most of which were predominantly Expressive in nature – were plotted closely together, it emphasizes the finding that these scenes share most of the same crime scene behaviors. The Instrumental and Mixed scenes, on the other hand, are plotted far away from the major grouping, as well as farther apart from each other. This distancing supports the finding that these scenes do not share as many of the core behaviors and are more distinct from each other as well.

#### 7.4.2.2 The Distribution of Behaviors

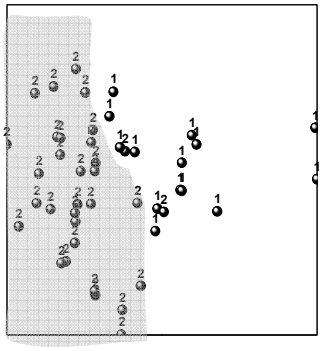
The examination of the item plots (see Figure 7.4.2) provided a clearer understanding of the behavioral differences between the Victim as Target (Expressive) area – characterized by closely grouped and collapsed scenes – and the Victim as Means (Instrumental) and Mixed area – characterized by increased distances between points, much less collapsing of exact match crime scenes, and a general dominance of mixed scenes.



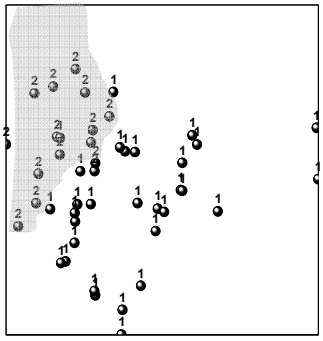
Body at Murder Scene (High Frequency, 85%)



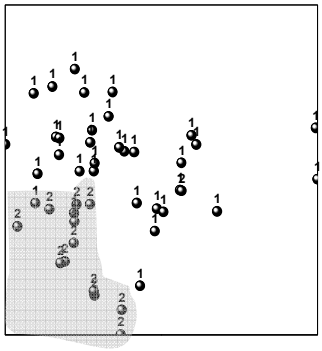
Multiple Wounds over Body (Expressive)



Weapon to Scene (Expressive)

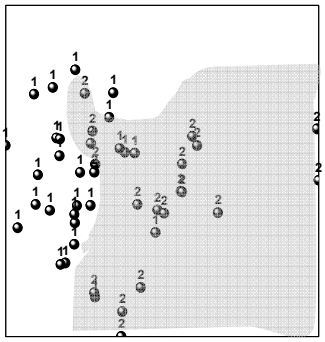


Victim Shot (Expressive)

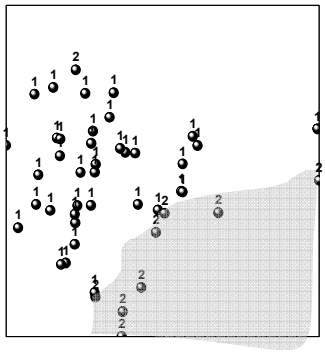


Victim Stabbed (Expressive)

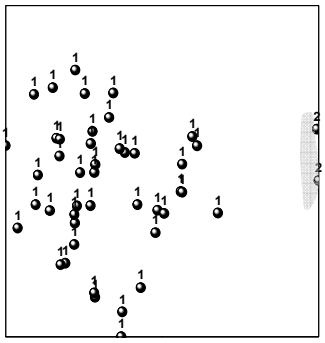
**Figure 7.4.2: Multidimensional Scalogram Analysis Item Plots for Revised Instrumental/Expressive Dichotomy**



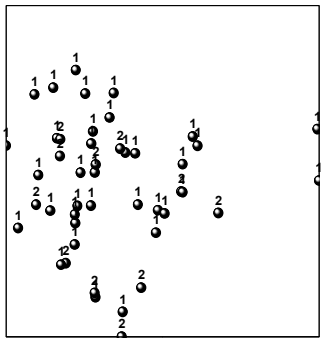
Property Stolen (Instrumental)



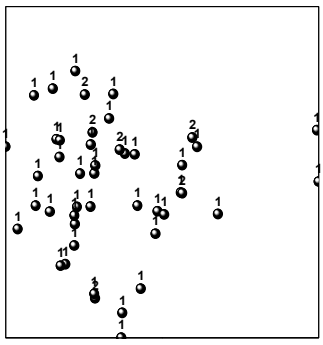
Sexual Behavior (Instrumental)



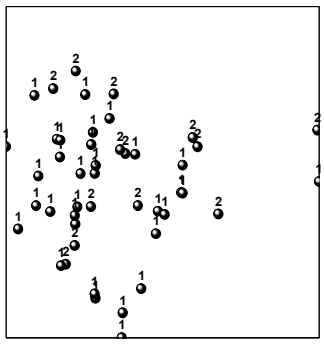
Victim Strangled (Instrumental)



Forensically Aware Offender (N/A)



Body Covered (N/A)



Manual Wounding (N/A)

**Figure 7.4.2: (continued) Multidimensional Scalogram Analysis Item Plots for Revised Instrumental/Expressive Dichotomy**

There were definite spatial differentiations in the groupings of crime scene behaviors when they were considered in conjunction with the rest of the crime scene. Again, this supported the theory that bias-motivated offenders, at their core, have an Expressive behavioral style, which is sometimes distinguished by specialized Instrumental behaviors that shift the focus of the violence from strictly violence to personal gain. The first four behaviors (Multiple Wounds over Body, Weapon to Scene, Victim Shot, and Victim Stabbed) all occurred in homicides grouped in the left region of the plot. These were homicide crime scenes marked by multiple wounding inflicted by the use of a weapon the offender brought to the scene. Both of these behaviors indicate an anticipation of using violence. The next behavior (Body left at the same scene as the homicide) generally occupies the entire plot. This was not surprising because it occurred in 85% of the homicide scenes. It was included, despite its high frequency, because it represents an offender's control of the scene and their concern about being connected to the scene/victim. It served as the common organizing factor among most of the scenes against which those scenes with specialized behaviors could be compared.

The following group of three behaviors (property stolen, evidence of sexual behavior, and victim strangled) all occurred in homicides grouped in the right region of the plot. Together these behaviors, as opposed to the planned wounding behaviors grouped on the left side of the plot, demonstrate a more close range encounter (strangling the victim instead of shooting them and engaging in sexual behavior). These behaviors further described these offenders as focused on gaining either property, or even sexual gratification. Of the 11 item plots, only 3 could not be spatially divided (Covered, Forensically Aware, and Manual – all noted with an N/A in the plot sub-title). The

variables denoting a *forensically aware offender*, an offender who *covered the victim's body*, and an offender who employed *manual wounding*, could not be divided because none of them were confined to crime scenes that occurred in distinct areas of the plot. These behaviors were still included in the analysis, however, because of the previously discussed bias and homicide literature which indicated that they served as good representations of the offender's level of planning, their control of the scene, and their relationship to the victim. With such distinct regions, it was easy to create the overall thematic plot for this MSA (see Figure 7.4.3).

An examination of the summary plot in Figure 7.4.3 supported the hypothesis that there is a general division between bias-motivated homicides in terms of how the offenders interact with the victims. Those crime scene behaviors on the right side of the plot – the scenes that were the most unlike each other and the main group of other homicides in terms of their behavioral profiles – could be described as homicides where the offender interacted with the victim in a manner not solely intended to kill the victim. For example, there was evidence of sexual behavior or stealing property from the victim.

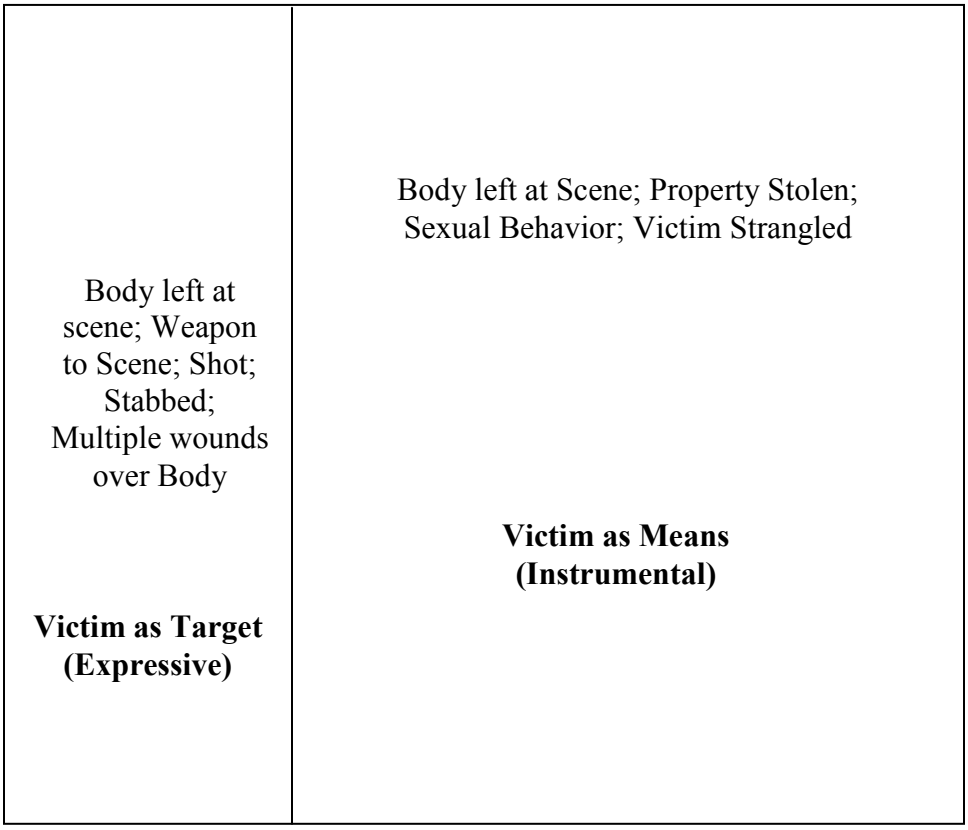



**Figure 7.4.3: Summary Plot of Multidimensional Scalogram Analyses of the Revised Instrumental/Expressive Dichotomy**

Conversely, on the other side of the plot, the crime scenes could be characterized as almost solely focused on killing the victim. There was evidence of planning violence or anticipating violence (*Weapon to Scene*), as well as extreme, penetrative, violence demonstrated in shooting and stabbing the victim and inflicting multiple wounds over the victim's body. The behavior, *body left at scene*, overlaps the division, which was expected considering that it occurred in 85% of all the homicides. Interestingly, two of the other high frequency variables – *weapon to the scene* (80%) and *shooting the victim* (46%) – were confined to one region (the left Victim as Target (Expressive) region). The

confinement of these two high-frequency variables to one region supported the finding that at their core, bias-motivated homicides, much like homicide in general, are characterized by the use of Expressive aggression.

The Role of the Motivating Bias

The connection between the style of the homicide and the bias identified by investigators as the motivation was examined next. To accomplish this aim, the motivating bias was applied to the MSA plot as an external variable. That is, each offender crime scene behavioral profile point was labeled as motivated by either a racial/ethnic or sexual orientation bias (see Figure 7.4.4). As a reminder, those points with a number assigned to them (cases where there were 3 or more identical cases were labeled) represent the collapsed scenes and the number of identical profiles represented by that point. In conducting this external variable analysis the first important finding was that in each of the 16 points representing multiple profiles collapsed into one point because they were exactly the same, all of the intra-point profiles were identified by investigators as motivated by the same bias. This supported the hypothesis, as well as the theory in bias crime research (Ituarte, 2000), that crimes motivated by the same bias share many of the same characteristics. When the plot was visually examined, it was clear – referring to the division of the summary plot in Figure 7.4.3 – that those offenders who were motivated by a sexual orientation bias were the offenders whose profiles were reflective of a Victim as Means (Instrumental) behavioral style. Conversely, offenders with a racial/ethnic bias had behavioral profiles reflective of a Victim as Target (Expressive) style. This supported previous research (Anderson, Dyson & Brooks, 2002; Comstock, 1991; Craig, 2002; Dunbar, 2003; Franklin, 2000; Ituarte, 2000), which found that crimes motivated by a

sexual orientation bias tend to involve instrumental aggression, while those motivated by a racial or ethnic bias involve expressive aggression.

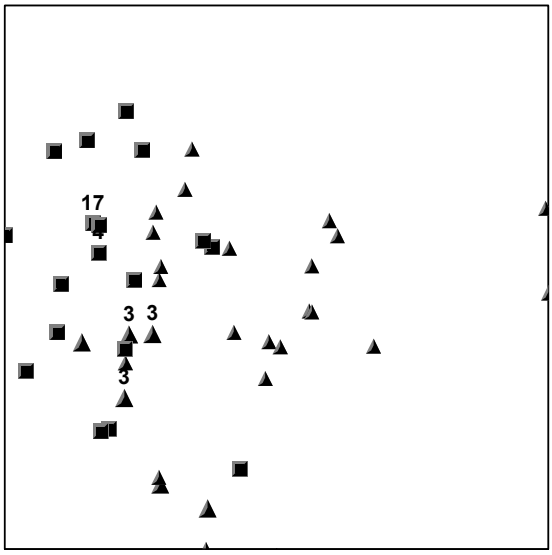



**Figure 7.4.4: External Variable Analysis of the Motivating Bias**
(▲Sexual Orientation Bias; ■ Racial/Ethnic Bias)

## 7.5 Summary of the Analyses of Behavioral Co-Occurrences Across the Crime Scenes

These analyses all were conducted because bias crime research (Comstock, 1991; Craig, 2002; Franklin, 2000; Ituarte, 2000), including the results of Chapters 5 and 6, suggested that bias-motivated offenders are similar and engage in a set of core behaviors regardless of the type of aggression employed. The previous SSA analyses in chapters 5 and 6, with their focus on the co-occurrence of individual crime scene behaviors were muddled by

the overall high prevalence of many behaviors in the bias-motivated homicide crime scenes. The best possible way to remove this confusion was to examine the crime scenes as entire behavioral events to determine if scenes and the behaviors therein could be thematically classified based on the similarity/dissimilarity of the crime scene behaviors. MSA, because of its ability to examine the co-occurrence of behaviors across each crime scene's complete behavioral profile, was utilized.

The analyses resulted in the general behavioral pattern/split: Victim as Target (Expressive) and Victim as Means (Instrumental). These two themes, which have their origin in the work of Canter et al., (2004), emphasize the difference in how the offenders utilized the victims. The majority of the homicides – those identified as Victim as Target (Expressive) – were very similar to each other in terms of their overall behavioral profiles. The behaviors the offenders engaged in at the crime scene demonstrated their primary focus on wounding/killing the victim. The offenders primarily engaged in wounding behaviors, mostly of a violent nature almost guaranteed to severely injure/kill the victim. There was no evidence of a need to control the scene or victim, nor was their anything but the rare engagement in property stealing. In these homicides, the behavioral profile suggested that the offenders wanted to injure/kill the victim because of who/what they did, or were known to, represent to the offender. When the case files were consulted for more qualitative information, these were the cases where there was a preceding grudge or incident between the two parties – or the groups to which they belonged – and the violence was targeted to repay that grudge. This again suggested, as found in Chapter 5, that retaliatory-style bias-motivated homicides are just slightly different subtypes of Victim as Target (Expressive) that, at best, can be differentiated only by the personal

motivation of the offender – something that cannot usually be determined through an examination of a crime scene.

In the remaining scenes there were behaviors demonstrative of the offender viewing the Victim as a Means to some other end. The wounding behaviors were not of a nature that was guaranteed to kill; instead, the offender's actions centered on controlling the victim/scene, achieving a sexual goal, or gaining access to property. Given the variety of behaviors that could be seen as indicative of a means to an end style, it was not surprising that these were the group of homicides that spread out from each other across the plot because they had core similarities but differed on their specific mode of control or what they were seeking to obtain from the victim. As opposed to the targeted violence in the other homicides, these homicides were carried out with behaviors suggesting that violence was not the main goal, and, possibly, that the specific identity of the victim was superseded by what they were thought/known to represent. The case file materials supported this supposition, revealing that most of these cases were those where the offender wanted to go after a particular type of person instead of a particular person, most often because they considered them good and/or deserving targets.

The connection between the style of the homicide and the bias identified by investigators as the motivation next was examined. To accomplish this aim, the motivating bias was tested as an external variable. This variable revealed that the two biases – sexual orientation and racial/ethnic – clearly mapped onto opposing regions. Sexual orientation bias-motivated homicides mapped onto the Victim as Means, and racial/ethnic bias-motivated homicides mapped onto Victim as Target. This was a necessary final step because the clearness of the divide left open the possibility – especially with the work

detailed in the previous chapters – that the divide was partially an artifact of the influence of the motivating bias.

This sub-study found that bias-motivated homicide offender crime scene behaviors can be thematically grouped and distinguished – at least when they are examined in the context of the other behaviors that occurred in the same crime scenes. This is an atypical way of classifying crime scene behaviors compared to other homicide research, which focused on the co-occurrence of individual behaviors (Canter et al., 2004; Salfati, 2000; Salfati & Canter, 1999; Santilla et al., 2002). The success of this approach with bias-motivated homicide offenders supported the bias research (Comstock, 1991; Craig, 2002; Franklin, 2000; Ituarte, 2000) indicating that bias-motivated offenders, in general, are a homogenous group who engage in similar styles of offending, which generally can only be distinguished when offenders engage in more self-serving specialized behaviors. This does not mean that the behavioral theme of the behaviors at homicide crime scene could not be determined and used to predict the likely characteristics of the offender. These results indicate that once all of the crime scene behaviors are identified the general theme of the scene can be determined. For this information to be useful, however, similar themes would need to be apparent in the background interactions and characteristics of the offenders. The next sub-study is focused on thematically analyzing those behaviors.

# CHAPTER 8:
# THE BEHAVIORAL STRUCTURE OF BIAS-MOTIVATED HOMICIDE OFFENDERS' BACKGROUND CHARACTERISTICS

## 8 INTRODUCTION

Chapter Seven found evidence of a definable structure (when the homicides were examined as complete behavioral events) to the crime scene actions offenders engage in when they commit bias-motivated homicides. The next step in the overall study was determining whether the background interactions and characteristics of the bias-motivated homicide offenders also exhibited similar behavioral themes. It was hypothesized, based on the concept of behavioral consistency, that a similar Victim as Target (Expressive) / Victim as Means (Instrumental) dichotomy of characteristics would be reflected in the background behaviors and characteristics of the offenders. If similar themes were reflected in the backgrounds, it would suggest that it could be possible to link an offender's crime scene behavioral theme to their background characteristics. This would permit – based on the theory of behavioral consistency – the profiling of the characteristics of possible offenders based on crime scene behaviors.

## 8.1 Literature Review

The work of homicide offender profiling researchers supports the concept that because individuals consistently behave the same way in similar contexts, behaviors displayed in crime scenes can be used to predict offender background characteristics and interactions (Canter, 1995; Canter & Heritage, 1990; Donald & Wilson, 1999; Farrington, 1991; Mars, 1999; McAndrew, 1999; Salfati, 2003, 2000; Salfati & Canter, 1999; Sampson & Laub, 1993). Before undertaking the analysis of the offenders' characteristics and

previous interpersonal interactions, it was helpful to review what is currently known about bias-motivated offenders.

Offender Characteristics

In the previous research, bias-motivated offenders tended to be young males, acting as part of a group – but not as parts of organized hate groups – who come from middle class families, have no criminal record, victimize targets of convenience, and are complete strangers to the individuals they victimize (Bernat et al, 2001; Bufkin, 1999; Cotton, 1992; Craig, 2002; D'Augelli, 1998; Franklin, 2000, 1998; Harry, 1990; Ituarte, 2000; Kuehnle & Sullivan, 2001; Mason, 1997; Maxwell & Maxwell, 1995; Medoff, 1999; Reasons & Hughson, 2000; Richardson & May, 1999). It is particularly important to consider the age of offenders given that research has found that when adolescents – the most common offenders - engage in bias crimes, they tend to physically victimize their targets (Maxwell & Maxwell, 1995).

A majority of the research indicates that bias crime offenders are typically complete strangers to their victims (Maxwell & Maxwell, 1995). Specifically, Reasons and Hughson found that around 41% of bias-motivated offenders were complete strangers to their victims (2000, p.140). Franklin (2000) found that 63% of self-reported bias crime offenders were strangers to the victims, 10% were friends of friends, and 3% were relatives (p.346).

Specific to the study sample the typical bias-motivated homicide offender is a young (average of 25 years old with a median and mode of 21), White, lower-middle-class, male, usually with some previous criminal justice system interaction, who, at the time of

the homicide was part of a small group of offenders (1-4) who might have hate group involvement, and was armed with a firearm.

The analyses of differences between the bias categories and offender characteristics found that sexual orientation bias offenders, compared to racial/ethnic bias offenders, were almost exclusively White individuals who were more likely to have violent criminal histories, personal histories marked by experiencing sexual, physical, and/or emotional abuse, and were more prone to claiming that the motivation for the homicide was either financial or a defensive response to something the eventual victim did to the offender.

Multiple Offender Issues

Group dynamics, including the number of offenders and the ratio of offenders to victims, are central components of the process of bias crimes (Bufkin, 1999; Franklin, 2000; Reasons & Hughson, 2000). Various researchers have found that multiple perpetrators are more likely to be involved in bias crimes than in non-bias crimes (Bufkin, 1999; Craig, 2002; Franklin, 2000). Aside from psychological, sociological and anthropological research centered on understanding general group dynamics across a multitude of behavioral and situational scenarios, limited research on violent behavior or bias-motivated behavior has included multiple offenders or victims in the theories or analyses. Excluding such cases would have greatly reduced the number of available cases in an already limited sample. It also would have limited the types of homicides to which the findings of this work could be applied.

The work of Porter and Alison (2004; 2006) and Cheatwood (1992; 1996) outlines the major theoretical and analytical issues that must be addressed when studying multiple-

offender violence. This research has found that there generally is one primary offender who engages in a character or business dispute with one primary victim, and the others involved know why the dispute is taking place and that violence is likely to occur. They also are aware that the primary offender's intent may be to kill the victim (Cheatwood, 1996). Some instances may involve two or more offenders who are directly involved in the violence, but most are interactions among multiple individuals where one offender kills the victim with enough involvement by others for them to be charged as accomplices to the homicide. They do not, however, participate enough to be directly responsible for the homicide or for their interpersonal styles to significantly impact the homicide dynamics (Cheatwood, 1996). Warr (1996) refered to these leaders as *instigators* who come up with the idea for the crime, and through incident role-stability remain the de facto leader throughout the commission of the crime. Examinations of violent group offending have found evidence that the leader of the group usually initiates the attack and plans the post-incident activities (Porter & Alison, 2001).

Porter and Alison hypothesized that the thematic behaviors of individuals involved in a gang rape would be similar and form distinct themes. Their multidimensional scaling analyses of gang rapes revealed a "structural coherence among members of the same group." That is, when acting together the behaviors of the individual group members are uniform and "structurally coherent" (Porter & Alison, 2004, p.467). Porter and Alison found that similar individuals offend together just as they tend to socialize together; more so, however, their work has shown that in relation to themes of interpersonal behavior displayed both in past interactions, and at crime scenes, groups of offenders exhibit similar behavioral patterns.

Specific to the study sample, 42% of the bias-motivated homicides involved multiple offenders. When the multiple offender bias-motivated homicides were compared to the single-offender bias-motivated homicides in Chapter 3, there were only 2 significant bi-variate differences – the presence of multiple wounds and the age of the offenders – both of which were congruent with bias crime research. This initial simple analysis suggested that the results of previous multiple-offender research were correct in concluding that the presence of multiple offenders does not substantially affect the behavioral components of homicide crime scenes. Also, it showed that even when groups of offenders were included, almost all bias-motivated offenders shared the same personal characteristics.

Research in chapters 3 and 4 indicated that bias-motivated offenders have very similar background characteristics. There were, however, specific areas where the offenders, in relation to the type of motivating bias, differed. The presence of these differences suggested that the previous interactions and background characteristics of the offenders should be behaviorally different enough that thematic distinctions could be tested. Additionally, these analyses offered an excellent opportunity to further test whether there are behavioral differences between single- and multiple-offender homicides.

**8.2 Study Aims**

This sub-study aimed to determine whether the background interactions and characteristics of bias-motivated homicide offenders exhibited behavioral themes similar to those identified in the crime scene behaviors. It was hypothesized that these co-occurrences would support the definition of the same themes (i.e., Victim as Target (Expressive) and Victim as Means (Instrumental)) as were outlined in the thematic model developed for the offenders' crime scene behaviors. To identify these themes, the

analyses will be examined for co-occurrences of background behaviors/characteristics identified as either Expressive or Instrumental in nature. The SSA analyses will be examined to determine if background characteristics focused either on using violence for violence's sake or to achieve other – primarily property-related – aims co-occur with same-themed behaviors. Additionally, this study hypothesized that different themes would be associated with different motivating biases. That is, the Victim as Target (Expressive) background characteristics would be predominantly associated with homicides motivated by a racial/ethnic bias and those motivated by a sexual orientation bias would be associated predominantly with the Victim as Means (Instrumental) background characteristics.

**8.3 The Design of the Sub-Study**

The selection of the offender background characteristics that would be included in an SSA analysis of the co-occurrences of these factors across the primary offenders in these 91 bias-motivated homicides was based on several criteria:

1. Characteristics illustrative of the way the offender socially interacted with the world, in relation to criminal behaviors;
2. Characteristics indicative of the manner in which the offender had acted in intimate social relationships;
3. Characteristics illustrative of the way in which the offender had previously interacted with victims.

These criteria were developed based on an examination of the investigative psychology homicide literature. Researchers who have conducted similar analyses of other types of homicide and non-lethal violence have consistently found that behaviors illustrative of the way offenders interacted socially and intimately with others in their pasts, and in any previous encounters with the victim, provide insight into the behavioral themes of the

offenders' interpersonal styles (Canter et al., 2004; Salfati, 2000; 2003; Salfati & Canter, 1999; Santilla et al., 2001). These criteria were considered in tandem with an analysis of the frequencies of all of the offender-related characteristics (see Table 8.3.1) to select a grouping of variables indicative of the offenders' demonstrated behavioral styles.

**Table 8.3.1: Frequencies of Offender Background Characteristics**

| Offender Characteristic (N= ) | Percent of Case Files (N=91) | | | Offender Characteristic (N= ) | Percent of Case Files (N=91) | | |
|---|---|---|---|---|---|---|---|
| | **Yes** | **No** | **Missing** | | **Yes** | **No** | **Missing** |
| Unemployed (4) | 4.4 | 83.5 | 12.1 | Familiar with the area (86) | 94.5 | 3.3 | 2.2 |
| Verbal/physical/sexual abuse (5) | 5.5 | 63.7 | 30.8 | Offender lives alone (7) | 7.7 | 62.6 | 29.7 |
| Male offender (89) | 97.8 | 2.2 | 0 | Only child (1) | 1.1 | 26.4 | 72.5 |
| Transient (5) | 5.5 | 78 | 16.5 | Military Service (5) | 5.5 | 37.4 | 57.1 |
| Violence in family background (29) | 31.9 | 20.9 | 47.3 | Anti-social background (68) | 74.7 | 17.6 | 7.7 |
| Mental illness (5) | 5.5 | 80 | 14.5 | Restraining order (0) | 0 | 79.1 | 20.9 |
| Prior conviction (40) | 44 | 37.4 | 18.7 | Sex offense conviction (3) | 3.3 | 76.9 | 19.8 |
| Homicide conviction (1) | 1.1 | 79.1 | 19.8 | Domestic conviction (5) | 5.5 | 74.7 | 19.8 |
| Assault conviction (16) | 17.6 | 62.6 | 19.8 | Voyeurism conviction (0) | 0 | 80.2 | 19.8 |
| Robbery conviction (2) | 2.2 | 78 | 19.8 | Burglary conviction (7) | 7.7 | 72.5 | 19.8 |
| Arson conviction (0) | 0 | 80.2 | 19.8 | Disorderly conduct conviction (18) | 19.8 | 60.4 | 19.8 |
| Fraud conviction (4) | 4.4 | 75.8 | 19.8 | Hate group involved (13) | 14.3 | 82.4 | 3.3 |
| Knew victim (32) | 35.2 | 58.2 | 6.6 | History of drug use (20) | 22 | 75.8 | 2.2 |
| More than high school education (4) | 4.4 | 39.6 | 56 | | | | |

As illustrated in Table 8.3.1, six of the 27 (22%) offender background characteristics that were examined as part of the overall study were not recorded by local investigators in 30% or more of the case files. Most often, this probably was due to these characteristics not being germane to an investigation. This, again, highlights one of the main limitations of this type of research: these files were not recorded for research. While the coefficient at the base of the analytic technique statistically handles the presence of missing variables, extreme missing data does impact decision making in which variables can be included. Therefore, the full list (Table 8.3.1) initially was narrowed down by excluding those characteristics that were recorded as missing (no indication of their presence or absence) in over 20% of the study case files. There is no hard-and-fast rule defining what is an acceptable amount of missing data for an SSA analysis. There is some indication in the literature (Subkoviak & Farr, 1976) that missing data should constitute a small portion of the data when conducting Smallest Space Analyses. In the current study it was decided that any variable where there was no information in over one-fifth of the cases could not offer generalizable information and should, therefore, not be included.

Table 8.3.2 lists the 14 offender characteristics that were selected from the complete list (Table 8.3.1). The final selection of variables focused on those behaviors that best illustrated the offender's interaction with others and their use of violence in those interactions. Three high-frequency behaviors were included in the analysis (male offender, offender familiar with area where homicide occurred, and offender history of anti-social behavior) for two primary reasons: a base level of organization and differentiation. Additionally, the lack of any of these characteristics in the background of any of the offenders becomes a meaningful distinction. For example, female offenders,

offenders without knowledge of the scene, and those with no history of anti-social behavior, would all be indicative of particularly "different" offender styles (Borg & Shye, 1995; Canter, 1985; Gutman, 1991; Shye, Elizur & Hoffman, 1994).

**Table 8.3.2: The 14 offender characteristics included in the SSA analysis**

1. Male
2. Familiar with area
3. Knew victim
4. Unemployed
5. Mental Health Issues
6. Burglary – conviction
7. Fraud – conviction
8. Assault – conviction
9. Disorderly conduct – conviction
10. Robbery – conviction
11. Domestic violence – history
12. Sex offense – conviction
13. Hate group affiliated
14. History of Anti-Social Behavior

All of the previous conviction variables were included because each of these crimes is illustrative of how an offender had previously interacted with others. Fraud, robbery, and burglary demonstrate a focus on obtaining property through illegal means and/or violence (Canter & Wentick, 2004). A previous sex offense conviction is indicative of an offender's ability to use illegal, possibly violent, means to satisfy a sexual aim (Santilla et al., 2003). Domestic violence and assault demonstrate a tendency to use aggression to achieve control of a situation – even control of a loved one, which indicates a unique willingness to use violence (Fritzon, Canter & Wilton, 2001). A disorderly conduct conviction, as well as a history of anti-social behavior, suggest that the offender has experience with generally directing aggression and lawlessness and others and property, usually for no other purpose but to experience the thrill of doing so (Canter & Wentick, 2004). Previous involvement with an organized hate group denotes both an offender's

commitment to bias and the use of illegal and often violent means to achieve the group's mission (Green et al., 2001a). An unemployed offender is indicative of an offender with a need to obtain property/money, often through illegal means. Whether or not the offender and victim knew each other previously has consistently been shown to influence the dynamics of the homicide interaction, so this variable needed to be included as well (Salfati, 2000; Salfati & Canter, 1999).

Two background characteristics met the requirement of being missing in less than 20% of the case files but were not included in the analysis – history of drug use and transience. The variable indicating whether the offender had a history of using drugs was not included because it does not necessarily reflect how the offender interacted with others in the past. Whether the offender was transient does not in and of itself describe the behavioral nature of that offender's interpersonal interactions, so it too was excluded from the analysis.

## 8.4 Results of the SSA Analysis of Bias-motivated Homicide Offenders' Background Characteristics

The distribution of the 14 offender background characteristics for the 91 cases of bias-motivated homicide on the 1 by 2 by 3 projection of the 3-dimensional SSA analysis is shown in Figure 8.1.1. The coefficient of alienation for this SSA was .084 in 17 iterations, indicating an extremely good fit of the SSA spatial representation of the co-occurrences of the offender background characteristics. A visual inspection of the plot showed that there were two regions of the plot in which most of the behaviors co-occurred.

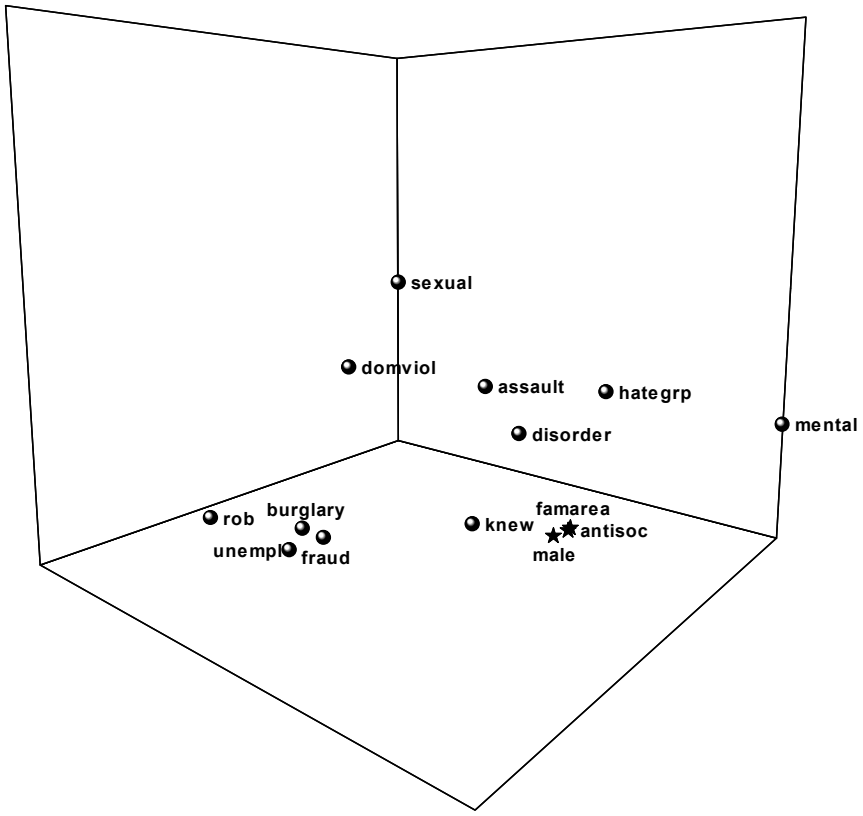



**Figure 8.4.1.: Three-Dimensional Smallest Space Analysis of 14 Offender Background Characteristics (★, High Frequency)**

**(coefficient of alienation = .084, in 17 iterations)**

**Variable Legend**

| Variable Abbreviation | Definition | Variable Abbreviation | Definition |
|---|---|---|---|
| Fraud | Previous fraud conviction | Famarea | Familiar with area of homicide |
| Antisoc | History of anti-social behavior | Burglary | Previous burglary conviction |
| Knew | Offender familiar with victim | Disorder | Previous disorder conviction |
| Rob | Previous robbery conviction | Unempl | Offender unemployed |
| Mental | History of mental health issues | Assault | Previous assault conviction |
| Hategrp | Organized hate group involvement | Domviol | Previous domestic violence conviction |
| Sexual | Previous sex offense conviction | | |

*8.4.2 Analysis of the Frequencies of Offender Background Characteristics*

The plot displayed in Figure 8.4.2 is the original SSA plot with the frequencies of occurrence in the entire sample noted. Examining frequency contours for empirical evidence about the nature of crime is a method that has been found to be a successful

method of identifying those behaviors which represent the core nature of the phenomenon under analysis, along with those that are indicative of more specialized types of that phenomenon (Canter, 2000; Canter & Fritzon, 1998, Canter & Heritage, 1990; Canter & Wentick, 2004; Salfati, 2003).

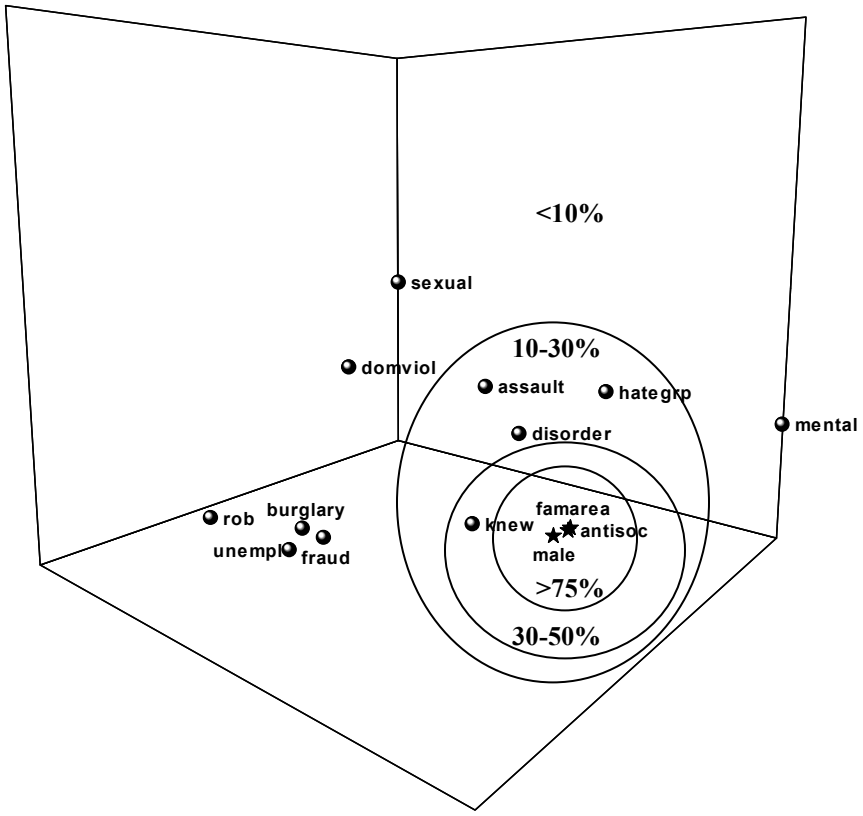



**Figure 8.4.2.: 1 by 2 Projection of Three-Dimensional Smallest Space Analysis: Distribution of Frequencies of Offender Background Characteristics (coefficient of alienation = .084, in 17 iterations)**

The general visual pattern of the plot is similar to the frequency distributions seen in the preceding SSA analyses (Chapters 5 and 6). That is, the high frequency offender characteristics (male, history of antisocial behavior, and offender familiar with area of the homicide scene) were grouped near the center of the distribution. These core behaviors occurred at such high rates that they describe the absolute norm of bias-motivated

offender backgrounds. Offenders not possessing these characteristics are a decidedly unique group. The other variables were plotted in bands of decreasing frequencies. There was a clear pattern of grouping of those variables present in over 50% of the cases, 30-50% of the cases, 10-30% of the cases, and less than 10% of the cases. Moving away from the center each subsequent contour described an offender who was associated less with the most common background characteristics of these 91 primary offenders. As opposed to the crime scene frequency distributions, there was a secondary grouping of rare (i.e., less than 10% of cases) offender characteristics in another region of the plot. This indicated that there are a group of background characteristics, which rarely occur in bias-motivated homicides, but when they do co-occur frequently with each other.

*8.4.3 Offender Background Characteristics Occurring in 30-50% of Cases*

The next frequency group related to those behaviors which occurred in between 30-50% of the bias-motivated homicide cases (see Table 8.4.1).

**Table 8.4.1: Characteristics Occurring in 30-50% of Cases**

| Characteristic | Frequency |
|---|---|
| Knew Victim | 35.2% |

The key difference here, in relation to the general homicide statistics, is the low percentage of offenders who knew their victim. This characterizes these homicides quite well, given the qualitative understanding of the fact that they occurred when the offender picked a victim who was or was believed to be a member of the group they wanted to target – in these cases, actual identity was not important.

*8.4.4 Offender Background Characteristics Occurring in 10-30% of Cases*

Characteristics that occurred in 10-30% of the cases (see Table 8.4.2) all illustrate a certain degree of general aggression/lawlessness in relation to social interactions, both in terms of their previous convictions (disorderly conduct and assault, including aggravated assault), and working with/participating in organized hate groups.

**Table 8.4.2: Characteristics occurring in 10-30% of Cases**

| Characteristic | Frequency |
|---|---|
| Disorderly Conduct – conviction | 19.8% |
| Assault – conviction | 17.6% |
| Hate Group Affiliation | 14.3% |

*8.4.5 Low Frequency Offender Background Characteristics (occurring in less than 10%)*

The low frequency group (see Table 8.4.3) illustrated a general focus on the use of aggression and/or lawlessness on obtaining property or sex. That is the behaviors and characteristics included property-related criminal convictions and sex crime convictions. This indicates that while property-related background characteristics occur rarely in the backgrounds of bias-motivated homicide offenders, they occur at similar rates and, generally, together.

**Table 8.4.3: Characteristics Occurring in less than 10% of Cases**

| Characteristics | Frequency |
|---|---|
| Burglary – conviction | 7.7% |
| Domestic violence – history | 5.5% |
| Mental Health issues | 5.5% |
| Robbery – conviction | 4.4% |
| Fraud – conviction | 4.4% |
| Unemployed | 4.4% |
| Sex offense – conviction | 3.3% |

*8.4.6 Summary of the Pattern Present in the Frequency Bands*

The co-occurring high frequency offender background characteristics reflect the themes which bias research on offenders suggests, namely that almost all were males (FBI, 2005; Franklin, 2000), who generally are anti-social (Bufkin, 1999; Craig, 2002, Maxwell & Maxwell, 1995), and who committed their crimes in areas with which they were familiar (Franklin, 2000; Harry, 1990; Ituarte, 2000).

The subsequent frequency band analysis of offender background characteristics included one characteristic that mirrored established knowledge of bias offenders, namely that less than a majority, but still a fair number, knew their victims (Bukfin, 1999). In relation to the remaining bands, the 10-30% group is composed of characteristics that reflect a general aggressiveness to interpersonal interactions. The very rare characteristics all focused on specialized criminal and behavioral backgrounds, all of which, except for mental health history, denote a general approach to the world where aggression is used to achieve goals. In terms of the other characteristics found in the offenders' backgrounds, it can be seen that all of the low frequency behaviors, except for mental health history demonstrate a certain maladaptive interpersonal strategy of violence to obtain either sexual or monetary aims.

**8.5 Themes of the Offender Background Characteristics**

The next step in the analysis of the background characteristics of the offenders was the examination of the co-occurrences of those characteristics for evidence of thematic grouping of behaviors illustrative of similar behavioral strategies.

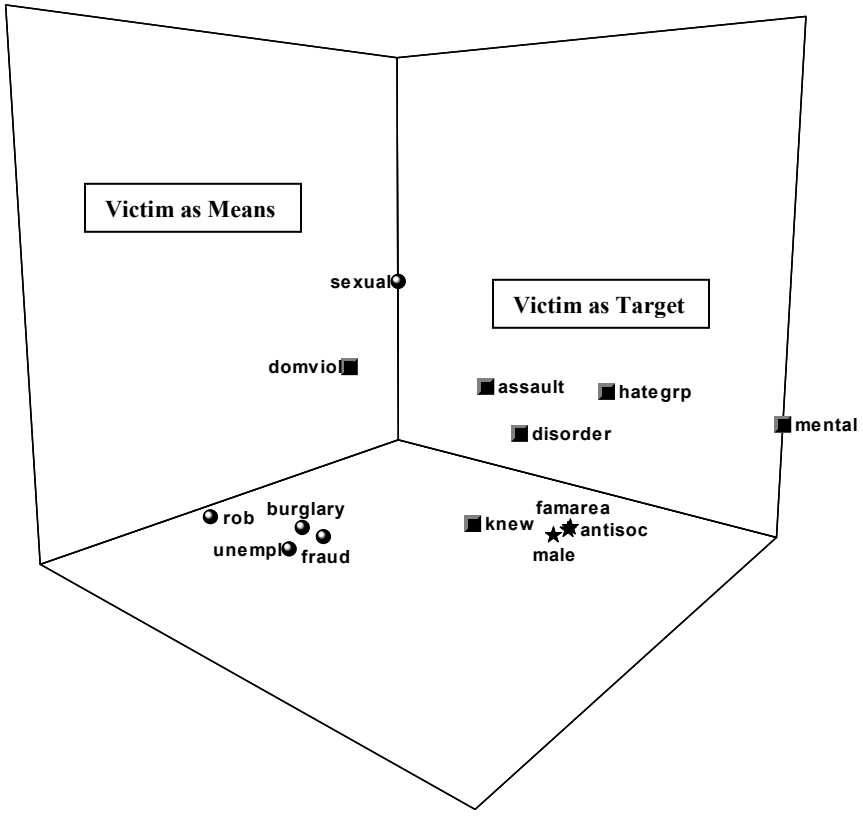



**Figure 8.5.1: Three-Dimensional Smallest Space Analysis: Offender Background Characteristics**

**(**■, Victim as Target; ●, Victim as Means, ★, High Frequency**)**
(coefficient of alienation = .084, in 17 iterations)

**Variable Legend**

| Variable Abbreviation | Definition | Variable Abbreviation | Definition |
|---|---|---|---|
| Fraud | Previous fraud conviction | Famarea | Familiar with area of homicide |
| Antisoc | History of anti-social behavior | Burglary | Previous burglary conviction |
| Knew | Offender familiar with victim | Disorder | Previous disorder conviction |
| Rob | Previous robbery conviction | Unempl | Offender unemployed |
| Mental | History of mental health issues | Assault | Previous assault conviction |
| Hategrp | Organized hate group involvement | Domviol | Previous domestic violence conviction |
| Sexual | Previous sex offense conviction | | |

In MDS analysis the regional hypothesis states that variables which are thematically similar will be represented by points in the same regional space of the SSA plot. To test the hypotheses concerning the framework of the offenders' background characteristics,

the SSA plot was examined to determine if different sub-types of offender backgrounds could be identified. A visual examination of the plot revealed a clearly discernable split in the behaviors: Victim as Target (Expressive) and Victim as Means (Instrumental) (see Figure 8.5.1). Given that the three high frequency (>75% of the cases) characteristics defined nearly all of the offenders, these factors were not included in the differentiation of the themes. It should be noted, however, that the high-frequency behaviors shared the same space as the Victim as Target (Expressive) variables. This is indicative of the previous finding suggesting that bias-motivated homicide offenders, in general, are associated with Expressive elements.

### *8.5.2 The Victim as Target/Victim as Means Themes of Offender Background Characteristics*

The distribution of the variables in the SSA (see Figure 8.5.1) supported a two-way split in terms of the behavioral strategies evident in the background behaviors and characteristics of the bias-motivated homicide offenders. The split was similar to the behavioral split evident in the behavioral style employed by offenders at the study crime scenes. The Victim as Means (Instrumental) region, or theme, included 5 behaviors, and the Victim as Target (Expressive) theme, 6 behaviors. The core of the plot, with the high frequency behaviors, incorporated 3 behaviors.

The behaviors in the Victim as Means (Instrumental) region comprised characteristics with particular emphasis on the use of force in obtaining desired items or outcomes (i.e., robbery conviction, burglary conviction, and sex crime conviction). Characteristics in the Victim as Target (Expressive) region, on the other hand, were thematically distinct from the characteristics located in the Victim as Means region. These characteristics reflected

how the offender had used aggression to handle past relationships with individuals they knew (i.e., domestic violence conviction), as well as how they had interacted with others sharing their apparent belief in the aggressive display of beliefs (i.e., hate group involved).

The location of the variables representing a previous domestic violence conviction (*domviol*) and a previous sex crime conviction (sexual) does not follow the theoretical model. A previous sex conviction should co-occur closely with the other Victim as Means (Instrumental) variables and the history of domestic violence variables should share the same space as the other Victim as Target (Expressive). The sex offense variable is the only one in its region of the plot. Its positioning almost perfectly in-between the two regions, leaves it unclear to which theme of interpersonal behavior, in regard to these bias-motivated homicides, it belongs. Its location is a result of its association – indicated by its spatial closeness and its high degree of correlation (.33) – with the domestic violence conviction variable. Previous homicide research (Salfati, 2000) has clearly placed past sex offense convictions in the instrumental field of offender background behaviors, stating that sex offenses represent attempts by offenders to gain something through the invasion of the victim (see also Salfati & Canter, 1999).

Bias research has found that sexual behavior is rare in bias-motivated events, and is generally limited to sexual orientation bias incidents, where it still occurs very rarely (Rose & Mechanic, 2002). When it does occur, it generally has been theorized/explained to be an attempt by the offender to conquer the other male by "taking their masculinity." The stripping of the masculinity proves that the offender does not approve of nor identify with their victim (Franklin, 1998). Some even theorize that these acts are opportunities

for the offenders to act out suppressed homosexual urges in a context where they are viewed by peers, or even themselves, as not "doing it for fun." Instead, their peers are allowed to view it as the offender teaching a lesson (Roskey, 1988).

Psychological research focused on homicide has identified past sexual conviction as an indication of an instrumental theme to the manner in which the offender previously interacted with others (Salfati, 2000). Bias research suggests that engaging in sexual behavior at the bias-motivated crime scene can be viewed as either instrumental (using the victim as a means of achieving status or to act out urges) or expressive (committing the sexual aggression against a particular person to "teach them a lesson.") (Dunbar, 2003; Franklin, 1998; Roskey, 1988). The location of the past sexual conviction category in between the two regions does seem to indicate that which region it belongs in depends on why the sexual behavior was performed. Again the data support the conclusions of the previous sub-studies that the offender's motivation is more important in understanding these homicides than it has been found to be in understanding non-bias motivated homicides.

The three-dimensional SSA plot places the location of each variable at a point in space (using all three spatial dimensions) where the distance between that point and every other point best matches the rates of co-occurrence between all of the variables. The domestic violence conviction variable, identified by homicide and psychological research (Salfati, 2000) as an indicator of an expressive aggression interpersonal style, here is located in the Means (Instrumental) region on 2 of the 3 dimensions (X and Y), but not on the Z-axis. On the Z-axis it shares the same level of space as the other Target (Expressive) background characteristics. More simply, the domestic violence variable, if not for the

ability to spatially map the Z-dimension (i.e., the dimension coming "out" of the plot) would have been located very close to the grouping of Victim as Means (Instrumental) variables. On the Z-axis, however, the domestic violence variable is on the same plane as most of the Victim as Target (Expressive) variables. Furthermore, the pulling of the domestic violence variable into the Means (Instrumental) space also can be attributed to it co-occurring with a sexual conviction more than any other one of the background characteristics (r = .33).

#### 8.5.2.1 Victim as Target (Expressive) Background Characteristics

The offender background characteristics contained within this region of the SSA plot (see Table 8.5.1) related thematically to personal and emotional issues. These are the homicides where the offender knew the victim, a characteristic that co-occurred with other thematically consistent characteristics in their background such as engaging in domestic violence, assaults, and general criminal disorder, having a history of mental illness, and being involved in organized hate groups, all of which are consistent with the theme of aggressive interaction with others, particularly known others, in the past. It is important to note that in this study, as opposed to the Salfati (2000; 2003) and Salfati and Canter (1999) studies on which this approach was modeled, that the background characteristics, *Fraud* and *Disorder* convictions were switched, with *fraud* now identified as instrumental and *disorder* as expressive. This was done because it is more in line with the Means/Target dichotomy in this study both spatially and psychologically. Fraud is the intentional deception of a victim for gain – clearly a Means/Instrumental approach. Disorder is more general lawlessness, often directed at particular power groups or structures – a Target/Expressive approach. This is the more traditional definition of the

Expressive/Instrumental divide (Canter, 1995; Toch, 1969; Wolfgang, 1958). It is in consonance with bias research suggesting that some offenders are simply acting out against particular groups because of what they represent, while others pick groups to offend against because they offer the easiest targets (Comstock, 1991; Fesbach, 1964; Franklin, 2000; Harry, 1990; Maxwell & Maxwell, 1995).

**Table 8.5.1: Victim as Target (Expressive) Offender Characteristics**

| Percent Range | Frequency |
|---|---|
| 30-50% | Knew Victim |
| 10-30% | Disorder Conviction |
| | Assault Conviction |
| | Hate Group Involved |
| Less than 10% | Mental Health Issue |
| | Domestic Violence Conviction |

This theme, as noted previously, finds direct support in the work of Canter (1994) and Salfati (2000; 2003; Salfati & Canter, 1999), where the offenders were found to deal with other people and situations as if they had a direct emotional impact on them. In both of their work, as was found in this study, it was important to the offenders in this theme that the victim was a specific person, instead of just a person who could be seen as a representative of the type of person the offender wanted to target.

8.5.2.2 Victim as Means (Instrumental) Background Characteristics

Offender background characteristics that co-occurred in this area of the plot were thematically distinguishable from the background characteristics in the Victim as Target (Expressive) region of the plot by the fact that all of the characteristics in the Victim as Means (Instrumental) region almost exclusively dealt with the use of aggression or other illegal means to obtain some goal or item. On the left side of the plot all of the Means

(Instrumental) variables were very closely grouped together (except for the previously discussed sex offense conviction variable). Sexual offenses, however, are of a much more physically close, intimate nature, which may be the reason why this background characteristic was spatially further away from the other variables towards the top of the plot. Offenders with such backgrounds would be theoretically different from the others in both their willingness to intimately interact with the victim and the aim of their violence. These differences would be the reason for its spatial separation. All of these can be seen as attempts by the offender to utilize aggression (robbery) or illegal (fraud) to achieve some goal – be it the monetary/property gain from fraud, or more violent obtaining of power/sex or money from a sex crime or robbery, respectively.

Table 8.5.2 demonstrates the same pattern evident throughout the overall study, namely that in the Victim as Means (Instrumental) homicides there were very few behaviors and/or background characteristics common across the homicides. These were all events focused on gaining some item or status. They were committed by offenders who, though not identical, shared the common background characteristic of achieving ends through lawlessness and/or violence.

**Table 8.5.2: Victim as Target (Expressive) Offender Characteristics**

| Percent Range | Frequency |
|---|---|
| 30-50% | Gang Involved |
| Less than 10% | Burglary Conviction |
| | Robbery Conviction |
| | Fraud Conviction |
| | Unemployed |
| | Sexual Offense Conviction |

*8.5.3 Summary*

The co-occurrences of the 14 variables chosen for the SSA analysis of offender background characteristics supported the hypothesis that the plot could be divided into two themes of Victim as Target (Expressive) and Victim as Means (Instrumental) background characteristics. Overall, this pattern of the bias-motivated homicide offenders' background characteristics is very similar to the Victim as Vehicle and Victim as Object classification of rape offenders proposed by Canter (1994) and re-fined by Salfati (2000) in her study of stranger homicides. The divide here was not as purely Expressive/Instrumental, perhaps due to the strong link to motivation – by definition – in bias-motivated crimes. The behaviors in this schema did closely mirror both the original formulations of Expressive/Instrumental, as well as the revised typologies. This suggested that bias-motivated homicide offenders can have their background interaction styles behaviorally classified using this approach.

**8.6 Distribution of Cases across Themes of Offender Background Characteristics**

This next set of analyses was conducted to specifically examine the predominant theme which each offender exhibited in the past. As Block (1977), Berkowitz (1993), and Salfati (2000), all have concluded, violent offenders will not always exhibit behaviors only classifiable as one theme; rather, any typology of aggression should be flexible enough to account for those incidents where an offender intended to assault someone just enough to rob them, but ended up specifically attacking the person with the intention to kill them when they resisted the robbery.

*8.6.1 Victim as Target and Victim as Means Themes of Offender Characteristics*

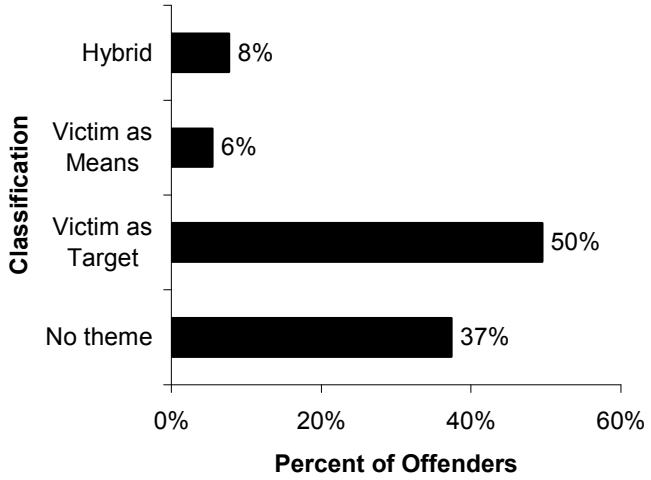
To allow the verification and validation of the regional split imposed on the SSA plot of the offenders' background characteristics, the distribution of the offenders across the two themes was examined. It was held that if a majority of offenders were classifiable in terms of exhibiting behaviors predominantly associated with either of the two themes, this would be an indication that the two themes were an appropriate classification of the offenders' backgrounds.

The determination of whether an offender belonged to either the Target or Means theme was decided based on whether the percentage of background characteristics present in one theme was at least twice the percentage present in the other theme (Salfati, 2003). This analysis concentrated only on the 11 variables that made up the SSA, and ignored the three high-frequency core variables since they were common across most of the backgrounds. If the offender had an equal amount of background characteristics present in the two themes, it was classified as a hybrid case, where the offender was found to exhibit the same number of Target as Means-related characteristics. All other cases were classified as having no specific theme if the background characteristics were spread randomly across the two themes or if none of the background characteristics were present in their cases.

As can be seen in Figure 8.6.1, just over half (55%) of all the offenders could be classified as either exhibiting Victim as Target or Victim as Means background characteristics. Close to eight percent (7.7%) were classified as hybrid cases (i.e., they had an equal percentage of characteristics in each theme). Thirty-seven percent (37.4%) were determined to be non-classifiable. Within this group, there were 34 cases (100% of

the 37.4%) where none of the 11 background characteristics were present in either theme. This lack of variables occurred either because the offenders did not have these variables present in their backgrounds (12%) or because this information was not included in the investigators' case files (88%).

**Figure 8.6.1. Distribution of Offenders across Themes of Offender Background Characteristics**




The literature generally holds that people are a mixture of types and the data here support that finding (Berkowitz, 1993; Block, 1977; Block et al., 2000; Cornell et al., 1996; Salfati, 2000). The fact that almost half of the offenders could be classified into either of the two background themes does suggest that this classification system has some merit for classifying the backgrounds of bias-motivated offenders. More interestingly, however, is the disparity in the percent of cases that could be classified as either predominantly Victim as Means (6%) or Victim as Target (50%). This is in line both with homicide (Block et al., 2000; Canter et al., 2004; Salfati, 2000; Salfati & Canter, 1999; Santilla et al., 2001) and bias (Dunbar, 2003; Franklin, 2000; Ituarte, 2000) all of which have found that violent crime, including that motivated by a bias, is inherently Expressive. A smaller

number of these incidents are differentiated by an Instrumental element characterizing them as primarily more than emotional reactions. These offenders, their crime scenes, and their background characteristics are marked by a core group of Victim as Target (Expressive) behaviors. A smaller group of these offenders engage in violence, which, except for a few specialized Victim as Means (Instrumental), primarily consists of Victim as Target (Expressive) behaviors. This results in the similar proportion of hybrid offender backgrounds that do not have enough Instrumental behaviors to be predominantly associated with the Victim as Means theme.

Additionally, the large proportion of offender backgrounds with none of these characteristics present again suggested the idea that these offenders are engaging in background behaviors not routinely recorded by the investigators (e.g., military service, education, violence in family, sexual/emotional/physical abuse). Also possible is the explanation that these offenders, as suggested by some bias crime research (Comstock, 1991; Craig, 2002; Franklin, 2000) have limited criminal justice histories. Most of the offender background characteristics focused on prior convictions because these offer excellent insight into an offender's behavioral style and are the most likely to be recorded in an investigation case file. Therefore, if there were no past convictions, it would be difficult to classify the backgrounds of offenders because it would be even more unlikely for non-criminal backgrounds behaviors to be obtained and/or recorded in the case files.

### 8.7 The Association of Non-Background Characteristics with the SSA Distribution

Given the limited number of offender background characteristics that were present in the study offenders' backgrounds, further analyses were conducted using non-background characteristics to support the Victim as Target/Victim as Means dichotomy. A selection

of variables that were not purely background characteristics describing the nature of past interpersonal interactions were selected as external variables to be superimposed onto the SSA plot of the 14 background characteristics. These variables were included as external variables because their inclusion in the SSA analysis may have skewed the plot because they would have not been mutually exclusive with another variable, they were not background characteristics and instead occurred at or after the homicide, or because they were variables that could not be coded as either present or absent. These variables highlighted the co-occurrences of these specific variables across the two themes of background characteristics.

### *8.7.1 The External Variables*

Two post-homicide behaviors – offender committing suicide or offender turning themselves in after the homicide – were included as external variables because they could not be considered crime scene variables. They also were not offender background characteristics. However, because they shed light on the offenders' mental state and feelings about the homicide they were included to examine whether they co-occurred with the Victim as Target (Expressive) characteristics.

Given the relatively low percentage of cases – as compared to non-bias-motivated homicide – where the offender knew the victim, a variable indicating whether the offender was a stranger to the victim was included as an external variable. Including it in the SSA would have distorted the analysis because of its lack of exclusivity with the variable indicating whether the victim was known to the offender.

The age of the offender was included because it is not a categorically "present/not present" variable and because it does address the issue of whether a particular age level of offender (a proxy for maturity) was associated with a particular type of bias-motivated homicide. Whether or not the offender lured the victim to a more secluded location before violently engaging them was included as an external variable because it denotes a significant level of planning on the part of the offender. The offender engaging in bragging about the homicide was included as an external variable because it is a behavior that occurs after the homicide, away from the crime scene. This variable provided further insight into how the offender felt about what they had done, as well as their motivation for doing so. The motivating bias with which each behavior was most commonly associated with also was included to determine if, as had been found in earlier analyses, the two themes were associated with particular biases.

Finally, whether or not the offender group involved multiple offenders was included as an external variable because it was not a background characteristic. It offered the chance to test again the theoretical supposition that there is no behavioral difference between group offenses and solo offenses when the instigator/primary offender is used as the source of offender group information.

*8.7.2 The Analysis of the External Variables*

To conduct the external variable analyses the percentage of the co-occurrence between each external variable was calculated for each background characteristic included in the SSA plot. More simply, the rate at which each external variable co-occurred with the background characteristics in the offenders' records was calculated (Salfati & Taylor, 2006). These percentage values were then superimposed onto the plot so that the pattern of the percentage of co-occurrence could be examined (see Figures 8.7.1 to 8.7.6).

8.7.2.1 Suicide

The offender committing, or attempting to commit suicide after a homicide can be seen as an indication of the offender's emotional state at the time of the homicide, in particular relation to how the felt about the crime, and their feelings toward their victim. In the case of these bias-motivated homicides, the distribution of the percent of co-occurrences with the other background characteristics revealed a clear pattern of post-homicide suicide being more likely to occur with Victim as Target (Expressive) background characteristics as opposed to the Victim as Means theme. Almost all of the co-occurring percentages (see Figure 8.7.1) in the Victim as Means region were 0, with a general theme mean of 5% (N=5). Most of the co-occurring percentages in the Victim as Target region were over 10%, with a general mean of 13.5% (N=6).

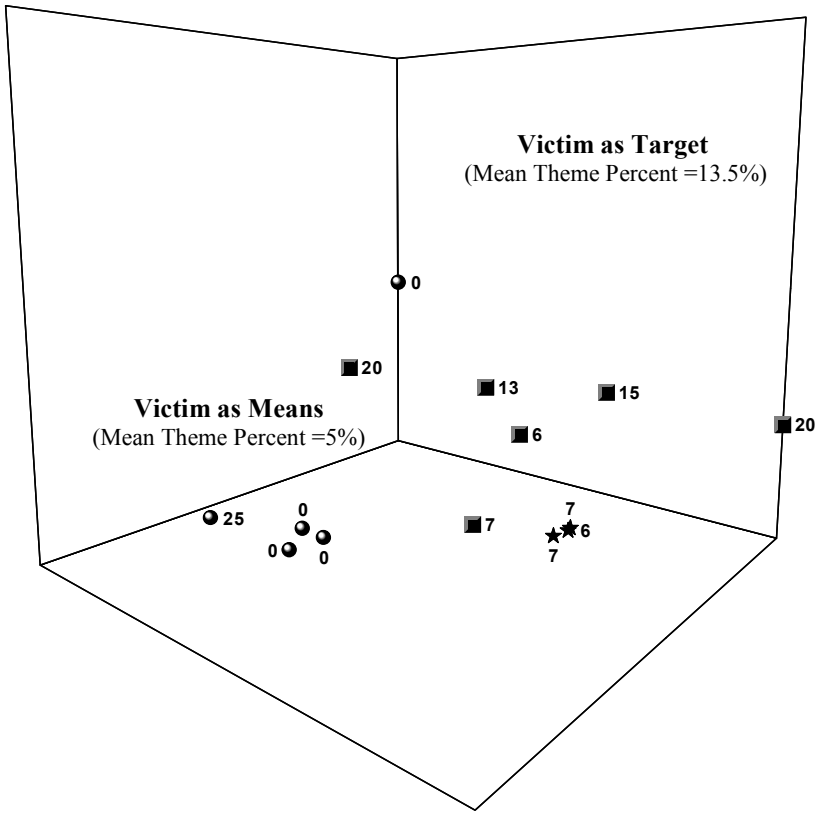



**Figure 8.7.1: SSA of Distribution of Percent of Co-Occurrences of "Suicide" with Offender Background Characteristics**
**(■, Victim as Target; ●, Victim as Means, ★, High Frequency)**

A Mann-Whitney U-test failed to find a significant difference between the values in each of the two regions (p=.09). It is possible, theoretically, that because robbery is such an violent event aimed specifically at a person, that those offenders who had a robbery conviction in their pasts are more likely to have characteristics that co-occur with the Victim as Target background characteristics, thus explaining why this was the only background characteristic that did not have a 0% co-occurrence proportion. If robbery was omitted, the Mann-Whitney U-test did result in a significant difference (p<.01).

#### 8.7.2.2 Offender Turned Themselves in After the Homicide

The offender turning themselves in after committing the homicide can be interpreted as indicative of the offenders' feelings about what they did. The idea being that experiencing negative emotions such as guilt after killing the victim, the offender realizes that they most likely will be connected to the victim and scene – probably because they knew the victim – and this leads them to turn themselves into the authorities. The external variable analysis of the superimposition of the variable Offender Turned Themselves in (*turnin)* onto all of the offender background characteristics in the SSA (see Figure 8.7.2) showed that this hypothesis was not supported by the data. In less than 10% (9.4%) of homicides where the offender knew the victim did the offender turn themselves into authorities. A Mann-Whitney U-test failed to find a significant difference between offenders who turned themselves in and those who did not ($p>.1$) in relation to how that co-occurred with the Target/Means themes. There was no discernable pattern to the distribution of the co-occurrences, and, generally, the levels of co-occurrence were very low, with the only high value variables being *offender mental health history* (40%), and the economic gain variables (fraud, robbery, and unemployed all 25%) except for burglary (0%). This could be a result of bias-motivated offenders being particularly intentioned in their selection of stranger victims who they, according to research, view as less than them in terms of their humanity. Perhaps those who committed the crime as a result of a mental breakdown or a robbery gone wrong are the only bias-motivated offenders who generally feel guilty about what they did.

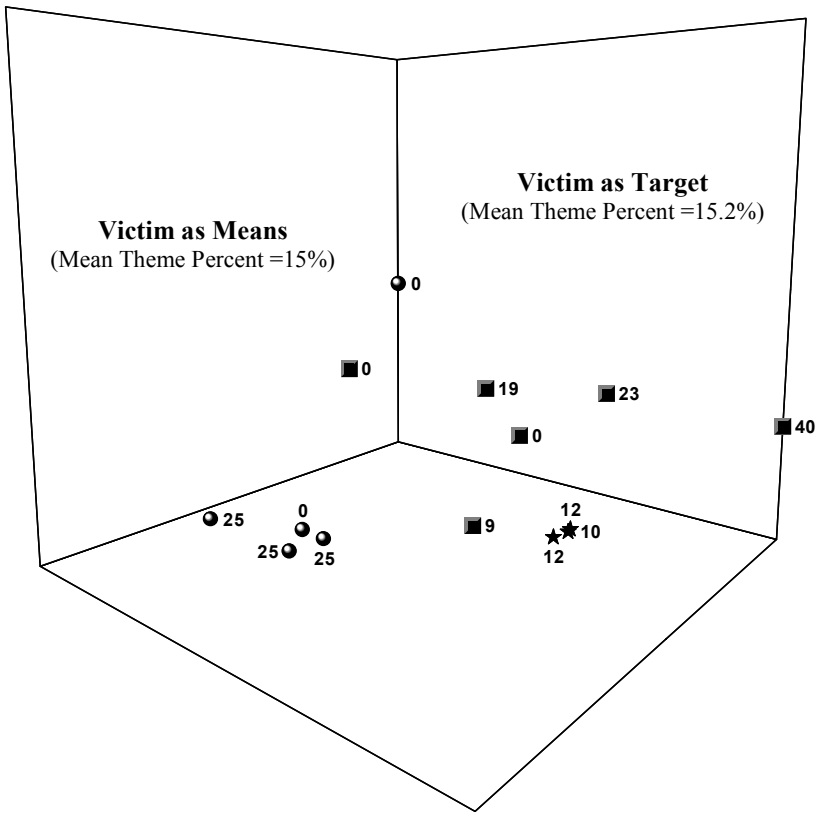



**Figure 8.7.2: SSA of Distribution of Percent of Co-Occurrences of "Offender Turned Themselves in" with Offender Background Characteristics**
**(■, Victim as Target; ●, Victim as Means, ★, High Frequency)**

8.7.2.3 Stranger Bias-Motivated Homicides

In this analysis, the variable *stranger*, indicating that the offender had no previous relationship with the victim, was superimposed onto the SSA as an external variable (see Figure 8.7.3). The distribution of the co-occurrences did reveal a clear pattern, and a Mann-Whitney U-test found a significant difference ($p<.05$) in terms of whether an offender was more likely to be completely unknown to the victim if they brought with them predominantly either other Target or Means background characteristics. The fact that offenders who, in their pasts, tended to interact with other individuals in ways illustrative of an Victim as Target (Expressive) behavioral style were more likely to

offend against strangers, suggests that bias-motivated offenders who want to injure/kill a particular person generally do so against those they do not know, while those who see people as a means unto an end, do have some relationship with their victims. This could be a manifestation of the offender's inability to think about intentionally injuring someone with whom they are acquainted, while those who did know their victims, perhaps did not have an a priori intention of injuring/killing them. Mental health history, with its 100% co-occurrence, suggests that in these instances the offender may have been on a mental break and simply targeted the first person they found that matched the thoughts in their head.

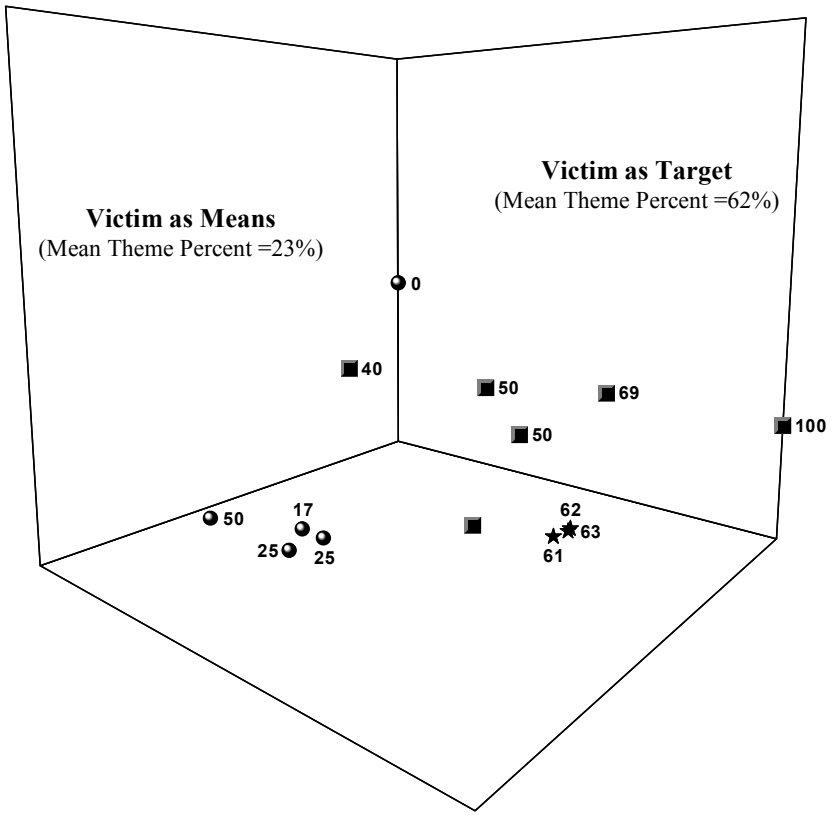



**Figure 8.7.3: SSA of Distribution of Percent of Co-Occurrences of "Stranger Offender" with Offender Background Characteristics**
**(■, Victim as Target; ●, Victim as Means, ★, High Frequency)**

#### 8.7.2.4 Offender Lured the Victim

The variable *lured* recording instances where the offender actively pursued a plan of getting the victim to go with them to a more secluded location before actively engaging in the violent interaction was superimposed onto the SSA plot (see Figure 8.7.4). The hypothesis here, particularly in instances of sexual orientation bias, is that the offenders know they can use some ruse to get the victim to go to a secluded area, under the pretense of a sexual encounter, where they are less likely to be discovered robbing, murdering, etc., the victim. Results from superimposing the percentages of co-occurrences of the variable lured on all of the offender background characteristics in the SSA revealed a clear distribution. A Mann-Whitney U-Test also found a significant difference ($p<.05$) in terms of how luring the victim co-occurred with either the Target or Means theme. The direction of difference between the two theme means does follow with research finding that offenders motivated by a sexual orientation bias often select victims who may be interested in a sexual encounter and use this idea to lure them away – and act, which definitely can be seen as instrumental.

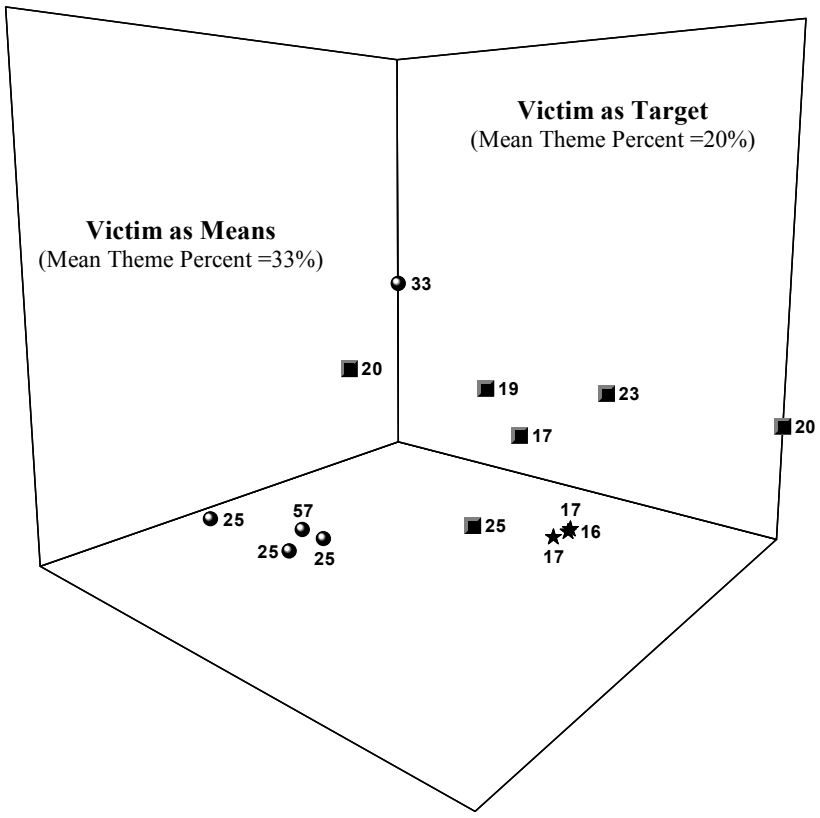



**Figure 8.7.4: SSA of Distribution of Percent of Co-Occurrences of "Luring Victim" with Offender Background Characteristics**
**(■, Victim as Target; ●, Victim as Means, ★, High Frequency)**

8.7.2.5 Offender Bragged about Homicide

The variable indicating whether or not the offender bragged about the homicide (that is they joked or boasted about beating up or even killing a particular type of person or specific individual) was superimposed as an external variable onto the SSA plot of offender background characteristics (see Figure 8.7.5). Both a visual analysis of the distribution and a Mann-Whitney U-Test failed to find evidence of a clear, significant difference in co-occurrences of bragging and Target or Means theme variables (p=.47). This finding is not surprising given that bias research routinely indicates that bias-motivated crime, including bias-motivated violence, often is primarily done either to send

a message to out groups or to bolster the offender's status in their peer group (Craig, 2002; Richardson & May, 1999). The fact that offenders with robbery convictions had the highest rate of co-occurrence with bragging about their bias-motivated homicide is in line with the qualitative data available in the case files, which indicated that many of these offenders stated they had "rolled" (i.e., robbed) a "fag" or "spic."

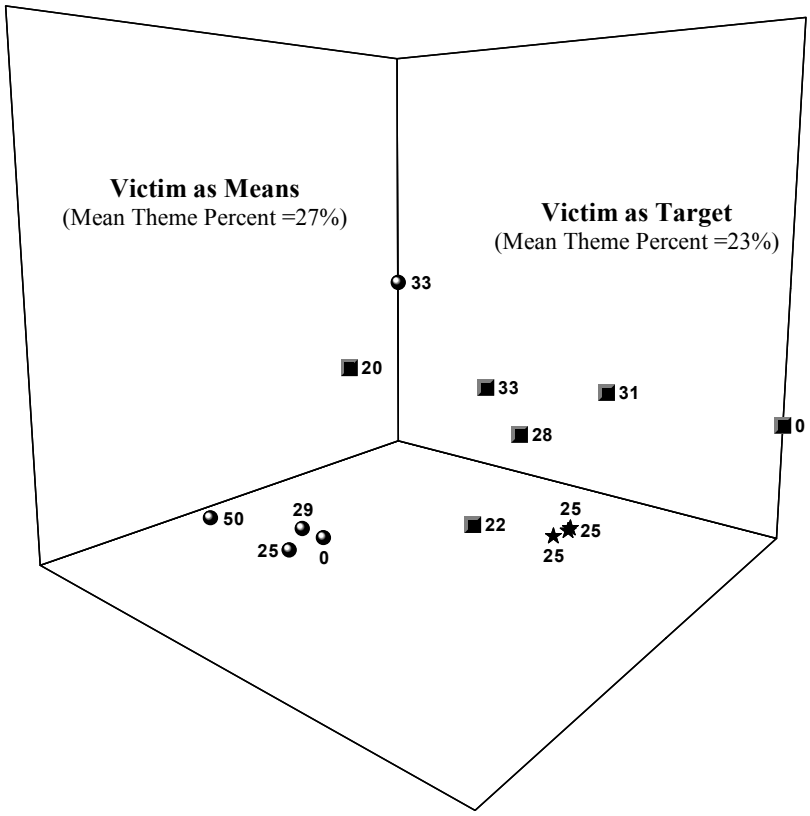



**Figure 8.7.5: SSA of Distribution of Percent of Co-Occurrences of "Offender Bragged" with Offender Background Characteristics**
**(■, Victim as Target; ●, Victim as Means, ★, High Frequency)**

8.7.2.6 Offender Age

As can be seen in Figure 8.7.6, when the mean co-occurrence of the external variable of the offenders' ages were superimposed onto the SSA plot with the existing distribution of the offender background characteristics, there was no discernable difference in the distribution of the mean ages that co-occurred with different background characteristics. An Independent Samples T-test confirmed that there was no significant difference between the ages associated with either the Target or Means theme (p=.36).

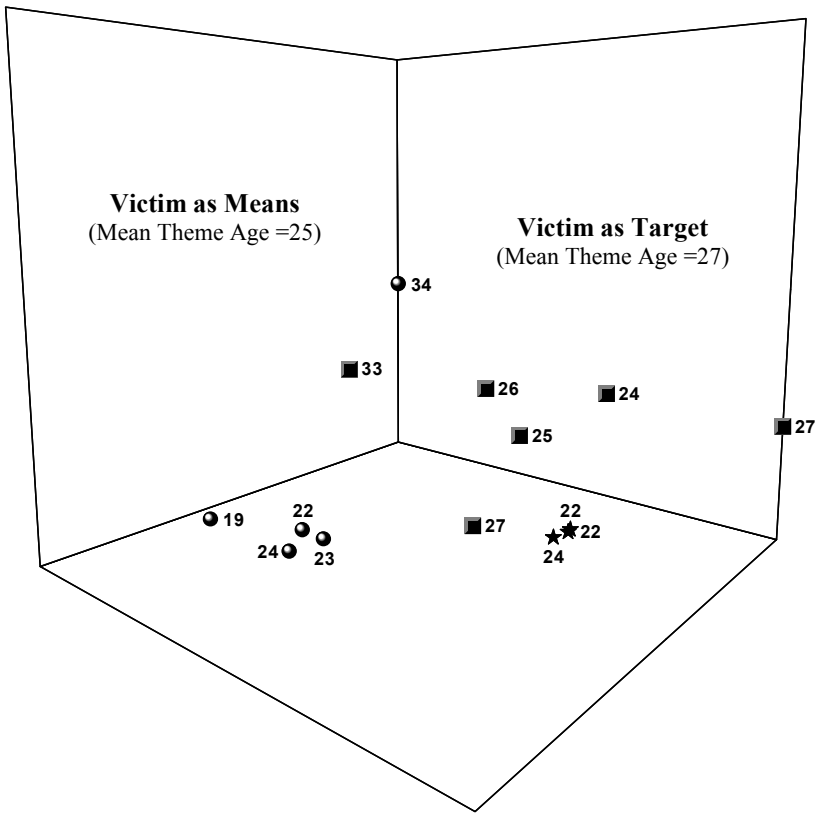



**Figure 8.7.6: SSA of Distribution of Co-Occurrences of "Offender Age" with Offender Background Characteristics**
**(■, Victim as Target; ●, Victim as Means, ★, High Frequency)**

The pattern in this analysis was consistent with the pattern discussed in the initial comparisons of the different biases (see Chapter 4), with the mean age of those behaviors linked thematically to the Means (Instrumental) homicides – those homicides believed to be, based on previous results, the sexual orientation bias homicides – lower (mean = 25) than that of the behaviors thematically connected to the racial/ethnic bias-motivated homicides (mean = 27).

#### 8.7.2.7 Motivating Bias

The next external variable analysis that was conducted examined the pattern of the co-occurrence of the offender background characteristics on the SSA plot with the bias that local investigators assigned to the homicide during the course of their investigation (see Figure 8.7.7). The idea here was to further investigate the possible relationship between motivating bias and the general manner in which offenders conduct interpersonal interactions. To achieve this goal, each behavior on the plot was labeled as being predominantly associated either with a racial/ethnic or sexual orientation bias based on in what percent of the cases each behavior co-occurred with the biases. A stringent classification method was used where case was labeled predominantly as one bias if it occurred in twice as high a percentage of the cases as it did in the other bias. A visual examination of the plot did reveal a clear distribution of the bias associations, although it was not as clear as past similar analysis. This lack of comparative clarity is best explained by the relatively low number of variables on the plot, which means that if only a few of the variables do not meet the stringent classification requirements the plot visually will not look as clear as others. It is important to note that none of the variables that could be classified went against the hypothesized link between the themes (i.e., Mean

(Instrumental) connected to Sexual Orientation and Target (Expressive) connected to Racial/Ethnic). There was no pattern to the mixed variables, with all but one (offender knew victim) having a 50/50 split between the motivating biases.

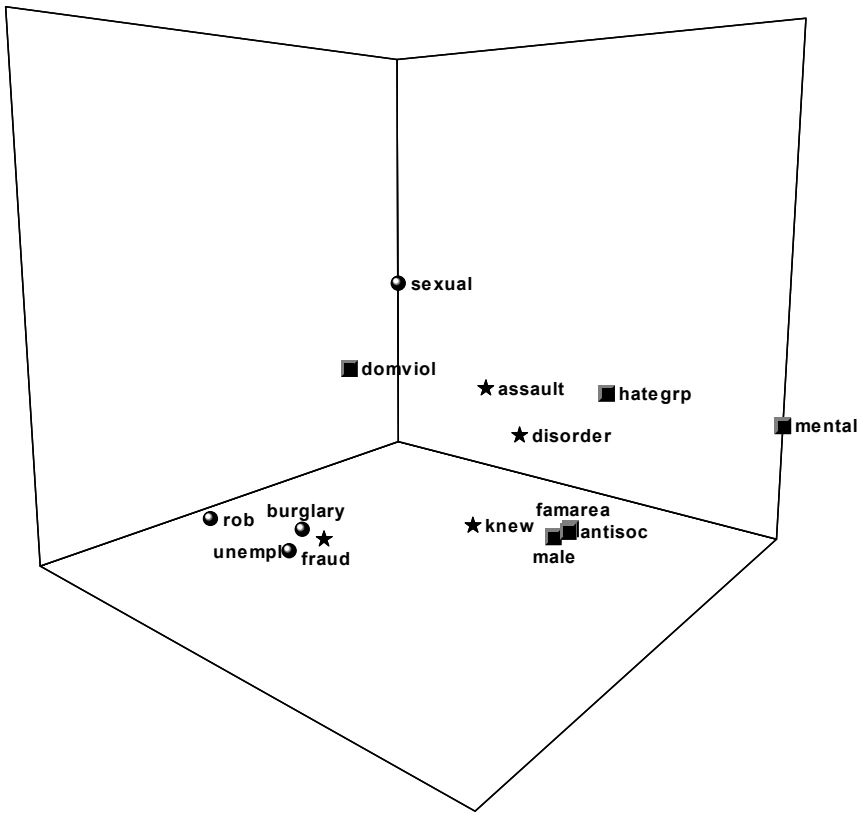



**Figure 8.7.7: SSA of Distribution of Co-Occurrences of Motivating Bias with Offender Background Characteristics**
**(■, Racial/Ethnic; ●, Sexual Orientation, ★, Mixed)**

8.7.2.8 Multiple Offenders

The final external variable analysis that was conducted examined the pattern of the co-occurrence of the offender background characteristics on the SSA plot with whether or not the homicide was committed by a group of offenders or a single offender (see Figure 8.7.8). This analysis was conducted to once again test the theoretical explanations and

research findings suggesting that a group of offenders share behavioral patterns and characteristics. When the mean co-occurrence of the external variable of the involvement of multiple offenders was superimposed onto the SSA plot with the existing distribution of the offender background characteristics, there was no discernable difference in the distribution. A visual analysis of the distribution suggested a greater association between Victim as Means (Instrumental) characteristics and multiple offenders being involved; however, a Mann-Whitney U-Test failed to find evidence of a clear, significant difference in co-occurrences of multiple offenders and Target or Means theme variables (p=.19).

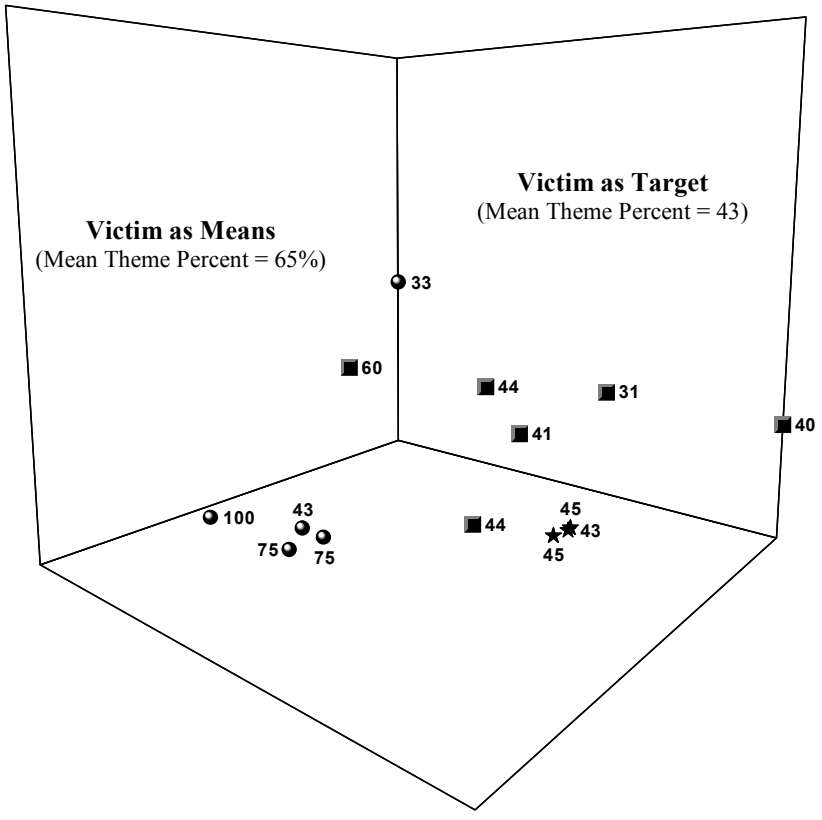



**Figure 8.7.6: SSA of Distribution of Co-Occurrences of "Multiple Offenders Present" with Offender Background Characteristics**
**(■, Victim as Target; ●, Victim as Means, ★, High Frequency)**

## 8.8 Summary of the Bias-Motivated Homicide Offenders' Background Characteristics

The results of these analyses supported the hypothetical model suggested by previous research – including chapters herein. That is, the SSA analyses, including the external variable analyses – highlighted a regional thematic divide that was very clear in comparison to previous SSA analyses of these offenders' crime scene actions. This regional split characterized offender backgrounds either as Victim as Target (Expressive) or Victim as Means (Instrumental).

The Victim as Target background characteristics consisted of previous social interactions where aggression or violence was employed against particular targets either to control the other person or simply to carry out violence against them. The Victim as Means background characteristics were characterized by interactions where aggression/violence or other illegal means were utilized to obtain money, property, or sexual gratification from victims. While the spatial divide was visually clear – and was reaffirmed through the external variable analyses – when the ability of the model to classify individual offenders was examined, it was predisposed to classifying offender backgrounds as Victim as Target (Expressive). A small percentage of the offender backgrounds (6%) were predominantly Victim as Means (Instrumental). A large percentage (36%) of the offenders had no identifiable theme because they had none of the analyzed characteristics in their backgrounds. This suggested both that there may be very few predominantly Victim as Means (Instrumental) style offenders and that even if there are many offenders employing that style of violence, it is difficult for this model to identify. That is, because almost all of the bias-motivated offenders have backgrounds consisting of a core group of

Expressive variables, or none of the recorded variables at all, it would require a high percentage of the Victim as Means (Instrumental) characteristics to be present for those backgrounds to be predominantly associated with that style. The Victim as Means (Instrumental) offenders had very specialized backgrounds that did not consist of a multitude of different types of Instrumental behaviors.

These results of these analyses built on and offered further support for the work and findings of Fesbach (1964), Toch (1969), Block (1977), Berkowitz (1993), Canter (1994), Dunbar (1999), Salfati and Canter (1999), and Salfati (2000; 2003), by once again showing that themes – in this case a version of the Expressive/Instrumental split – exist in the backgrounds of homicide offenders.

The themes of the offenders' background characteristics constructed in these analyses match the themes found in the crime scene behaviors. There are crime scenes and offenders with violence primarily used to gain, or to gain control over people who provide a means to gain, property, and there are those scenes and offenders with violence primarily used against people for the sole purpose of injuring/killing those people. At this point, however, all these analyses provide is evidence that there are similar behavioral themes in regard to behaviors at crime scenes and behaviors in the past. The next important step in the overall study was to determine whether or not these themes of background behaviors could be connected to the pre-established themes of crime scene behaviors. It was hypothesized that offenders would display thematic consistency between the behaviors they engaged in during previous interpersonal interactions (their background characteristics), and the way they behaved in their interactions with the victim at the homicide crime scene. That is, an offender who predominantly displayed

Victim as Target (Expressive) behaviors at the crime scene would have interacted with other individuals in the past primarily through Victim as Target (Expressive) behaviors. This final step of the analysis will be clarified further in Chapter 9.

# CHAPTER 9:
# LINKING CRIME SCENE BEHAVIORS TO OFFENDER BACKGROUND CHARACTERISTICS

## 9 THE LINK BETWEEN ACTIONS AND CHARACTERISTICS

### INTRODUCTION

The analyses conducted have provided evidence that bias-motivated homicide offenders engage in groups of behaviors at crime scenes that are behaviorally consistent (Victim as Means (Instrumental) and Victim as Target (Expressive)). These offenders also have behaviorally consistent background characteristics indicative of the style of their previous interpersonal interactions (Victim as Means (Instrumental) and Victim as Target (Expressive)).

These findings combine with psychological and homicide/violence research to indicate that it may be possible to link crime scene behaviors to background characteristics and interactions. The psychological literature supports the theory that there is behavioral consistency in the way individuals interpersonally interact across time and situations (Huesmann et al., 1984; Sampson & Laub, 1993; West and Farrington, 1997). The homicide/violence literature indicates that behavioral consistency can be the basis of thematically connecting background behaviors to offender crime scene behaviors (Block et al., 2001; Canter et al., 2004; Canter & Heritage, 1990; Davies et al., 1997; Salfati, 2000, 2003; Salfati & Canter, 1999). The final aim of the study was to determine whether a thematic link between bias-motivated homicide crime scene behaviors and offender background characteristics could be empirically supported.

## 9.1 Literature Review

Researchers (Toch, 1969; West & Farrington, 1997; Wolfgang, 1958) have found that the behaviors individuals engage in during interpersonal interactions are parts of learned behavioral strategies or social scripts. Based on that principle, those researchers explain differing levels of aggression displayed by individuals as the result of some individuals learning that aggressive- or violent-themed strategies/scripts are effective ways of getting what they want out of divergent interpersonal interactions. That is, individuals who early in life experience positive social outcomes as the result of employing violent/aggressive social scripts, store those scripts in their memories to be used again in similar situations (Caspi & Moffit, 1995; Toch, 1969; West & Farrington, 1997; Wolfgang, 1958).

Homicide, at its core, is a social event (Block, 1977; Salfati, 2000; Silverman & Mukherjee, 1987). Based on the social nature of homicide and the psychological principle of social scripts, homicide researchers theorized and found empirical support for the idea that offenders should employ phenotypically similar behavioral scripts during both homicides and other criminal and non-criminal interpersonal interactions (Canter, 1994; Canter & Heritage, 1990; Canter et al., 2004; Davies, Wittebrod & Jackson, 1997; Salfati, 2000; Salfati & Canter, 1999).

Canter and Young (2003) summarized the link between the Actions that occur during the offense and the Characteristics of the offender" as the A→C equation. In the equation "A" is the crime scene actions/behaviors and "C" is the offender background characteristics/behaviors. Such an equation is focused primarily on understanding the structure of the crime and how that structure can be linked to the offender characteristics that would assist in a criminal investigation. Following the logic of the equation, various

researchers have found evidence of thematic behavioral consistency in how arsonists (Canter & Fritzon, 1998), "hit and run burglars" (Wilson & Donald, 2000), stalkers (Groves, Salfati & Elliot, 2004), sexual murderers (Salfati & Taylor, 2006), stranger murderers (Salfati, 2000; Salfati & Canter, 1999), and rapists (Canter & Heritage, 1990; House, 1997; Mokros & Alison, 2002), all commit their crimes and how they previously committed other crimes and interactions with other people.

Specific to the themes discussed throughout the current study, Salfati (2000) found that homicides could be divided reliably into Expressive and Instrumental thematic subgroups based on the role the offender-victim relationship played. The expressive homicides were more likely to be extremely physical attacks committed by offenders who were concerned about being connected to the scene and/or victim. The instrumental homicides consisted of behaviors not directed primarily at the victim as a specific person; instead, in these homicides the offenders treated the victims as vehicles to be used to obtain an ulterior aim such as money, property, or sexual gratification.

Bias crime researchers also have attempted to create classification systems that connect incident characteristics to offender characteristics (Dunbar, 2003; McDevitt, Levin & Bennett, 2002; Levin & McDevitt, 1993). Levin and McDevitt (1993) and later with Bennett (2002) – who have already been discussed at length in this study's (Chapter 5) testing of their classification system – formulated an A→C equation where the focus was not exclusively on the Actions or the Characteristics of offenders who committed bias-motivated crimes. Instead, their schema also was dependent on the motivation of the offender, which resulted in a typology that could not exclusively link behaviors with different themes.

Dunbar (2003) tested his classification system through a general approach of dividing bias-motivated violence into expressive (defending turf) or instrumental (social dominance) violence. Dunbar followed a similar interpretation of expressive and instrumental violence, but with a different focus. In Dunbar's work (2003) instrumental violence is seen as more of a persistent behavioral strategy and expressive violence is a spontaneous reaction to provocation. Dunbar does not view expressive bias-motivated violence as a persistent behavioral strategy. This is at odds with the results of chapter 8, which found that bias-motivated offenders do have backgrounds characterized by the use of expressive violence. Under his rubric, Dunbar (2003) found the more planned, more hate-group involved, acts of violence were instrumental and the group-based *neighborhood-defending* violent crimes were expressive (reactive).

The results of chapters 7 and 8 indicated that both offender crime scene behaviors and background characteristics/interactions could be thematically distinguished as either Victim as Target (Expressive) or Victim as Means (Instrumental). The crime scene behaviors could be more consistently classified as predominantly Victim as Target (Expressive) as compared to Victim as Means (Instrumental). The offender background characteristics also could more easily be classified as predominantly Victim as Target (Instrumental); however, more of the scenes could be classified as predominantly Victim as Means (Instrumental). This result was in line with other research in those chapters (as well as the classification tests in chapters 5 and 6), which found that there are a group of core (i.e., high frequency) behaviors that occur in most of the bias-motivated homicide crime scenes. These behaviors are all Victim as Target (Expressive) in nature. All of this has shown that while bias-motivated homicide crime scenes are primarily expressive in

nature, some of them – specifically those that are motivated by a sexual orientation bias – are distinguished by a few more specialized instrumental behaviors.

### 9.2 Study Aims

Building upon the information gathered about crime scene actions and offender characteristics, the aim of this study was to examine the connections between the behaviors of an offender at a crime scene and their background characteristics. Specifically, the study aimed to determine if the themes of behaviors demonstrated at bias homicide scenes could be used to identify the offender(s) involved and the type of motivation leading to the homicide. It was hypothesized that offenders who exhibited a Victim as Target (Expressive) theme of behavior at their crime scenes would also have histories characterized by other uses of thematically similar behaviors. Offenders who exhibited a Victim as Means (Instrumental) theme of behavior at their crimes were hypothesized to also have background characteristics matching a Victim as Means (Instrumental) thematic style.

### 9.3 Method

The twelve crime scene variables analyzed in Chapter 7 and the 14 background characteristics analyzed in Chapter 8 were included together in an SSA analysis of the 91 cases of bias-motivated homicide. According to the regional hypothesis of SSA, which states that variables that are strongly associated with each other will be plotted close together in the spatial plot, it was hypothesized that offender background characteristics closely associated with specific crime scene behaviors would co-occur in the same region of the SSA plot.

## 9.4 Results of the Joint Offender Crime Scene and Background Behaviors SSA Analysis

Figure 9.4.1 is the SSA plot of the distribution of the 12 crime scene variables and the 14 offender background characteristics for the 91 cases of bias-motivated homicide on the 1 by 2 by 3 projection of the 3-dimensional SSA analysis. The Coefficient of Alienation was .1258, in 46 iterations, indicating an excellent fit of the spatial representation of the co-occurrences of the variables. A visual examination of the plot confirmed the results expected based on the previous chapters. Namely, that one group of crime scene behaviors and offender characteristics co-occurred in the same region as the high-frequency variables, while the remaining behaviors and characteristics loosely co-occurred together in the areas further away from the high-frequency behaviors. This visually supported the hypotheses that there are two themes of both behaviors and offender characteristics, and that one of those themes is primarily characterized by the high-frequency behaviors that also occur in most of the opposite theme.

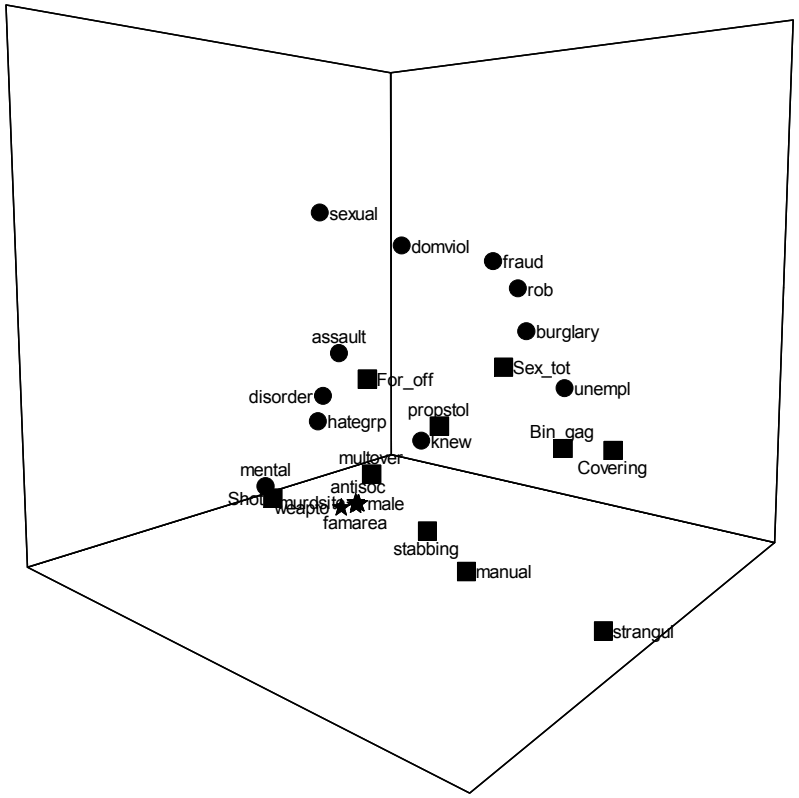



**Figure 9.4.1.: Joint Three-Dimensional Smallest Space Analysis: Offender Background Characteristics and Crime Scene Behaviors**

(●, Background characteristics; ■, Crime scene behaviors) (★, High Frequency: familiar with area, antisocial history, body left at scene, weapon to scene, and male offender) **(coefficient of alienation = .1258, in 46 iterations)**

**Variable Legend**

| Variable Abbreviation | Definition | Variable Abbreviation | Definition |
|---|---|---|---|
| Fraud | Previous fraud conviction | Famarea | Familiar with area of homicide |
| Antisoc | History of anti-social behavior | Burglary | Previous burglary conviction |
| Knew | Offender familiar with victim | Disorder | Previous disorder conviction |
| Rob | Previous robbery conviction | Unempl | Offender unemployed |
| Mental | History of mental health issues | Assault | Previous assault conviction |
| Hategrp | Organized hate group involvement | Domviol | Previous domestic violence conviction |
| Sexual | Previous sex offense conviction | Sex_tot | Sexual behavior at the scene |
| Covering | Body covered | Bin_gag | Victim bound/gagged |
| Strangul | Victim Strangled | Manual | Manual wounding |
| Stabbing | Victim cut or stabbed | Weapto | Weapon to Scene |
| Murdsite | Body left at murder scene | Shot | Victim Shot |
| Propstol | Property stolen | Multover | Multiple wounds over body |
| For_off | Forensically aware offender | | |

## 9.5 Themes of Offender Background Characteristics and Crime Scene Behaviors

The regional hypothesis, which has been discussed previously, holds that items that share a similar style – in this case a similar interpersonal behavioral theme – will be found in the same region of the plot. Therefore, for this analysis, it was hypothesized that because individuals have been found to behave similarly across different situations similarly themed offender background characteristics and crime scene behaviors should co-occur in the same regions of the plot. Since the previous research in this study has shown that the same themes are present in the crime scene behaviors and background characteristics the logical and theoretical conclusion was that Victim as Target (Expressive) behaviors and background characteristics should co-occur in the same region, while Victim as Means (Instrumental) behaviors and background characteristics should co-occur in a different region. Such a result would indicate an association between themes of crime scene behaviors and themes of background characteristics.

### *9.5.1 The Link between Bias-Motivated Homicide Offender Background Behaviors and Their Crime Scene Behaviors*

A visual examination of the SSA plot presented in Figure 9.5.1 revealed that when crime scene behaviors and offender background characteristics were included in the same SSA analysis, the same 2-way Victim as Target (Expressive)/Victim as Means (Instrumental) split of the SSA plot, which was developed in the crime scene behaviors and offender background characteristics SSA's separately, remained clearly evident. The result of this joint analysis was a two-themed model describing how the offender behaviorally interacted with previous situations/people and the way that they behaviorally interacted with the victim and scene during the homicide included in this study. The finding that

these two kinds of variables – crime scene behaviors and background characteristics – co-occurred in the same thematic space, illustrated that they shared the same thematic characteristics, in this case, Victim as Target (Expressive) and Victim as Means (Instrumental).

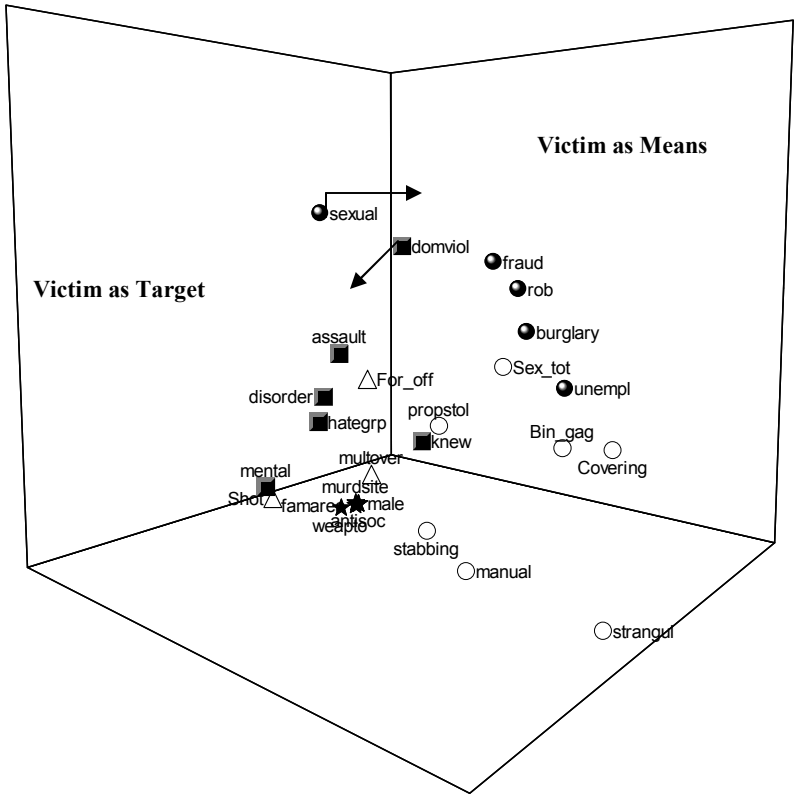



**Figure 9.5.1.: Three-Dimensional Smallest Space Analysis: Offender Background Characteristics and Crime Scene Behaviors**
**(coefficient of alienation = .1258, in 46 iterations)**
(**Background Characteristics:** ■, Victim as Target; ●, Victim as Means)
(**Crime Scene Behaviors**:△, Victim as Target; ○, Victim as Means)
(★, High Frequency: murdsite, weapto, antisoc, male, famarea)

The Victim as Target (Expressive) theme, or region, included 10 variables, of which 6 were background characteristics and 4 were crime scene behaviors (see Table 9.5.1.). The Victim as Means (Instrumental) theme included 11 variables, of which 5 were

background characteristics and 6 were crime scene behaviors (see Table 9.5.2.). The 5 core variables (see Table 9.5.3.) were not included in either of the themes because they occurred in a majority of the homicide cases and would not be useful in distinguishing themes.

A visual examination of the thematic split confirmed that both the Victim as Means (Instrumental) crime scene behaviors and offender background characteristics co-occurred in the same region (i.e., the right side of the plot) of the SSA plot. So, too, did both the Victim as Target (Expressive) crime scene behaviors and offender background characteristics, which, along with the high frequency behaviors and characteristics, co-occurred on the left side of the plot. As discussed several times previously, the fact that the high frequency behaviors co-occur with the Victim as Target (Expressive) behaviors and background characteristics and are themselves commonly identified in research as expressive (Salfati, 2000; Salfati & Canter, 1999), supports the earlier finding that the majority of bias-motivated homicides are committed by offenders employing a Victim as Target (Expressive) behavioral style at the scene and in their backgrounds.

Additionally, the pattern of the distribution of the Victim as Means (Instrumental) variables, with the background characteristics and crime scene behaviors co-occurring in the same region but apart from each other, further refined the visual interpretation of the plot. That is, while these variables co-occurred with each other in a region distinct from the Victim as Target (Expressive) variables, they did not co-occur with each other at a very high rate – as noted by the distances among the points. In the joint plot, the Victim as Means (Instrumental) crime scene behaviors co-occur closer together, which is different than when they were analyzed alone in Chapter 6 and mixed in with the

expressive behaviors. This again supports the findings of Chapter 5 and 6, indicating that because an offender's motivation maintains a central role in the commission of a bias-motivated homicide, it is difficult to thematically classify crime scene behaviors unless there is some input from the characteristics of the offender.

#### 9.5.1.2 The Victim as Target (Expressive) Theme

All of the variables in the Victim as Target (Expressive) theme reflect behaviors which were emotional and personal in origin. These emotional and personal variables all are indicative of how the offender dealt with situations and people in the past and the victim in the current homicide. This style of behaviors shows how the offender interacted with individuals in a way illustrative of the offender viewing people as deserving targets of their aggression (Richardson & May, 1998).

**Table 9.5.1: Victim as Target (Expressive) Themed Variables**

| | Offender Characteristics | Crime Scene Behaviors |
|---|---|---|
| 1 | Knew Victim | Shot |
| 2 | Hate Group Involved | Multiple Wounds Over |
| 3 | Mental Health History | Forensically Aware |
| 4 | Assault Conviction | Stabbed |
| 5 | Disorder Conviction | |
| 6 | Domestic Violence Conviction | |

In these homicides the offender targeted victims who they knew. They employed behaviors suggestive of an intention to seriously harm and/or kill the victim (i.e., shot, multiple wounds, stabbed). These offenders also engaged in behaviors designed to prevent their connection to a victim they knew and/or the scene (i.e., forensically aware offender). Offenders who kill someone they know generally have in their backgrounds behaviors, specifically ones such as domestic violence, assault, and mental health issues, which are thematically similar in that they show a willingness to injure those they know.

There also was some evidence of an association between mentally ill offenders and the killing of people they know (Salfati, 2000). These offenders' crime scene behaviors, which co-occurred with their background behaviors in the same area of the plot, all are indicative of the same Victim as Target (Expressive) theme. Since the high-frequency behaviors psychologically (they were not used in the classification) belong to the Victim as Target (Expressive) theme, these results showed that a majority of bias-motivated offenders employed at least a small core group of expressive behaviors at crime scenes and in their pasts. This showed that except for a minority of cases where there were enough specialized instrumental behaviors, bias-motivated crime – or specifically bias-motivated homicide – is essentially an expressive violence crime. Bias-motivated offenders see their victims as targets deserving of their violent intentions.

#### 9.5.1.3 The Victim as Means (Instrumental) Theme

The variables identified as belonging in the Victim as Means (Instrumental) theme reflected how the offender treated individuals as means unto an end – be it sexual or monetary. In these interactions it did not matter who the victim was so long as they represented an ideal means (see Table 9.5.2). All of these variables demonstrated the offender's focus on property – or seeing the person as property – instead of wounding the victim. The offender background characteristics dealt almost exclusively with the offenders' previous criminal record – a record focused primarily on illegally obtaining property/sex, often through force. This was consistent with the pattern found in the analyses of the offenders' background characteristics and their crime scene behaviors.

**Table 9.5.2: Victim as Means (Instrumental) Themed Variables**

| | Offender Characteristics | Crime Scene Behaviors |
|---|---|---|
| 1 | Sex Crime Conviction | Sexual Behavior |
| 2 | Fraud Conviction | Binding/Gagging |
| 3 | Robbery Conviction | Covering |
| 4 | Burglary Conviction | Strangulation |
| 5 | Unemployed | Manual Wounding |
| 6 | | Property Stolen |

One visual aspect of the plot did need further clarification. The background characteristic *sex crime conviction* was physically closer to the Victim as Target (Expressive) region even though it is a Victim as Means (Instrumental) characteristic. Its spatial location was a result of its high rate (r = .33) of co-occurrence with *history of domestic violence*, which was the variable it co-occurred with the most. SSA analysis attempts to spatially place each point in the position that best relates to its rate of co-occurrence with every other point. Therefore, since one Victim as Means (Instrumental) variable and one Victim as Target (Expressive) variable co-occurred with each other more so than with any other variables, they were plotted close together in position that visually confused their theme membership. A Mann-Whitney U-test (adj. h = 1.89, $p>.05$) found that *sex crime conviction* was not significantly associated with either theme-group of variables. This most likely was a direct result of it only occurring in three cases. A Mann-Whitney U-test found that the *history of domestic violence* variable was significantly more associated with its fellow Victim as Target (Expressive) variables than with the Victim as Means (Instrumental) variables shared by *sex crime conviction* (adj. h = 7.39, $p<.01$).

Overall, the Victim as Means (Instrumental) theme supported the study's previous results as well as the general homicide research. This analysis showed that offenders who employ this type of behavioral script are distinguished by engagement in specialized

behaviors focused on gaining something tangible (i.e., sex, money, property) as a result or by-product of violence. Contrary to Dunbar's (2003) work, which conceptualized instrumental violence and the offenders who used it as elements of planned events highly motivated by violence, these results indicated that while Victim as Means (Instrumental) offenders may have planned a crime, the planned event was focused on an ulterior aim and the violence was used as a tool to reach the primary goal. This was closer to the conceptualization of instrumental violence described by Canter et al. (2004), where the offenders viewed their victims as vehicles to achieve other aims. A small group of offenders who had a history of domestic violence and sex crime represented a unique group of offenders; however, separately, these two variables theoretically matched with their assigned themes and *domestic violence* had a statistically significant association with the theme to which it was classified.

### 9.6 Evaluating the Thematic Link between Offender Background Characteristics and Their Crime Scene Behaviors

In order to verify the conclusion based on the visual examination of the SSA plot that there is a 2-way Victim as Target (Expressive)/Victim as Means (Instrumental) facet framework of bias-motivated homicide crime scene behaviors and offender background characteristics, each of the 91 homicides in the study dataset was examined to determine whether each could be assigned to a particular theme on the basis of the variables which occurred during the homicide and in the offender's background. Every homicide was given a percentage score for each of the two themes, reflecting the proportion of total Victim as Target (Expressive) or Victim as Means (Instrumental) variables that occurred in association with that offender. Intra-theme occurrence percentage was used instead of

the raw numbers of occurrences because there were different numbers of variables in the two themes (Target = 10; Means = 11). The seven high frequency behaviors were not included in this analysis since they do not help classify behaviors because they occur in a majority of the homicides.

If a simple classification method was employed, where only the outright intra-theme percentages across the two themes were considered (see method I in Table 9.6.1), a majority of the cases fell into the Victim as Target (Expressive) group (Salfati, 2000). Based on this method just under a fifth fell into the Victim as Means (Instrumental) group and 3% were classified as hybrid because they had the same intra-theme percentage for both themes. If a more stringent classification method was employed, where a case was assigned to a theme only if it contained at least twice the percentage of intra-theme variables compared to the other theme (see method II in Table 9.6.1), 70% were classified as Target (Expressive), 16% as Means (Instrumental) and 14% as hybrids (Salfati, 2000).

**Table 9.6.1: Distribution of Cases Across Crime Scene Behaviors and Background Characteristics**

| | Target(Expressive) | Means(Instrumental) | Hybrid | Neither |
|---|---|---|---|---|
| Method I | 79% | 18% | 3% | -- |
| Method II | 70% | 16% | 14% | -- |

This classification breakdown generally mirrored the motivating bias breakdown (64% racial/ethnic versus 34% sexual orientation) of the study homicides. This trend was logical considering that most of the analyses in the overall study have shown an association between the motivating bias and the behavioral themes. Therefore, since Victim as Means (Instrumental) offenders and scenes were predominantly associated with

a sexual orientation bias, that explains why such a low percentage of the cases could be predominantly classified as Victim as Means (Instrumental). The low proportion of cases classified as Victim as Means (Instrumental) could be due to these homicides primarily being identified by very low-frequency specialized behaviors. General homicide research (Salfati, 2000) also has found that expressive crime scenes/offenders are more consistently classified than instrumental ones. That research did not find the disparity in the proportion of cases that could be classified according to theme; instead, while a greater percentage of the cases in this study (70%) were classifiable than in the Salfati study (55%), her study was able to classify almost equal proportions of expressive (30%) and instrumental (25%) cases. This suggested either that bias-motivated homicides are more expressive in nature than general homicide, or that there are other behaviors and characteristics that were not recorded for this study that would have identified more of the cases as instrumental.

Comparing the method II classification with the similar classification conducted on crime scene behaviors and background characteristics, separately, found that more cases were classifiable as having a higher percentage of variables in one theme over the other when all the variables were analyzed together. This increase was hypothesized to be the result of including offender characteristics in the plot. Bias research (McDevitt, Levin, and Bennett, 2002) and analyses in this study, have found evidence that personal motivation is so closely tied to the occurrence of bias-motivated crimes that it may be extremely difficult for them to be classified without information on the offenders. The high percentage of cases classified as hybrids is in line with thematic consistency research (Berkowitz, 1993; Block, 1977; Block et al, 2001; Cornell et al., 1996; Salfati, 2000),

which emphasizes that individuals rarely behave exclusively in agreement with a dominant theme. The high proportion of hybrid cases again supported the study's supposition that bias-motivated offenders primarily are characterized by their use of Victim as Target (Expressive) behaviors and behavioral scripts. The cases and offenders that could be classified as Victim as Means (Instrumental), therefore, formed a completely distinct group since they were so behaviorally different than the majority of bias-motivated offenders.

#### 9.6.1.2 Summary

This analysis established that a majority of cases could be classified as exhibiting either a dominant Victim as Target (Expressive) or Victim as Means (Instrumental) combined crime scene behaviors and offender background characteristics theme. This supported the merit of this classification system and highlighted that a higher percentage of cases can be classified when offender characteristics are considered. It emphasized the expressive nature of bias-motivated homicide in general, further showing that the less prevalent Victim as Means (Instrumental) were unique because of the offenders' focus on something other than violence.

Results confirmed that bias-motivated homicide is essentially an expressive crime, especially in the backgrounds of offenders. Bias-motivated offenders are marked by backgrounds where they generally aggressively interacted with people and situations, with the main distinction being whether they were doing it simply for the thrill of it and/or because they could, or to control the situation/victim to facilitate some ulterior motive. This explains why there were so many expressive-classified behaviors present in

all of these homicides, with some homicides/offenders distinguished by the presence of clearly instrumental behaviors.

## 9.7 Clarifying the Dichotomy

### *9.7.1 Testing the Classification Schema with External Variable Analyses*

In order to further test the results of the visual interpretation of the plot and the analysis of the distribution of cases across the themes, each of the crime scene behaviors was superimposed on the offender background characteristics SSA plot (Figure 8.4.1). This plot was chosen since it was able to be thematically divided, while the crime scene behavior plot had no regional thematic pattern. This allowed an examination of whether those behaviors identified as Victim as Target (Expressive) and Victim as Means (Instrumental) predominantly mapped onto background characteristics of a matching theme. This approach permitted statistical significance testing beyond rates of co-occurrence because rank-order tests could be used to determine whether individual crime scene behaviors were significantly associated with one theme of background characteristics compared to the other.

To conduct these analyses every background characteristics' rate of co-occurrence with each of the 12 crime scene behavior were plotted onto the same, but separate, background characteristic SSA plot evaluated in chapter 8. That is, every point on the external variable analyses plots is the same background characteristics in the same spatial position as presented in chapter 8. The three high-frequency background behaviors were not included in the statistical analyses because they occurred in almost all of the offender backgrounds and, therefore, do not distinguish the offenders. Visual examinations and

Mann-Whitney rank-order U-tests were used to determine if there were significant differences in the distribution of the co-occurrence rates. The external variable analyses that resulted in a significant difference will be reported in detail, while the non-significant variables will be summarized.

### *9.7.2 Weapon to the Scene*

Crime scene evidence indicating that the offender brought a weapon with them to the scene is illustrative of an offender who was planning on potentially needing to use violence, by way of the weapon, in the interaction that was about to occur (Canter et al., 2004). The crime scene behavior Weapon to the Scene, indicating that the offender used a weapon they brought with them was classified as a Victim as Target (Expressive) crime scene behavior. The external variable analysis (see Figure 9.7.1.) revealed a clear pattern and a Mann-Whitney U-test resulted in a significant difference between the two themes in the background characteristics (adj $h = 4.127$, $p<.05$). This finding was hypothesized as due to the fact that Victim as Target offenders were used to violent encounters and anticipated the need for a weapon in their interpersonal interactions. The other offenders may not have anticipated needing to use extreme force against their victims. This finding was particularly interesting given that *weapon to the scene* was a high-frequency crime scene behavior, yet it still occurred significantly more in conjunction with a particular background theme.

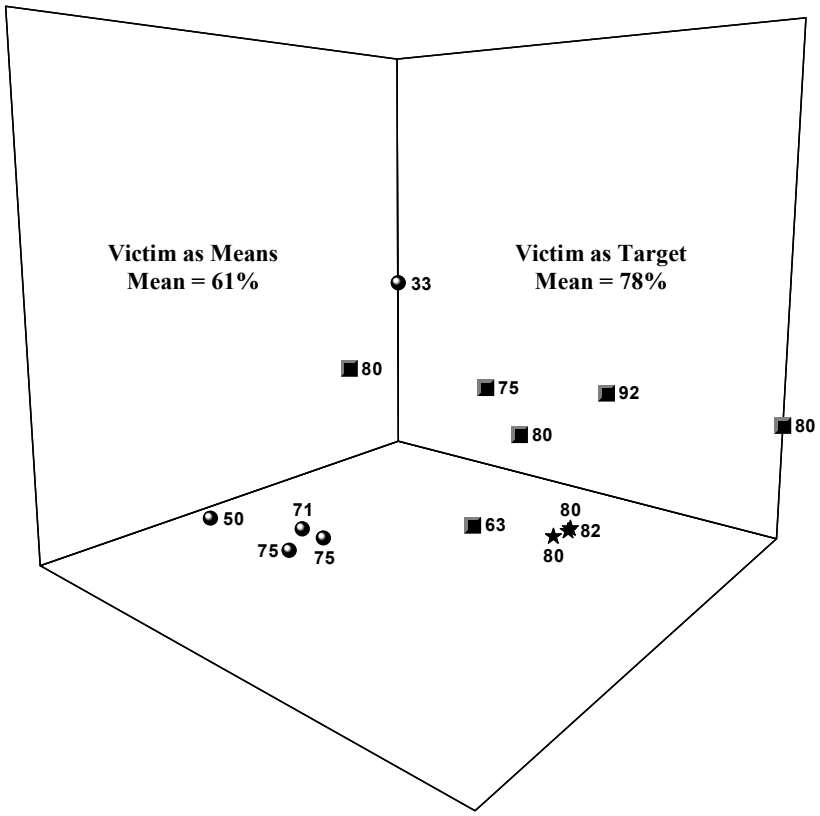



**Figure 9.7.1.: SSA of Distribution of Percent of Co-Ocurrences of "Weapon To" with Offender Background Characteristics**
**(■**, Victim as Target; ●, Victim as Means, ★, High Frequency**)**

*9.7.3 Sexual Behavior at the Crime Scene*

Research on offenders who engage in sexual behavior at crime scenes has focused on the role of that sexual behavior (Heritage, 1992; Marshall, 1989; Scully & Marolla, 1983; 1985; Salfati & Taylor, 2006). That research often has found that it is common for such behavior to be a learned behavior used to achieve and demonstrate control over the victim. In some incidents, the research also has found that the sexual behavior may be a bonus resulting from the commission of another criminal activity. The crime scene behavior *sexual behavior at the scene*, indicating that the offender engaged in sexual behavior before, during, or after killing the victim was classified as a Victim as Means

(Instrumental) crime scene behavior. The external variable analysis (see Figure 9.7.2.) revealed a clear pattern and a Mann-Whitney U-test resulted in a significant difference between the two themes in the background characteristics (adj h = 4.127, $p<.05$). This finding was hypothesized to be a result of Victim as Means offenders routinely using aggression/violence to control people in their lives so that they could obtain money/sex/status from them, and that in these cases, for whatever reason, they had to employ lethal violence.

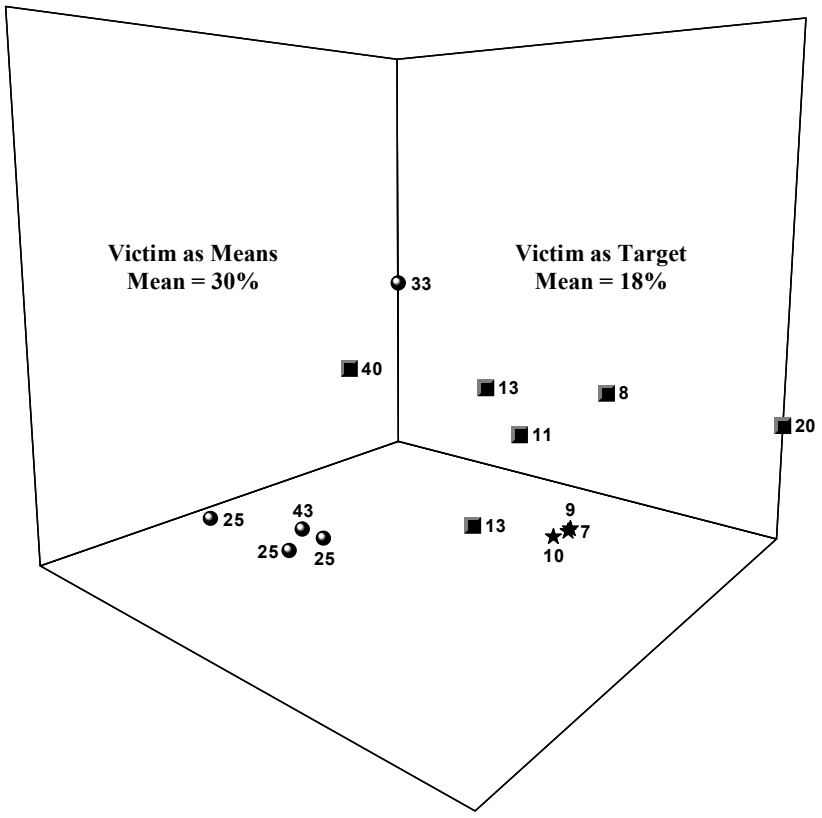



**Figure 9.7.2.: SSA of Distribution of Percent of Co-Ocurrences of "Sexual Behavior" with Offender Background Characteristics**
**(■, Victim as Target; ●, Victim as Means, ★, High Frequency)**

*9.7.4 Victim Shot*

Offenders who use a gun to kill their victims have been theorized in previous research to indicate that the offender intended to inflict death (Frtizon & Brun, 2005; Häkkänen & Laajasalo, 2006). A gun was the primary choice in expressive homicides because they often are immediately available and provide a higher likelihood of killing the victim quickly. The crime scene behavior Victim Shot, indicating that the offender killed the victim, in part or in full, by shooting them was classified as a Victim as Target (Expressive) crime scene behavior. The external variable analysis (see Figure 9.7.3.) revealed a clear pattern and a Mann-Whitney U-test resulted in a significant difference between the two themes in the background characteristics (adj $h = 4.089$, $p<.05$). This finding was indicative of Victim as Target offenders' lack of a desire to interact with the victim, given that shooting them increases the odds that they will sustain lethal injuries with minimal intimate interaction. This finding again was hypothesized to be the result of these offenders being used to violent encounters and anticipating the need for a weapon in interpersonal interactions.

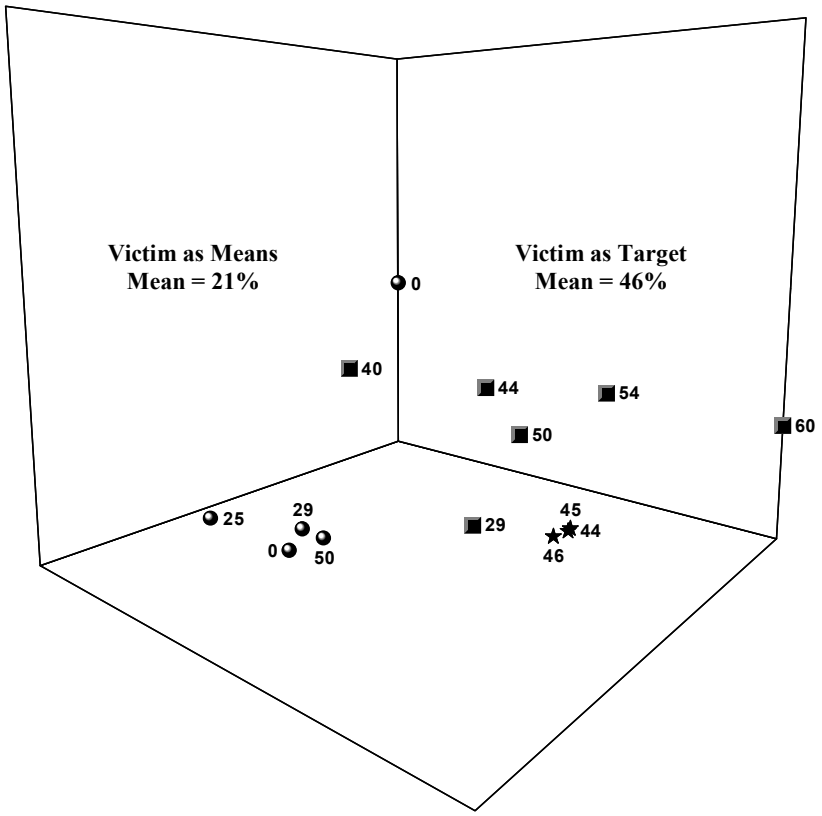



**Figure 9.7.3.: SSA of Distribution of Percent of Co-Ocurrences of "Victim Shot" with Offender Background Characteristics**
**(**■, Victim as Target; ●, Victim as Means, ★, High Frequency**)**

*9.7.5 Property Stolen from Scene/Victim*

Recent homicide research (Delisi & Scherer, 2006) has found that offenders who take property in the course of or after a homicide often have criminal backgrounds characterized by other theft-related behaviors. The crime scene behavior Property Stolen, indicating that the offender stole something of value from the scene and/or victim was classified as a Victim as Means (Instrumental) crime scene behavior. The external variable analysis (see Figure 9.7.4.) revealed a clear pattern and a Mann-Whitney U-test resulted in a significant difference between the two themes in the background characteristics (adj $h = 4.88$, $p<.05$). This finding was indicative of Victim as Means

offenders' motivation – or at least partial motivation – for their interaction with the victim to gain access to property. This finding was hypothesized as resulting from the fact that these offenders, who tended to be unemployed, typically interacted with others primarily to gain something for themselves, as evidenced by criminal histories marked by robberies, burglaries, fraud, and even sex crimes.

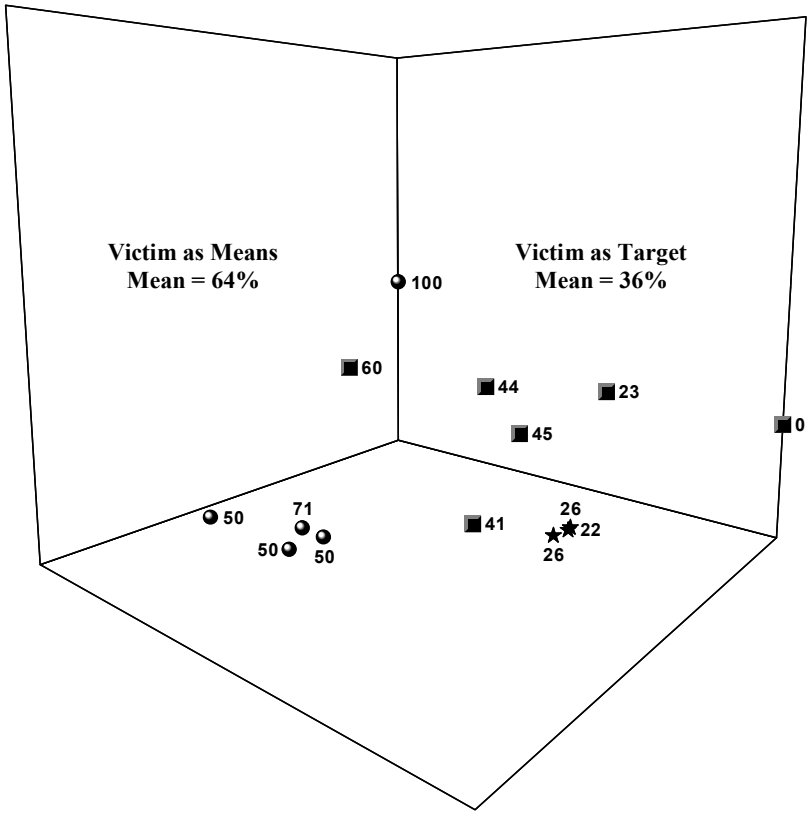



**Figure 9.7.4.: SSA of Distribution of Percent of Co-Ocurrences of "Property Stolen" with Offender Background Characteristics**
**(■, Victim as Target; ●, Victim as Means, ★, High Frequency)**

*9.7.6 The Statistically Non-Significantly Different External Variables*

Eight of the 12 crime scene behaviors examined as external variables did not result in statistically significant different distributions between the two themes of offender background characteristics. Several did have suggestive visual differences, while others did not occur frequently enough for an external variable analysis to be statistically meaningful. The results for these eight external crime scene behaviors are summarized in Table 9.7.1. The corresponding plots can be found in Appendix 3.

**Table 9.7.1: Summary of Non-Significant External Variable Analyses**

| Crime Scene Behavior | Clear Visual Pattern | Means | Test Statistic |
|---|---|---|---|
| Multiple Wounds over Body | Yes | Means = 37%<br>Target = 54% | adj. h = 0, p=1 |
| Covering Body | Yes | Means = 11%<br>Target = 6% | adj. h = .089, p>.1 |
| Body left at Scene | Yes | Means = 79%<br>Target = 85% | adj. h = .304, p>.1 |
| Forensically Aware Offender | No | Means = 32%<br>Target = 37% | adj. h = .412, p>.1 |
| Manual Wounding | No | Means = 19%<br>Target = 13% | adj. h = .142, p>.1 |
| Stabbing | No | Means = 23%<br>Target = 22% | adj. h = .076, p>.1 |
| Binding/Gagging | No | Means = 8%<br>Target = 4% | adj. h = .179, p>.1 |
| Strangulation | No | Means = 0%<br>Target = 0% | N/A |

While none of these external variable analyses resulted in significant differences, the visual examinations did suggest that *Multiple Wounds over the Body* and *Body Left at Scen*e tended to co-occur at a slightly higher rate with Victim as Target (Expressive) background characteristics. *Body Left at the Scene*, identified as a Victim as Target (Expressive) behaviors, was a high frequency variables, so it would be unusual if there had been a statistically significant pattern; however, it generally did co-occur more with same-themed background behaviors, which was the anticipated result. This was

hypothesized as due to these offenders not interacting with their homicide victims, or the victims in their past Target (Expressive) encounters, beyond what was necessary to inflict the desired violence. *Multiple Wounds over the Body*, another behavior classified as Victim as Target (Expressive), also generally had a pattern of higher co-occurrence with same-themed background behaviors. It was concluded that this was the result of these offenders typically inflicting violence for violence's sake, which often results in multiple wounding to maximize the damage. Conversely, *Covering the Body*, a behavior labeled as Victim as Means (Instrumental), generally co-occurred at a higher rate with same-themed background behaviors. This result was hypothesized as due to either these offenders having intimately interacted with the victim so they feared connection to the scene/victim if the body was discovered, or because, while these offenders had backgrounds marked by interpersonal interactions where they used deceit or some aggression to take something from their previous victims, they were not expecting to kill their current victim and felt shame over such behavior so they wished to cover what they had done.

Three crime scene behaviors had neither a visual or statistically significant pattern to their thematic rate of co-occurrence. *Stabbing*, a Victim as Target (Expressive) behavior, co-occurred almost equally across the background characteristics in the two themes, indicating that whether a victim was stabbed or not may not have any value, on its own, in linking crime scene to offender. *Manual Wounding* and *Forensically Aware Offender*, Victim as Means (Instrumental) and Victim as Target (Expressive) behaviors, co-occurred in directions where each was more associated with matching-themed background behaviors; however, the visual pattern and the statistically analyses were too

inconclusive to draw any conclusions. Two behaviors, *Strangulation* and *Binding/Gagging the Victim* occurred too infrequently to statistically work as individual external variables.

*9.7.7 Summary of External Variable Analyses*

This secondary method of verifying the thematic link between crime scene behaviors and offender background characteristics, while limited by some of the low rates of occurrence of the more specialized crime scene behaviors, provided additional evidence that this classification has merit. The patterns present in the statistically significant, as well as those only visually significant, external variable analyses illustrated connections between crime scene behavior theme and offender background characteristic theme.

The variables indicating that the offender brought a weapon to the scene, shot the victim, inflicted multiple wounds over the victim's body, and leaving the victim's body at the scene, all were classified as Victim as Target (Expressive) crime scene behaviors and they all were either significantly associated with Victim as Target (Expressive) offender background characteristics or had visual trends suggesting such an association. These connections supported previous homicide research (Canter et al., 2004; Delisi & Scherer, 2006; Salfati, 2000; 2003; 2006; Salfati & Canter, 1999; Santilla et al., 2003) showing that offenders with an expressive behavioral style in their interpersonal interactions are individuals accustomed to using or needing violence in their social interactions. These offenders engage in behaviors designed to injure their victims quickly and efficiently, and leave the scene with minimal concern about the body being discovered. These results also support existing bias crime research descriptions of a majority of bias-motivated violence, which tends to be racially- or ethnically-motivated violence (Craig, 2002;

Franklin, 2000; Harry, 1990; Ituarte, 2000). In these incidents the offenders are involved in ongoing disputes or fights with an opposing group, which escalates when someone makes a racially or ethnically charged comment. When the incidents escalate the offenders seem to make a decision to repay the insult with violence. The desire to do that violence is the primary motivation and they have little concern about getting anything else as a result of the violence (Craig, 2002; Franklin, 2000; Harry, 1990; Ituarte, 2000).

The variables indicating that the offender engaged in sexual behavior at the scene, stole property from the victim and or scene, and covered the victim's body, all were classified as Victim as Means (Instrumental) crime scene behaviors and they all were either significantly associated with Victim as Means (Instrumental) offender background characteristics or had visual trends suggesting such an association. These connections supported previous homicide research (Canter et al., 2004, Salfati, 2000; 2003; 2006; Salfati & Canter, 1999; Santilla et al., 2003) showing that offenders with an instrumental behavioral style in their interpersonal interactions are individuals accustomed to using or needing violence in their social interactions to gain access to ulterior aims either primarily or to thwart resistance.

These results also support existing bias crime research descriptions of less prevalent bias-motivated violence, which tends to be motivated by a sexual orientation bias (Craig, 2002; Franklin, 2000; Harry, 1990; Ituarte, 2000). In these incidents the offenders select their victims irrespective of their specific identity. It is the known or perceived group-membership of the victim that is important because certain groups, especially homosexuals, are believed by many bias-motivated offenders to be suitable targets because society does not universally view them as morally acceptable (Richardson &

May, 1998). These suitable targets offer easy opportunities to acquire money, property, or even status indirectly or directly through force. The violence may not have been planned and the offenders may have felt guilty afterwards because they did not intend to kill the victim so they attempt to conceal the body/scene (Craig, 2002; Franklin, 2000; Harry, 1990; Ituarte, 2000).

The main hypothesis of this study was that offenders behave similarly across situations and time; and therefore, it should be possible to connect crime scene behaviors to background behaviors/characteristics. Overall, these analyses have shown that crime scene behaviors do thematically match to background behaviors, but crime scenes considered as entire events do so much more clearly because they focus more on the individual offenders' motivations and behaviors. For the final part of clarifying the link between crime scene behaviors and background characteristics, specific offender characteristics – selected based on questions present in bias crime literature and those raised throughout the overall study – will be examined for the presence of informative trends.

### 9.8 Motivating Bias as an External Variable

There was a final external variable analysis that needed to be conducted: applying the motivating bias, as determined by the investigating officer(s), to the joint crime scene/background behavior SSA plot. This analysis was a final testing of the apparent link between behavioral theme and motivating bias detected throughout the overall study. This analysis was conducted using the same methodology, background characteristics, and SSA plot used in the previous tests. That is, every background characteristics' rate of co-occurrence with the variable indicating, in this case, whether the homicide was labeled

as motivated by a sexual orientation bias or not were plotted onto the same background characteristic SSA plot. A visual examination of the plot (see Figure 9.8.1) revealed yet another clear distribution of the variables between the two motivating bias groups, with the same thematic connection: sexual orientation bias maps onto Victim as Target (Expressive) and racial/ethnic bias maps onto Victim as Means (Instrumental). A Mann-Whitney U-test failed to find a significant difference between the two themes (adj. h = 1.66, p>.05).

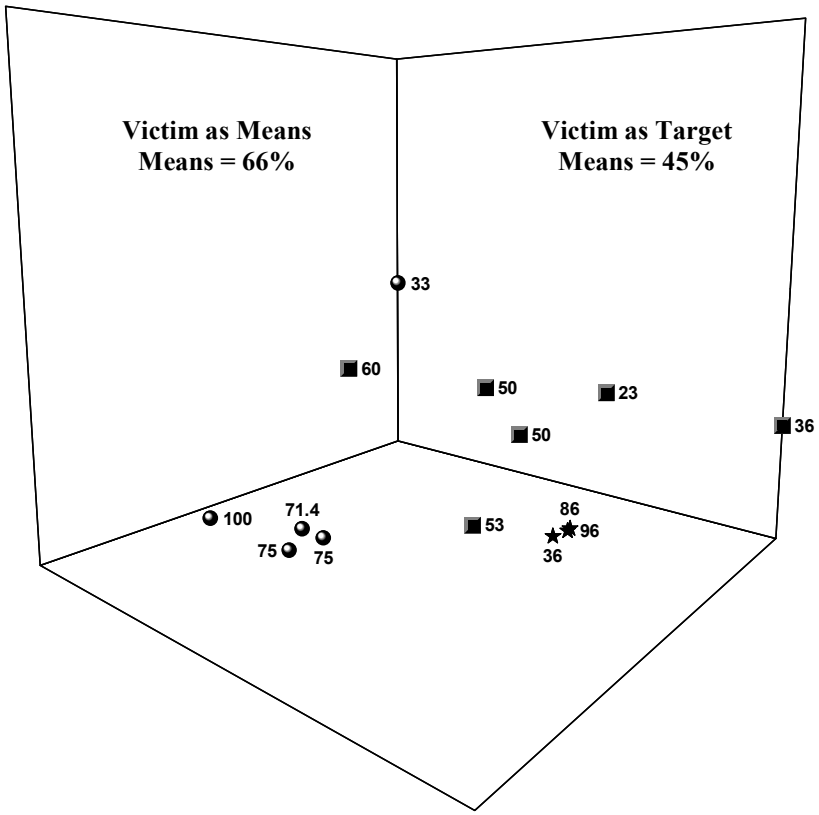



**Figure 9.8.1.: SSA of Distribution of Co-Occurrences of Motivating Bias with Offender Background Characteristics and Crime Scene Behaviors**
**(■, Victim as Target; ●, Victim as Means, ★, High Frequency)**

While the difference in association was not large enough to be significant, the trend found in this analysis supported both previous results of analyses of the association of behavioral theme with motivating bias in this study and associations suggested in other research. Bias crime researchers have consistently suggested, and sometimes found evidence of, a difference in the reason why personal bias is expressed violently (Craig, 2002; Dunbar, 2003; Franklin, 2000; Harry, 1990; Ituarte, 2000). Offenders motivated by a sexual orientation bias often committed their violence crimes in conjunction with other theft-oriented crimes (Means/Instrumental). If not attempting to gain property, these offenders then were likely to be trying to improve the perception of their masculinity among their peers either by taking the masculinity of another person (sexually) or through the act of controlling someone. Offenders motivated by a racial/ethnic bias committed their crimes against specific individuals, most often in retaliation or simply for the thrill of hunting members of an out-group (Ituarte, 2000; Richardson & May, 1998).

Qualitative data from the case files showed that for offenders motivated by a sexual orientation bias their bias guided the selection of suitable targets. Namely, those they thought would not fight back, would not report it, or would not receive sympathy from society (Richardson & May, 1998). Legal proceedings surrounding on-going bias-crime prosecutions recently have seen the rise of the argument that some offenders were not motivated by bias, but by the suitability of the target (Brick, 2007). These results suggest that their bias about the type of victim was connected to how they committed the crime, which supports the definition of bias crime as any crime motivated in part, or in full, by bias against the individuals known or perceived group membership (FBI, 2006).

### 9.9 Highlighting the Influence of Key Characteristics

Five offender characteristics (i.e., history of anti-social behavior, hate group involvement, sex crime conviction, mental health history, and knowing the victim), were chosen to be examined to determine if they were key organizing factors in understanding who commits these crimes and how they commit them. These particular characteristics were chosen based on questions/trends present in bias crime and in response to questions raised throughout this study, which suggest that these characteristics often define bias-motivated crime.

With research (Abrams, 2002; Franklin, 2000; Harry, 1990) consistently finding that many bias-motivated offenders commit their crimes because they seek an easy thrill against powerless groups, or because they see victimization/intimidation of out-groups as socially acceptable, individuals with a history of anti-social behavior were specifically examined.

The role of organized hate groups, commonly believed to be minimal in bias crimes (Levin & McDevitt, 1993; McDevitt, Levin, & Bennett, 2002), was unusually prevalent in these bias-motivated homicides, so those incidents where there was evidence that the offender was hate group-involved also were examined. Homicide literature (Block et al., 2000; Burgess, Hartman, Ressler, Douglas & McCormick, 1986; Canter, 1994; Canter et al., 2004; Prentky, Wolbert, Burgess, & Rokous, 1989; Salfati, 2000; Salfati & Canter, 1999; Santilla et al., 2001) holds that homicide often has a sexual element in its motivation and the behaviors the offenders engage in at the crime scene. Bias-crime research, however, finds a limited role of sexual behavior in such incidents (Franklin, 2000); therefore, while there was both a limited number of offenders with sexual

conviction backgrounds and crime scenes with evidence of sexual behavior, there was still an interest in understanding the behaviors of those offenders who previously, or in the study homicide, engaged in criminal sexual behavior.

Specifically examining offenders with a mental health history was hypothesized to shed light on the role of those offenders who believed they were on a "mission from god" to rid the world of evil (Levin & McDevitt, 1993; McDevitt, Levin & Bennett, 2002). Given that national statistics (Decker, 1993; FBI, 2006; Fox & Leicht, 2005; Moskowitz, Laraque, Doucette & Shelov, 2005) show that most homicides occur between known individuals, while bias-crime research (Bufkin, 1999; Comstock, 1991 Craig, 2002; Franklin, 2000; Ituarte, 2000) and the data in this study show (section 3.1.11) that bias-motivated violence and homicide occur almost exclusively between unknown parties, those incidents that did involve individuals who knew each other are particularly interesting.

To investigate the role that these characteristics played in terms of what crime scene behaviors and background characteristics tended to be associated more with some of them than others, each of the 5 just discussed variables were compared against 32 other behaviors and characteristics in cross-tabulations (see Table 9.9.1). The selection of variables was restricted to those that were recorded as present or not-present in at least 80% of the cases. Even with this restriction most of the behaviors occurred too infrequently for significance testing to be applicable, but where it was possible those results were reported. In Table 9.9.1 any cross-tabulation cell where the two variables were the same or tautologically related was left blank because there would have been no meaning to a high-rate of co-occurrence.

**Table 9.9.1: Cross-tabulations of Key Offender Characteristics and Crime Scene Behaviors**

| Variable/Behavior (N=) | | Anti-social (N=68) | Hate Group (N=13) | Sex Conviction (N=3) | Knew Victim (N=32) | Mental Health (N=5) |
|---|---|---|---|---|---|---|
| **Knew Victim** (32) | % NO | 64.7 | 69.2 | 38.2 | | 100 |
| | % YES | 35.3 | 30.8 | 61.8 | | 0 |
| **Same Scene** (77) | % NO | 13.2 | 15.4 | 0 | 12.5 | 20 |
| | % YES | 86.8 | 84.6 | 100 | 87.5 | 80 |
| **Property Stolen** (23) | % NO | 77.9 | 76.9 | 0 | 59.4 | 100 |
| | % YES | 22.1 | 23.1 | 100 | 40.6 | 0 |
| **Weapon To** (73) | % NO | 17.6 | 7.7 | 66.7 | 37.5 | 20 |
| | % YES | 82.4 | 92.3 | 33.3 | 62.5 | 80 |
| **Manual Wounding** (21) | % NO | 75 | 69.2 | 66.7 | 75 | 100 |
| | % YES | 25 | 30.8 | 33.3 | 25 | 0 |
| **Stabbing** (22) | % NO | 73.5 | 69.2 | 66.7 | 68.8 | 100 |
| | % YES | 26.5 | 30.8 | 33.3 | 31.3 | 0 |
| **Covering** (6) | % NO | 95.6 | 100 | 100 | 9.4 | 100 |
| | % YES | 4.4 | 0 | 0 | 90.6 | 0 |
| **Shot** (42) | % NO | 55.9 | 46.2 | 100 | 76.1 | 40 |
| | % YES | 44.1 | 63.8 | 0 | 21.9 | 60 |
| **Bound** (4) | % NO | 94.1 | 100 | 100 | 93.6 | 80 |
| | % YES | 5.9 | 0 | 0 | 6.3 | 20 |
| **Forensically Aware** (16) | % NO | 79.4 | 46.2 | 33.3 | 71.9 | 100 |
| | % YES | 20.6 | 53.8 | 66.7 | 28.1 | 0 |
| **Multiple Wounds Over** (29) | % NO | 67.6 | 61.5 | 33.3 | 65.6 | 60 |
| | % YES | 32.4 | 38.5 | 66.7 | 34.4 | 40 |
| **Spent Time at Scene** (3) | % NO | 83.3 | 92.3 | 33.3 | 67.7 | 80 |
| | % YES | 16.7 | 7.7 | 66.7 | 32.3 | 20 |
| **Alcohol Before** (14) | % NO | 20 | 50 | 33.3 | 30.8 | 100 |
| | % YES | 80 | 50 | 66.7 | 69.2 | 0 |
| **Drugs Before** (10) | % NO | 25 | 66.7 | 100 | 65 | 80 |
| | % YES | 75 | 33.3 | 0 | 35 | 20 |
| **Argument Before** (12) | % NO | 16.7 | 84.6 | 66.7 | 32.3 | 80 |
| | % YES | 83.3 | 15.4 | 33.3 | 67.7 | 20 |
| **Fight Before** (9) | % NO | 50 | 100 | 100 | 74.2 | 80 |
| | % YES | 50 | 0 | 0 | 25.8 | 20 |
| **Suicide** (4) | % NO | 83.3 | 84.6 | 100 | 93.5 | 60 |
| | % YES | 16.7 | 15.4 | 0 | 6.5 | 40 |
| **Re-visit Scene** (2) | % NO | 83.3 | 92.3 | 100 | 93.5 | 100 |
| | % YES | 16.7 | 7.7 | 0 | 6.5 | 0 |
| **Lured Victim** (3) | % NO | 83.3 | 76.9 | 66.7 | 75 | 100 |
| | % YES | 16.7 | 23.1 | 33.3 | 25 | 0 |
| **Bragged** (9) | % NO | 83.3 | 69.2 | 66.7 | 78.1 | 100 |
| | % YES | 16.7 | 30.8 | 33.3 | 21.9 | 0 |
| **Post-Mortem Treatment** (4) | % NO | 100 | 84.6 | 66.7 | 81.3 | 80 |
| | % YES | 0 | 15.4 | 33.3 | 18.8 | 20 |
| **Preparatory Action** (3) | % NO | 100 | 84.6 | 66.7 | 78.1 | 100 |
| | % YES | 0 | 15.4 | 33.3 | 21.9 | 0 |

| Variable/Behavior (N=) | | **Anti-social** (N=68) | **Hate Group** (N=13) | **Sex Conviction** (N=3) | **Knew Victim** (N=32) | **Mental Health** (N=5) |
|---|---|---|---|---|---|---|
| **Bias Comment** (63) | % NO | 11.9 | 0 | 50 | 13.3 | 0 |
| | % YES | 88.1 | 100 | 50 | 86.7 | 100 |
| **Bias Drawing** (4) | % NO | 94.1 | 84.6 | 100 | 100 | 80 |
| | % YES | 5.9 | 15.4 | 0 | 0 | 20 |
| **Bias Symbol or Object** (2) | % NO | 98.5 | 92.3 | 100 | 100 | 80 |
| | % YES | 1.5 | 7.7 | 0 | 0 | 20 |
| **Prior Conviction** (38) | % NO | 42.9 | 50 | | 36.7 | 40 |
| | % YES | 57.1 | 50 | | 63.3 | 60 |
| **Bias** (91) | R/E | 66.2 | 76.9 | 66.7 | 43.8 | 80 |
| | SO | 33.8 | 23.1 | 33.3 | 56.3 | 20 |
| **Offender Age** | NO | 26 | 27 | 27 | 26 | 25** |
| | YES | 31 | 24 | 23 | 27 | 42** |
| **Anti-Social** (68) | % NO | | 7.7 | 66.7 | 22.6 | 60 |
| | % YES | | 92.3 | 33.3 | 77.4 | 40 |
| **Mental Health** (5) | % NO | 90.6 | 85.7 | 100 | 92.3 | |
| | % YES | 9.4 | 14.3 | 0 | 7.7 | |
| **Hate Group** (13) | % NO | 82.1 | | 100 | 87.5 | 80 |
| | % YES | 17.9 | | 0 | 12.5 | 20 |
| **Sex Conviction** (3) | % NO | 98.2 | 100 | | 89.7 | 100 |
| | % YES | 1.8 | 0 | | 10.3 | 0 |
| ** = p<.05 (t (37) = -3.509) | | | | | | |

The rate of co-occurrence with each behavior across the 5 background behaviors was visually examined for the presence of any suggested trends in which of the background behaviors co-occurred more or less with a behavior than the other remaining behaviors or characteristics. Specific crosstabs that stood out as unique were highlighted in Table 9.7.1. One comparison – the average age of offenders who either did or did not have a mental health history – resulted in a significant ($t(37) = -3.509$, $p<.05$) difference, with offenders with a history of mental health issues being significantly older (42 versus 25). This was not surprising given the comparatively late onset of many mental health issues, as well as the trend of most normal offenders aging out of crime by their forties. Summaries of the highlighted trends are discussed in the next section.

*9.9.2 Trend Summaries*

Unless specifically indicated to be a significant association or difference, all of the following trends were not significant and were only suggestive.

9.9.2.1 History of Anti-Social Behavior

There were 68 primary offenders (75%) who had a history of anti-social behavior noted in the investigation case file for their homicide. These offenders tended to be much more likely to have been using drugs (75%) and/or alcohol (80%) before the commission of the homicide. Additionally, these offenders were more likely to have been in a verbal argument (83%) with their eventual victim before killing them. Anti-social offenders were almost twice as likely to have killed because of a racial bias (66.2%) than because of a sexual orientation bias (33.8%). These offenders also were characterized by their complete lack of engagement in preparatory actions (i.e., cutting phone lines, disabling security systems, leaving doors unlocked) before the homicide as well as any post-mortem treatment of the victim's body.

These findings paint a picture of anti-social offenders as individuals who, because of alcohol, drugs, a fight, or an argument – all anti-social activities of a sort – got out of control and killed their victims in an unplanned manner. This picture matches the qualitative data available in the case files, which indicated that many (46%) of these homicides were minor turf battles or on-going feuds between groups that spiraled out of control when a racially-biased statement was made that angered one or both parties beyond the bounds of the existing altercation. These were not planned killings; rather,

they were spur of the moment, explosions of rage amplified by alcohol, drugs, and racial tension.

#### 9.9.2.2 Hate-Group Involved Offender

Bias research consistently has stated that organized hate groups are not involved often in bias-motivated crimes and violence (Herek & Berrill, 1992; Levin & McDevitt, 2002). Furthermore, bias crime research has shown that organized hate groups primarily are organized around principles advocating the inferiority of non-Whites and non-Christians (Green, McFalls & Smith, 2001). These groups lead to behavior that often is the result of peer-pressure and group conformity. There were 13 (14%) primary offenders identified as involved with an organized hate group. These offenders, as opposed to the anti-social offenders, were not uniquely using drugs (33%) or alcohol (50%) before their homicides, nor did they tend to have engaged their victim in an argument (15.4%) or fight (0%) beforehand. Instead, offenders who were involved with an organized hate group were the most likely to have brought a weapon with them to the homicide scene (92.3%). More so than the other 4 groups being examined, the weapon they brought with them was a gun (62.8%). Hate group offenders were less likely to spend time at the crime scene after the homicide (7.7%), but they were more likely to attempt to minimize the forensic evidence they left behind (53.8%). Finally, these offenders, who were more likely to express their bias by making bias-related comments (100%), were more than twice as likely to be motivated by a racial bias (76.9%) than by a sexual orientation bias (23.1%). This supports the bias research indicating that these groups primarily target non-Whites (Green, McFalls & Smith, 2001).

Hate group-involved offenders are described here as individuals who were of primarily clear minds when they decided to violently offend against members of a particular racial group. There is little evidence that these were offenses of chance; rather, these offenders appeared to have planned on violently victimizing someone since they were the most likely to have brought a weapon – specifically a gun – the scene, and then had the wherewithal to try to ensure that they could not forensically be connected to the crime.

#### 9.9.2.3 Offenders with a Prior Sex Crime Conviction

There were only 3 offenders who had a prior sex crime conviction. While this is a small number that makes reporting trends spurious at best, some interesting associations were discovered. These offenders were the only ones of the 5 groups discussed here who were more likely than not to have known their victims (38%). They always left the body at the scene of the homicide (100%) and they always stole something from the scene or victim (100%). These offenders were the least likely to have brought a weapon with them to the scene (33%), and they were the only ones that never used a gun (0%). They also were the least likely to have used drugs before the homicide (0%), to commit suicide after the homicide (0%), or to revisit the scene (0%). These offenders were the most likely to have lured their victim to a secluded/private area (67%), to be forensically aware (67%), inflict multiple wounds over their victim's body (67%), , and engage in post-mortem treatment of the body (33%). None of these offenders had a history of mental health issues (0%) or involvement with organized hate groups (0%).

These 3 offenders, while obviously not a large enough group to be representative of offenders with sex crime backgrounds, do illustrate commonly hypothesized trends about the interpersonal interactions of individuals driven by a sexual motivation. Both homicide

and sex crime research have found a consistent connection between sexual activity and stealing/theft (Coid, Hickey, Kahtan, Zhang & Yang, 2007; Lussier, Proulx & LeBlanc, 2005; Salfati, 2000). There is some psychological research (Myers, Husted, Safarik & Toole, 2006; Rice, Harris, Lang & Cormier, 2006) that suggests that inflicting multiple wounds (often penetrating knife wounds) over the body can be seen as a form of penetration analogous to sex. Overall, these offenders can be described as individuals who viewed their victim as opportunities to gain sexual gratification and/or material gain and decided to lure their victims to locations where it would be easier to accomplish that goal.

#### 9.9.2.4 Offenders Who Knew Their Victims

There were 32 primary offenders (35%) who knew their victims prior to killing them. Offenders who knew their victims were likely to take property from them or from the crime scene (41%). They were one of the least likely groups of offenders to bring a weapon with them to the crime scene (63%). They were the offenders most likely to cover the body after the homicide (91%), to have been motivated by a sexual orientation bias (56%). These offenders also were more likely than three of the other four examined groups to have had a verbal argument with the victim prior to the homicide (68%).

Offenders who knew their victims are described here as individuals who had criminal histories characterized by theft-related crimes and/or sexual offenses. In these homicides they argued with the person they knew before homicide, but did not have a weapon with them, which indicates that they did not come prepared to use a weapon on their victim. They covered the victim, either because they feared being connected to the murder of someone they knew and wanted to prevent the discovery of the body, or because of

shame they felt having killed someone – especially someone they knew. It was hypothesized that these offenders were the most likely to be motivated by a sexual orientation bias because offenders who knew their victims were most likely to know that a person was homo- or bi-sexual given that, unlike race or ethnicity, it is not always possible to visually ascertain the sexual orientation of a stranger.

#### 9.9.2.5 Offenders with a History of Mental Health Issues

There were five primary offenders (6%) who had a history of mental health issues. This, again, was a small group of offenders. None of these offenders knew their victims (0%). None of them stole property (0%), stabbed the victim (0%), consumed alcohol before (0%), re-visited the scene (0%), lured the victim (0%), bragged about the homicide (0%), or engaged in preparatory actions (0%). They were the second most likely group of offenders to shoot their victims (60%). They were the most likely offenders to have bound their victim prior to the homicide (20%), to attempt to commit or commit suicide after the homicide (40%), make a bias-related comment during the homicide (100%), and either use during or leave after the homicide a bias-related drawing (20%) or bias-related symbol (20%). As noted earlier, they also were significantly older than offenders without a mental health history (42 years old versus 25; $t(37) = 3.509$, $p<.05$).

These trends paint a picture of offenders with a mental health history as individuals who killed unknown victims. Bias played a significant role compared to the other types of offenders, as evidenced by the high prevalence of bias-related comments, drawing, and objects. This bias may have been exacerbated by the mental health issues. After they killed their victim they attempted to or committed suicide. The suicide either could have been because they could not handle their emotional reaction to their crime or to avoid

official punishment (Dawson, 2005). Offenders who commit suicide post-homicide have been found to have engaged in more premeditation and usually knew their victims (Dawson, 2005). In this small group the offenders were more likely than most of the other groups to have come prepared for violence (i.e., they brought a gun to the scene); however, none of them knew their victims. It is possible that the involvement of a bias in these homicides differentiates them from the research on intimate partner homicide, which shows that these are the most likely homicides to be followed by suicides (Dawson, 2005). This description of these offenders is in line with the general description of bias-motivated offenders who feel that they are on a mission from a high power to rid the world of evil groups/people (Levin & McDevitt, 1993; McDevitt, Levin & Bennett, 2002).

**9.10 Study Summary**

This study resulted in evidence supporting the hypothesis that bias-motivated homicide offenders demonstrate behavioral consistency between how they interact with their victims at crime scenes and how they interacted with situations and people in their pasts. This finding showed that offenders who demonstrate a specific behavioral theme at a bias-motivated crime scene can have their background characteristics profiled, at a rate better than chance, solely on an analysis of the objective, observable crime scene behaviors.

It is important to note that in this study, and throughout the overall study, one of the resounding conclusions has been that bias-motivated homicides, in general, are expressive acts committed against victims seen as targets deserving to be injured or killed because of the offender's perception of them as lesser beings, which is an outgrowth of

the offender's bias. As such, these homicides consist primarily of behaviors that can be classified as Victim as Target (Expressive). That is, all of the high frequency variables (both crime scene behaviors and background characteristics), which described the core characteristics of bias-motivated homicides, are classified in the literature, and were identified as such throughout the overall study, as examples of expressive violence; therefore, they fell into the Victim as Target (Expressive) theme. The fact that the highest-frequency variables so distinctly co-occurred in the Victim as Target (Expressive) region in the crime scene, background characteristics, and crime scene behavior/background characteristics combined SSA plots, indicated that while most of the homicides shared these behaviors, they were shared more by similarly themed homicides. Again, the opposing theme, Victim as Means (Instrumental) was differentiated by the presence of much less frequent, specialized behaviors and background characteristics illustrating the offender's focus on using the victim to gain property, sex, or the sense of control, as well as by a lesser rate of co-occurrence with the high-frequency, Victim as Target (Expressive) variables.

This examination of crime scene behaviors and background characteristics together supported the finding of the other previous sub-studies that the motivating bias is linked to specific behavioral themes. Offenders with crime scene and background characteristic behavioral themes identified as Victim as Means (Instrumental) were predominantly associated with homicides motivated by a sexual orientation bias. Conversely, offenders with crime scene and background behavioral themes identified as Victim as Target (Expressive) were predominantly associated with homicide motivated by a racial/ethnic bias. These associations match the theoretical work (Comstock, 1991; Franklin, 1998;

Harry, 1990; Medoff, 1999) present in the literature, which hypothesizes that many bias-crime offenders motivated by a sexual orientation bias chose their victims because they feel they represent easy targets. These easy targets provide the perfect opportunity to rob for material gain, to assault for peer/group status, or even to sexually assault to emasculate someone they view as being less-male while proving their masculinity through their control of the victim (Comstock, 1991; Franklin, 1998; Harry, 1990; Medoff, 1999). The literature also holds that racial/ethnic bias-motivated offenders commit their crimes to send a message to the other group, to defend turf against the encroachment of a new group, or just for the thrill of victimizing someone who they feel deserves it because of their group membership (Franklin, 2000; Harry, 1990; Ituarte, 2000).

The examination of several key grouping offender characteristics affirmed some interesting aspects of the bias crime literature. Hate group-involved offenders were found to be focused on and having planned to severely injure their usually unknown victims. Their crimes were marked by a more overt use of bias-related speech and symbols, and they were much more focused on differences in race/ethnicity than in sexual orientation. All of these characteristics support the descriptions of hate group members in the bias literature (Herek & Berrill, 1992). Offenders with a mental health history also made particular use of bias-related speech, symbols, and objects before, during, and after their homicides; however, they were predominantly focused on differences in sexual orientation. This is in line with descriptions in the literature of offenders who feel they are on a mission from god to cleanse the earth of evil (Levin & McDevitt, 1993; McDevitt, Levin & Bennett, 2002).

Overall, this final sub-study positively confirmed both the overriding research questions – can crime scene behaviors be used to identify both the characteristics of potential offenders and as the bias-motivation driving that offender – as well as several trends present in the bias crime and homicide literature. This study, in relation to offender profiling, confirmed the hypothesis that had been generated based on the results of chapters 5 through 8; namely, that because bias-motivated homicide, by definition involves a specific offender motivation, there is no straightforward A→C profiling equation. Instead, the closest approximation would be an A↔C equation, where some characteristics of the offender are required to classify the crime scene behaviors. The equation only maintains its one-way nature when some of the core expressive behaviors are not present and, instead, are replaced by more specialized instrumental behaviors. These instrumental behaviors, as demonstrated in this study, clearly differentiate a crime scene as Victim as Means (Instrumental) in nature, thus allowing certain aspects of the offender's background to reliably be predicted. These results also confirmed that bias-motivated homicide primarily is an expressive act committed by offenders who have histories characterized by other displays of expressive violence. These offenders were not engaging in random, spontaneous acts of expressive violence; rather, they were employing existing social scripts where violence had successfully dealt with feelings of personal insult/shame resulting from arguments, fights, or racial/ethnic slurs.

# CHAPTER 10: DISCUSSION AND CONCLUSIONS

## 10 INTRODUCTION

This study was guided by the psychological principle that homicide is a violent form of interpersonal interaction (Block, 1977; Salfati, 2000; Silverman & Mukherjee, 1987). It should therefore be possible to behaviorally link the behavioral theme of the interpersonal interaction that occurred during a homicide to the behavioral themes exhibited by possible offenders in their past interpersonal criminal and non-criminal interactions. It has been proposed by homicide researchers (Canter et al., 2004; Häkkänen & Laajasalo, 2006; Salfati, 2000; 2003; 2006; Salfati & Canter, 1999; Santilla et al., 2003) that there is an Expressive/Instrumental thematic split in homicide crime scene behaviors and offender background characteristics. This Expressive/Instrumental divide found some support in this study, but there also was support for a redefining of this split into one more focused on the role that the victim played for the offender during the homicide. Throughout the behavioral analyses of the bias-motivated homicides, the study also produced behavior-based results, which both confirmed and advanced what is known about bias-motivated violence and those who commit it.

The current work first systematically analyzed the characteristics of the offenders, victims, and scenes involved in over two-thirds of all bias-motivated homicides reported to the FBI between 1991 and 2002. Next, bi-variate comparisons of homicides determined by investigators to be motivated by different biases were conducted. These comparisons were followed by multidimensional scaling analyses testing existing bias crime and homicide classification systems. The results of the classification systems tests lead to refining the applicability of the Expressive/Instrumental classification system.

Together, these analyses provided further evidence that bias-motivated homicide is a unique type of crime that has a specific set of offenders, victims, and crime scene dynamics, all deserving specific study. Combined with the methodological and theoretical advances in relation to the study of homicide, the bias-related results produced in this study support the idea that these homicides are committed for two different reasons: injuring/killing a specific victim and using a type of victim to achieve ulterior aims. All of these results are explored in more depth below as responses to the study research questions.

## 10.1 Summary of Analytic Results

### *10.1.1 Are Bias-motivated Homicides a Unique Form of Violence?*

Overall, bias-motivated homicides were shown to be a unique form of violence when compared to general homicide and non-lethal bias-motivated violence (chapter 3). Bias-motivated offenders were found to be significantly younger (average of 25) than general homicide offenders (average of 28) and slightly younger than non-lethal bias-motivated offenders (80-90% between the ages of 25 and 30). Across all three groups the majority of offenders were White, except for general homicide offenders who were the most likely to also involve non-White offenders. General homicide offenders had criminal justice histories, while bias-motivated non-lethal violence and homicide offenders had very limited criminal justice backgrounds. Bias-motivated homicide offenders targeted smaller groups of victims (1-2 individuals) than either general homicide offenders (2-3 individuals) or bias-motivated non-lethal offenders (2-3 individuals). Bias-motivated homicide offenders were the only group that were likely to have some involvement in organized hate groups and they were the only group to frequently exhibit wounding that

could be considered overkill (Bufkin, 1999). Bias-motivated homicide offenders also were less likely to have taken drugs prior to the violent incident. Finally, bias-motivated homicide offenders were the most likely to target older, unknown offenders.

Routinely, when researchers, as well as commentators, discuss homicide, fear of such crime is dismissed by the finding that most of these crimes occur between people who know each other – often as crimes of passion (Gillis, 1986). In the homicides in this dataset, a majority of the victims had never met their offender – an offender who until this homicide had not committed violent crimes. This resulted in a number of homicides where there was no connection between the offender and victim. The remaining work in this study is important because an empirically-validated profiling process would assist investigators in cases where there was little to no evidence on which to base initial avenues of investigation.

### *10.1.2 Are Homicides Motivated by Different Biases Distinguishable?*

The results of the analysis of a multitude of offender, victim, and crime scene characteristics supported the supposition that homicides motivated by either a racial or ethnic bias would not be significantly different. The hypothesis was that in real world situations offenders rarely have knowledge of a person's ethnicity so they do not distinguish between someone's visual appearance and their ethnicity was supported. Based on this finding the two groups were collapsed and compared against homicides motivated by a sexual orientation bias to establish differences between homicides motivated by difference biases. These comparisons found a number of significant differences between homicides motivated by the two different bias groups. Establishing these differences value added to the field because such analyses had never been

conducted. These differences also highlighted factors that were examined in subsequent analyses.

The comparisons of offender characteristics and crime scene behaviors between the two groups of motivating biases revealed that offenders motivated by a sexual orientation bias were almost exclusively White males. They were more likely to have violent criminal histories; personal histories marked by experiencing sexual, physical, and/or emotional abuse; and, were more prone to claiming that the motivation for the homicide was either financial or a defensive response to something the victim did to them. As a group these offender-related differences suggested that those motivated by a sexual orientation bias were more likely to be individuals not unfamiliar with violence and using violence in their daily social interactions. They were offenders who had used aggression as a response to real or perceived aggression or to accomplish other goals – primarily financial ones. The victim comparisons in this study found that a greater number of victims were targeted because of a racial/ethnic bias. Offenders motivated by a sexual orientation bias were more likely to sexually interact with their victims, to use a knife instead of a firearm, to inflict multiple wounds, to injure their victims' faces, and to engage in post-mortem treatments (i.e., staging the crime scene and covering, burying, or moving the body).

The crime scene behavior differences all supported the theoretical and trend research, which has suggested that sexual orientation bias-motivated offenders are more likely to intensely injure their victims, in close quarters, to send a message to the victim's out group, or to teach the victim a lesson if they did not die (Richardson & May, 1999; Rothchild, 1997; Van de Ven et al., 1996). These offenders are free to inflict multiple

wounds, often at the level of overkill, because they view their victims as impersonal objects, who are less than human (Same & Tomsen, 1997). The finding that offenders motivated by a sexual orientation bias were more likely (29% v. 4%) to have engaged their victims sexually finds little grounding in bias research. There are some suggestions that sexual orientation bias crimes are attempts to prove masculinity, but such research has found it to not be sexual in nature (Bufkin, 1999). It is possible that in the crimes where there was sexual behavior, that the offenders sought to dominate another male in the ultimate attempt to be the top man – a theory that is often connected to prison rape (Man & Cronan, 2001). Altogether, the differences reflected in these comparisons suggested that offenders motivated by a sexual orientation bias more intimately interact with their victims before, during, and after the violent encounter, while the racial/ethnic bias-motivated offenders exhibited behaviors characteristic of an intention to quickly kill the victim and move on.

Overall, the bi-variate comparisons helped to establish, for the first time, simple, straightforward profiles of homicides motivated by different biases. The key contrasts implied that homicides motivated by sexual orientation bias involved offenders who were more deliberate and interacted more closely with their victims. Racial/ethnic bias-motivated offenders were spontaneous, reactionary, and impersonal. With these initial differences in hand, the more complete multidimensional scaling analyses were approached in better context. This context ensured that the input of variables would not be based solely on making tenuous connections among non-bias motivated homicide research, non-homicide bias crime research, and the data present in this study.

### *10.1.3 Do Existing Bias and Homicide Classification Schemes Classify these Homicides?*

The first step in this study toward developing a behavior-based classification system for bias-motivated homicides was to determine whether or not the primary existing bias-crime classification was capable of exclusively classifying bias-motivated homicides based on observable crime scene behaviors. To conduct this examination the McDevitt, Levin and Bennett (2002) revised bias-crime typology was subjected to a SSA analysis. This analysis, in general, indicated that the classification system, as interpreted, consisted mainly of high frequency crime scene characteristics which cannot be used to distinguish between offenses because they were not mutually exclusive across the proposed types. Overall, the SSA analysis revealed a primary thematic divide between homicides where the behaviors primarily exhibited a need for thrill of aggression/violence versus those focused on restoring a sense of self by retaliating against those who had previously offended against the homicide offender. However, this divide was muddled by overlapping thematic regions that could best be characterized as offenders on a mission or those who felt they were defending their neighborhood from an encroaching out-group.

In general, the MDS testing of the McDevitt, Levin and Bennett (2002) typology stressed the strengths and weaknesses of a behavioral interpretation of their motivational conceptualization of bias-motivated crimes. While they were the first researchers to attempt to move the classification of the motivations of different bias-motivated crimes beyond the sources of the bias alone, their classification system was limited – in relation to behavioral profiling – by the high percentage of behavioral variables that were

associated with multiple motivations. Even with the general lack of exclusivity, there was evidence supporting a distinction between thrill and retaliation bias-motivated homicides. This dichotomy, however, should not have been, and was not in this study, taken at face value. The presence of the two other subgroups – defensive and mission – resulted in too much uncertainty to declare this regional subdivision the main behavioral differentiation of bias-motivation homicides. The next step of the analysis was the application of one of the main behavior-based homicide classification schemas to the study data. This was a necessary step because while the bias-crime typology identified a potential behavioral dichotomy, it was based on a set of non-exclusive behaviors. The behavior-based homicide classification system was not similarly constrained.

Homicide Classification System

A homicide classification system (Salfati, 2000; Salfati & Canter, 1999), which was developed using a facet theory approach and MDS analyses based on objective observable crime scene behaviors, next was tested because the bias-crime system was neither developed with/for homicides specifically. It was hypothesized that testing the dominant behavior-based homicide classification system could further validate that typology and/or further determine whether bias-motivated homicide is behaviorally similar to non-bias homicides.

The homicide typology focused on the thematic split between behaviors that psychologically could be categorized as either Expressive or Instrumental. It was hypothesized that bias-motivated homicides could similarly be classified. Most simply, the results of this analysis showed that using SSA analysis it was not possible to delineate an Expressive/Instrumental dichotomy for bias-motivated homicides. With that straight-

forward dichotomy found to be non-existent, the SSA plot was subjected to an external variable analysis to investigate whether there was a divide between behaviors associated predominantly with either a racial/ethnic or sexual orientation bias as determined by the original investigating officials. The external variable analyses suggested that because the SSA could be regionally divided according to the motivating bias there may be underlying behavioral subtypes across the two main motivations.

Having applied the primary bias-motivated crime and the non-bias-motivated homicide classification systems to the study data, the possibility of an underlying thematic structure to the crime scene behaviors of bias-motivated homicide offenders became clear. Together, these results suggested that bias-motivated homicide offenders were characterized by engagement in a common set of high-frequency behaviors that could be classified as examples of expressive violence. The results of the two replication studies also suggested that additional behaviors and analytic methods should be employed in examinations of the thematic structure of bias-motivated homicide crime scene behaviors. To clarify the picture, the same group of behaviors was examined using a different MDS analysis: Multidimensional Scalogram Analysis.

### *10.1.4 Is there evidence of thematic structures of the bias-motivated homicide crime scenes?*

The failure of the existing classification systems to classify the bias-motivated homicides indicated that bias-motivated offenders generally engage in similar compliments of expressive crime scene behaviors. There were indications that some offenders engaged in a small number of more specialized instrumental behaviors. Therefore, analyzing the entire profile of each offender's crime scene behaviors would highlight the differences

between those offenders who only engaged in expressive behaviors and those who distinguished themselves through the use of instrumental behaviors. More simply, the crime scenes and their behaviors included several behaviors that occurred in far more than fifty-percent of the crime scenes. As a result it was possible that the lack of clarity in the SSA analyses was a direct result of the very few behaviors not associated with one or more of the high-frequency behaviors. MSA focuses on the overall differences between offenders.

Multiple MSAs were conducted to allow for as many possible combinations of the theoretically and empirically relevant behaviors that could reasonably be performed and reported on to be analyzed. In sum, all of the MSAs performed resulted in the same general behavioral pattern: Victim as Target (Expressive) and Victim as Means (Instrumental). This divide, with its roots in the work of Canter et al., (2004), emphasized the difference in how the offenders utilized the victims.

The thematic divide, centered on whether the offender viewed the victim as a deserving target for their violence or as someone that could be controlled to achieve other ends, demonstrated that there were two types of offenders. These offenders, according to behavioral theory (Buss & Shackelford, 1997; Fesbach, 1964; Huesmann et al., 1984; Pulkinnen, 1987), as well as homicide research (Salfati, 2000; 2003; Salfati & Canter, 1999), would have social interactions in their past similar in behavioral style to their homicide in the study sample.

### *10.1.5 Is there evidence of thematic structures of the background characteristics of bias-motivated homicide offenders?*

Having established a behavior-based classification system for the bias-motivated homicide crime scene behaviors, the next step was to investigate whether it would be possible to establish a similar thematic classification for the background behaviors and characteristics of the offenders.

Fourteen background characteristics were chosen for the analysis. It was hypothesized that there would be a 2-way thematic split similar to the 2-way (Victim as Means (Expressive) or Victim as Target (Instrumental)) split revealed in the MSA analysis of the crime scene behaviors. The SSA analysis of these background characteristics resulted in a good spatial fit of the co-occurrences of the characteristics. A frequency analysis of the background characteristics indicated that a pattern similar to the crime scene behaviors was present in the background characteristics of the study's homicide offenders. Namely, that there was a core group of high frequency behaviors common to a majority of the offenders, with bands of characteristics common to decreasing frequencies of offenders radiating out from that core group. This indicated, as was concluded in the crime scene behavior analyses, that there are groups of background characteristics that reflect more specialized forms of interpersonal interaction. These behaviors distinguish offenders from the general profile of bias-motivated homicide offenders.

The thematic split was tested by examining the distribution of the 91 cases across the themes of the offender background characteristics. The analysis revealed that just over half (55%) of the offender backgrounds could be classified as exhibiting either Victim as Target (Expressive) or Victim as Means (Instrumental) behavioral themes. Literature

shows that people are generally a mixture of behavioral styles (Block, 1977; Block et al., 2000; Salfati, 2000). Therefore, the fact that over half could be classified as either one or the other, with an additional 8% classified as hybrids of the two indicated that the classification schema has merit for classifying the backgrounds of bias-motivated offenders.

Finally, a series of external variables were tested against the background behaviors and the themes to highlight the co-occurrences of these external variables across the two themes. Of the external variables examined, the victim being a stranger, the offender luring the victim, and the motivating bias resulted in significant difference between the two themes. Stranger victims made up a significantly higher proportion of the victims of offenders with a Victim as Target (Expressive) background. This indicated that those offenders who had a Victim as Means (Instrumental) background were more likely to match-up with non-stranger victims – a logical finding given that these offenders had histories of domestic violence, fraud, and sex crimes, which often involve non-strangers. Luring of the victim, which was more prevalent in the Victim as Means (Instrumental) background offenders, also was a logical finding given that their behaviors indicated a focus on gaining money or property from the victim – something that would be easier to do if the victim could be taken to a less-than-public area. The external analysis of the motivating bias resulted in pattern similar to previous external variable analyses of the motivating bias in chapters 6, 7, and 8: the Victim as Means (Instrumental) characteristics were associated more with a sexual orientation bias and the Victim as Target (Expressive) characteristics were associated more with a racial/ethnic bias.

Together these background characteristic analyses provided further evidence for the existence of at least a version of the Expressive/Instrumental dichotomy. The SSA analysis resulted in evidence supporting a 2-way behavioral dichotomy of offender background behaviors. Some offender background behaviors exhibited a Victim as Target (Expressive) theme, where there was evidence that these offenders tended to interact with situations and people in a manner reflecting an aggressive/violent approach to interpersonal interactions. The other background behaviors exhibited a Victim as Means (Instrumental) theme, where there was evidence that these offenders tended to interact with situations and people in a manner reflecting a general approach to interacting with situations and people with the intent of gaining something (property, status, sex, etc.). These offenders only used aggression/violence if their efforts were met with resistance. Having constructed similar themes of crime scene and background behaviors, the final step in the overall study was to determine if thematic links between crime scene behaviors and background characteristics could be empirically proven. Such a result that would support the theory that crime scene behaviors at bias-motivated homicide crime scenes can provide evidence of behavioral themes that could then be used to identify the background characteristics of potential offenders.

### *10.1.6 Do the thematic themes of the offenders' background behaviors match the themes of their crime scene behaviors?*

The identification of behavioral themes in the crime scene behaviors and background characteristics of bias-motivated homicide offenders meant that it would be possible to examine crime scenes for evidence of the behaviors the offenders engaged in as they interacted with the victim and the scene and use the behavioral themes present across

those behaviors to profile the background characteristics of possible offenders. The final step, therefore, was to find empirical support for a thematic link between the crime scene and the background characteristics.

The primary, and most straightforward testing method, was the inclusion of both groups of variables into one joint SSA analysis. It was hypothesized that if there was a link between the two types of variables, thematically similar variables would co-occur in the same distinct regions of the spatial plot. The results of this analysis supported the existence of a thematic link, with same theme crime scene behaviors and offender background characteristics co-occurring together more so than with opposite theme variables. This result was verified by examining the distribution of the cases across the crime scene behaviors and offender background characteristics. The distribution showed that even when following a strict classification method, over two-thirds of the cases could be classified as predominantly one theme based on the joint behaviors and characteristics – an extremely high percentage compared to similar research (Salfati, 2000).

The second method used to test the link was conducted by applying each of the crime scene behaviors to the SSA plot of the background characteristics developed in Chapter 8. The theory was that most of the crime scene behaviors would predominantly co-occur with background behaviors of the same behavioral theme. This analysis did provide evidence that this classification has merit. Crime scene behaviors were predominantly associated with same-theme background characteristics. Homicides motivated by sexual orientation bias were predominantly associated with crime scene and background characteristics classified as Victim as Means (Instrumental). Those motivated by a

racial/ethnic bias were associated with those variables identified as Victim as Target (Expressive).

Finally, several key grouping offender characteristics were examined to highlight information that could further inform certain high-profile trends present in the limited bias-crime literature. These analyses generally resulted in confirmatory information, such as hate-group involved offenders being the most likely to have planned the event with the intention to kill an individual because of their race or ethnicity (Green, McFalls & Smith, 2001; Herek & Berrill, 1992). Offenders with a history of mental health issues appeared to mirror the descriptions in the literature (Levin & McDevitt, 1993; McDevitt, Levin & Bennett, 2002) of offenders who believe they are on a mission from god, or some higher power, to rid the world of evil – primarily in their cases, homosexuals.

Overall, this final sub-study supported the primary research question of whether offenders express behavioral styles at crime scenes that are thematically similar to the manner in which they had interacted with situations and people in their pasts. With the theoretical research questions answered, the final goal of this work was to address both the theoretical and practical implications of this research and its findings, as well as it limitations and how it can inform future research.

### 10.2 Implications

As a whole, this study resulted in a multitude of findings that further the understanding of the personal and behavioral characteristics of bias-motivated homicides and offenders. While the focus of the analyses was on developing a classification system that would allow profiling of offender characteristics based on observable crime scene behaviors, the

results of the analyses apply not only to the theory of behavioral profiling of homicide crime scenes but also to the existing theories of bias-motivated violence. The theoretical implications of these results, beginning with the offenders and scenes involved, will be discussed below. This discussion will conclude with a discussion of potential real-world, practical applications of the study's findings.

### *10.2.1 Theoretical Implications*

#### 10.2.1.1 Bias-motivated Offenders

Almost the entire body of research devoted to the investigation of who commits bias crimes has found that the offenders tend to be young males, acting as part of a group – but not as parts of organized hate groups – who come from middle class families, have no criminal record, victimize targets of convenience, and are complete strangers to the individuals they victimize (Bernat et al, 2001; Bufkin, 1999; Cotton, 1992; Craig, 2002; D'Augelli, 1998; Franklin, 2000, 1998; Harry, 1990; Ituarte, 2000; Kuehnle & Sullivan, 2001; Mason, 1997; Maxwell & Maxwell, 1995; Medoff, 1999; Patel et al., 1995; Reasons & Hughson, 2000; Richardson & May, 1999; Van de Ven, Bornholt, & Bailey, 1996).

The offender-related results of this study found bias-motivated homicide offenders to be different from homicide offenders. Bias-motivated offenders were more likely to be White, younger, members of larger offender groups, hate group-involved, strangers to the victims, and to have limited previous criminal justice interaction (section 3.2, this study). These results supported the trends present in the aforementioned bias-motivated violence research and related them specifically to bias-motivated homicide.

This largest difference between the general homicide offenders and the bias-motivated homicide offenders was the 39% higher proportion of bias-motivated homicide offenders who were strangers to their victims (section 3.7, this study). This unique characteristic of bias-motivated homicide, almost by itself, legitimates the theoretical and practical classification of bias-motivated homicide as a unique form of violence. It also makes these homicides, except for in cases where the offenders brag about the killing or leave behind viable forensic evidence, more likely to be difficult to investigate given the lack of a relationship between the two parties.

The various offender analyses also focused on further investigating the differences between multiple- and single-offender homicides. Forty-two percent of the study homicides involved multiple offenders. Unlike most of the previous homicide literature, it was not possible for this study to only focus on single-offender homicides. Therefore, based on a sparsely-populated body of both theoretical and empirical multiple offender literature (Cheatwood, 1992; 1996; Porter & Alison, 2004), this study investigated the supposition that because multiple-offender homicide groups share the background characteristics and behavioral styles of their group leader or instigator, they generally do not differ from single-offender homicide except for in the amount and type of wounding. The results of this study further supported that supposition. They showed that, except for a higher likelihood of manual and multiple wounding (section 3.1, this study) multiple offender bias-motivated homicides were not significantly different than single-offender homicides. The behavioral analyses conducted throughout the study also found no significant difference in the association of multiple offenders with a particular theme of bias-motivated homicide (section 8.7.2.8). The behavioral analysis did suggest a non-

significant trend in relation to the number of offenders, with multiple offenders somewhat more associated with Victim as Means (Instrumental) themed offender backgrounds. Instrumental violence associated with multiple offenders is logical considering that many of these incidents were primarily focused on obtaining property from the victim, which would be easier if multiple offenders were present. It also is logical, however, for individuals who desire to experience the thrill of controlling someone through violence/bullying either to do so in the safety of a group or as a performance for a group (Franklin, 2000). The slightly greater association of group violence with Victim as Means (Instrumental) bias-motivated homicides suggests that offenders with an Instrumental style may utilize the potential benefit of a group more often. These results suggest that it may be possible to expand the number of cases included in other homicide studies that have excluded multiple offender homicides. Until then, further work should be done with larger samples of both types of homicide to more precisely investigate similarities and differences.

The criminal backgrounds of the offenders also were a focus of this study both because they offered an insight into the offenders' previous interpersonal behavioral styles and are routinely included in investigation case files (Canter, 1994; Canter & Heritage, 1990; Canter et al., 2004; Davies, Wittebrod & Jackson, 1997; Salfati, 2000; Salfati & Canter, 1999). The study data found that bias-motivated homicide offenders had criminal histories more similar to general homicide offenders than non-lethal bias-motivated offenders (section 3.2.7, this study) (Broidy et al., 2006; Cotton, 1992).

The results of chapter 8 – the SSA analysis of offender background characteristics – demonstrated that there are two behavioral types of bias-motivated homicide offenders,

particularly in relation to the behavioral theme of their past criminal behavior. A majority of the bias-motivated offenders (65%) had backgrounds characterized by co-occurring criminal convictions and behaviors where violence was used either for the sake of violence (i.e., assault, disorder, anti-social behavior) or to control a specific person (domestic violence). The remaining offenders had backgrounds characterized by co-occurring criminal convictions and behaviors demonstrating that the offenders were focused on obtaining personal gain, be it money, property, sex or status.

Both the bi-variate and behavioral analyses found that bias-motivated homicide offenders are individuals who have consistently employed particular behavioral styles of aggression to meet a perceived need for thrill or material gain. These offenders, in their homicides, appear to base the selection of their victim on a personal bias. The decision to commit a criminal act, however, seems to be more learned than bias-motivated. Theoretically, these results suggest that bias-motivated offenders who commit the extreme act of homicide are not supposed "victims of circumstance." That is, they do not appear to have been non-homicidal biased individuals who accidentally or justifiably committed murder; rather, they share criminal backgrounds similar to general homicide offenders instead of other bias-motivated criminals.

The final offender-specific factor that provided new insight into bias-motivated offenders was the distance they traveled from their permanent residence to commit the homicide. The average distance traveled by an offender was 5.05 miles, with a median of 3.19 miles. This was in line with national violence research (Baldwin & Bottoms, 1976; Wiles & Costello, 2000) showing that most violent offenses occur close to the offender's residence. However, that research found that general violence offenders travel an average

of 1.49 miles from their residences. The longer bias-motivated offender travel distances support the bias crime theory that bias-motivated offenders go to areas where they know they can seek out targets (Comstock, 1991). The increased distance makes theoretical sense in relation to bias-motivated offenders victimizing strangers. That is, an offender is more likely to find an unknown victim to target if they leave the area of their daily lives.

#### 10.2.1.2 Bias-motivated Homicide Offender Crime Scene Behaviors

Studies on bias crime have found that up to 75% of bias-motivated assaults involve physical injury, while only twenty-nine percent of non-bias assaults do (Bufkin, 1999: 162; Craig, 2002: 8049). Thirty-percent of bias-motivated assaults are so severe that the victim requires hospitalization, while only seven percent of non-bias ones are that severe (Bufkin, 1999, p.162; Levin & McDevitt, 1993). Bias homicides also have been found to be more severe than non-bias homicides, with over seventy-percent of bias homicides involving overkill (Bufkin, 1999, p.163). The differences that have been examined, however, are descriptive at best, and lacking when it comes to bias homicide.

The bi-variate analyses produced results indicating that firearms are used less frequently (49%) in bias-motivated homicides than in general homicides (section 3.3.1, this study). The second most frequent weapon used in the study homicides was a knife or other cutting instrument (22%). The study data also supported the general bias research finding that bias-motivated violence is more severe, with 74% of the study homicides involving multiple wounds (section 3.3.1). Five of those homicides involved victims who suffered over 20 separate wounds.

There was very little evidence in the study crime scenes of the offenders intimately interacting with the victim's body. Only three homicides had semen present and only one had evidence of sexual penetration (section 3.3.2). Four scenes had victims in some state of undress. One had the victim bound post-mortem. Four of the bodies were hidden, three were covered, and none were buried. Two of the bodies were dismembered post-mortem. Property from the victim or the crime scene was stolen by the offender in 25% of the study homicides.

The MDS behavioral analyses of the offender crime scene behaviors resulted in a variety of findings. Primarily, it was found that with the set of crime scene behaviors that were routinely collected by the study coding dictionary from the data collected by the local investigators that a majority of bias-motivated offenders engaged in the same set of crime scene behaviors. A majority of the offenders left the body at the crime scene (85%), brought a weapon to the scene (80%), and inflicted wounds on the victim's torso (71%). A large number of offenders inflicted multiple wounds on the victim (44%), shot the victim (46%), and injured the victim's head (43%). There were six crime scene behaviors that occurred in over or close to one-half of the study homicides. This pattern demonstrated that it was not possible, with this group of behaviors, to behaviorally classify the crime scene behaviors of bias-motivated offenders because too many of the behaviors co-occurred in high number of the homicides. All of the high-frequency behaviors have been classified in previous homicide research (Canter et al., 2004; Salfati, 2000; 2006; Salfati & Canter, 1999) as expressive in nature. This indicated that the characterization of bias-motivated crime as generally reactive and expressive in nature by

bias crime researchers (Bufkin, 1999; Craig, 2002; Dunbar, 2003; Franklin, 2000) is also applicable to bias-motivated homicide.

Together, these results indicated that there is a general division of the nature of bias-motivated homicide. Namely, that in the face of a large majority of bias-motivated characterized as expressive in relation to the behavioral theme of the crime scene behaviors, there is a subset of bias-motivated homicides distinguished by specialized instrumental behavior focused on obtaining property, money, sex, or status. These two types of offenders, while they could not be classified based solely on the co-occurrences of the analyzed crime scene behaviors, were primarily distinguishable by their weapon choice (i.e., a gun versus a knife or blunt object) and whether they engaged in stealing property or sexual behavior at the crime scene. This suggests a basic difference in the type of offenders involved and their goals. Those with no stealing or sexual behavior, who used a firearm, demonstrate a focus on violence. Those who do not come to the crime scene with a firearm and instead use a knife or blunt object from the scene as part of a homicide where they also engaged in either sexual or stealing behaviors, demonstrate a focus on gaining something from a crime that they did not anticipate needing lethal violence to commit. This divide becomes even more interesting in relation to bias-motivated homicide when it is considered in conjunction with the offender's motivating bias.

#### 10.2.1.3 Bias-related Factors

Developing an understanding of how different bias motivations manifest themselves in violent physical acts could assist law enforcement officials who currently rely mostly on eye witness accounts to determine if, and what kind of, bias was involved. Previous

research has found that bias is an almost automatic process, which supports the contention that in social situations individuals rely on categorization to help them navigate interpersonal interactions (Allport, 1954; Dunbar, 2003). This style of research has been general in nature. It has not explored the question of whether different forms of bias and/or prejudice are expressed differently (Fiske, 2002). Generally, the research has not made specific connections between specific criminal elements and specific motivations.

Research has found that racial and ethnic biases generally occur with the same dynamics and types of offenders (Griffin, 1997; Herek, 1998). The research explains that the words ethnic and racial refer to observable biological issues. Sexual orientation is based on assumptions and behaviors, and, therefore, cannot reliably be determined through appearance (Griffin, 1997; Herek, 1998). The work in this study found that based on bi-variate comparisons of the offender and homicide characteristics racial and ethnic bias-motivated homicides are not significantly different (chapter 4). This suggested that these two groups should be grouped together for analytic purposes when compared to the sexual orientation homicides. The grouping also bolstered the validity of the subsequent analyses since there were so few homicide motivated by an identified ethnic bias.

The bi-variate comparisons of these two groups found that offenders motivated by a sexual orientation bias had more extensive criminal justice histories and were more likely to claim that they had committed the homicide accidentally as part of a financial crime or as a defensive act against aggressive sexual behavior (section 4.2, this study). The single variable comparisons also found that victims of sexual orientation bias homicides were more likely to be alone at the time of the homicide and of the same race as the offender

(section 4.3, this study). The chapter 4 analyses also examined the associations between bias and crime scene behaviors. These analyses found that offenders motivated by a racial ethnic bias were more likely to kill their victim with a single wound caused by a gun. Offenders motivated by a sexual orientation bias were more likely to kill their victims through multiple wounds caused by a knife and to engage in sexual and/or stealing behavior at the crime scene. Sexual orientation biased offenders also were more likely to engage in post-mortem treatment (i.e., staging, covering the body, moving the body) of the victim's body. Finally, the bi-variate analyses found that offenders motivated by a racial/ethnic bias were more likely to be associated with an organized hate group (section 4.4, this study).

The multidimensional scaling analyses of the offender crime scene behaviors and background characteristics also examined the associations between the motivating bias and those offender-related variables. The MDS results in chapters 5 (testing of McDevitt, Levin & Bennett, 2002), 6 (application of the Salfati (2000) homicide classification system), 7 (MSA analysis of crime scene behaviors), 8 (SSA analyses of offender background characteristics), and 9 (joint SSA analyses of crime scene behaviors and background characteristics), consistently supported an association between an offender's motivating bias and the theme of their crime scene and background behaviors. The association was one where offenders motivated by a racial/ethnic bias engaged in behaviors characterized as Victim as Target (Expressive). Offenders motivated by a sexual orientation bias engaged in behaviors characterized as Victim as Means (Instrumental).

Previous analyses of the offenders and their crime scene behaviors indicated that there were two groups of bias-motivated homicide offenders. One group primarily was focused on violence for the act and thrill of violence. These individuals had histories characterized by similar behaviors. The other group was characterized both by crime scene behaviors and background behaviors primarily focused on obtaining property, money, sex, or personal status. The bi-variate and MDS analyses of the associations between the motivating biases and offender behaviors produced results confirming these trends. The MDS analyses, specifically, confirmed that behaviors (i.e., stealing property, sexual behavior, binding/gagging), characteristics (burglary conviction, fraud conviction, sex crime conviction), and offenders that were classified as Victim as Means (Instrumental), were predominantly associated with a sexual orientation bias. The behaviors (i.e., weapon to the scene, shooting the victim, multiple wounds), characteristics (assault conviction, domestic violence conviction, hate group involvement), and offenders that were classified as Victim as Target (Expressive) were predominantly associated with a racial/ethnic bias. Together, these results demonstrated not only that there are two different types of offenders who commit bias-motivated homicides, but that those two types also were associated with different motivating biases.

As mentioned previously, there have been recent legal efforts to avoid sentencing enhancements based on bias crime statutes. These efforts are particularly prevalent in sexual orientation homicides. They have been based on claims that the bias was not a motivating factor in the incident; rather, stereotypes concerning the perceived softness of the target (i.e., homosexuals would not fight back or report the crime) are argued to be the motivating factor in the target selection. The results of this study have empirically

shown that the bias involved in a bias-motivated homicide is associated with the behaviors the offender engages in at the crime scene as well as in their past criminal interactions. While more work needs to be done on validating whether a bias was involved, this indicates that the particular bias affects the style of behavior through which the bias is manifested.

#### 10.2.1.4 Classification of Bias-motivated Offenders and Homicides

The primary goal of this study was to develop a behavior-based classification system for bias-motivated homicides that would allow crime scene behaviors to be used in the profiling of possible offender characteristics. The testing of two existing classification systems, which theoretically could have applied to this data, found that neither produced thematically distinguishable groups of behaviors. The McDevitt, Levin and Bennett (2002) bias-crime typology was focused on interpreting the actions of the offenders through their potential motivations. The actions included in their typology, as interpreted by this researcher, rarely were exclusive to one of their four types; rather, 9 crime scene behaviors were associated with three of the four types (section 5.6, this study). These crossover of behaviors resulted in a SSA plot where there was evidence of a primary thematic split between offenders seeking either a thrill or retaliation; however, this split was muddled by two overlapping themes – mission and power/control – which shared many of the behaviors associated with the primary themes.

The application of the Salfati (2000) Expressive/Instrumental stranger homicide classification system also failed to support the thematic classification of the bias-motivated homicide offenders' crime scene behaviors. It was concluded that this typology also was not applicable to the study's bias-motivated homicides because too many of the

behaviors that were recorded for it, which also were used in Salfati's study, occurred in at least a plurality of the crime scenes. There were 6 (out of 22 total) crime scene behaviors that occurred in over 40% of the crime scenes, with 3 occurring in over 70% of the scenes. All of these behaviors were expressive in nature. This again suggested that expressive violence is emblematic of bias-motivated homicide offenders. The analyses indicated that the offenders engaged in the more specialized – and therefore distinguishing – behaviors that were included in the analyses too infrequently for a significant proportion of the instrumental behaviors to co-occur with each other more than with the usually present expressive behaviors.

Given the lack of success with the existing classification systems and their indication that a focus exclusively on the co-occurrence of individual behaviors was unlikely to work with the available data, the focus of the classification process shifted to comparing the complete crime scene behavioral profiles of every offender. MSA analyses compared the co-occurrences of behaviors across the 91 primary offender profiles. This approach was more appropriate given that the bias research consulted throughout the study consistently had found that bias-motivated offenders are a very homogenous group. The results indicated that when complete behavioral profiles were the unit of analysis, the specialized behaviors distinguished a subset of offenders from the core group of offenders who engaged in mostly the same behaviors.

Finally, the SSA analyses of the offender background characteristics and of the co-occurrence of same-themed crime scene behaviors and background characteristics, both supported thematic divisions of the characteristics and behaviors into similar Victim as Target (Expressive) and Victim as Means (Instrumental). Together, all of the

classification-related results indicated that it was only possible to thematically distinguish the offenders and their behaviors when some element of the offenders was included in the analysis. The analysis of complete behavioral profiles shifted the focus from individual behaviors to offenders and all of their behaviors. When offender characteristics were either exclusively examined or examined in conjunction with the crime scene behaviors, classification was possible. It was hypothesized that because the offender's bias in this study was found to be associated with the behaviors they engaged in at the crime scene and that the behaviors could not, on their own, be thematically classified, that the offender's motivation may play an important role in the selection of the target and the style of the homicide.

#### 10.2.1.5 Data Implications

Almost all of the studies that have utilized this methodology in studying homicide and other violent crimes have resulted in findings that supported the viability of using MDS to empirically analyze investigator-reported crime scene evidence. Researchers (Canter et al., 2004; Salfati, 2000; 2006; Santilla et al., 2001) have stated that additional work showing the comprehensiveness of such data and the applicability of the methodology across different types of homicides is always needed. The results of the various sub-studies conducted throughout this research project do indicate that the information routinely collected in police files is detailed and extensive enough for MDS to comprehensively model the behaviors present in homicide crime scenes.

The necessity of such offender background information highlighted the main shortcoming of exclusively relying on police files for this type of analysis. Namely, that investigations rarely need to focus on or record extensive information in relation to the offenders' past

experiences; and, therefore, case files are almost entirely void of this information, save for criminal histories. More extensive and consistent information regarding the backgrounds of the offenders would have allowed the final models to be more complete. Having to rely on the available offender background characteristics did emphasize the utility of one particular type of MDS analysis – Multidimensional Scaling Analysis (MSA) – for the study of bias-motivated homicide, as well as any other type of behavior where the actors generally share a large group of core behaviors. The MSA analyses – conducted because bias crime research and the findings in this study suggested that bias-motivated offenders generally are similar in their personal and behavioral characteristics when they violently express their biases except for a limited number of distinguishing factors – allowed thematic distinctions to be reached in relation to the offender crime scene behaviors because they focused on the entire behavioral profile present in each scene, thus considering the qualitative and quantitative differences among offenders who most often were distinguishable only because of a limited number of specialized behaviors.

### 10.3 Practical Implications and Applications

The results of this work, in addition to further enhancing the theoretical understanding of the behavioral profiling of homicides – specifically bias-motivated homicide – inform other more practical areas of bias-motivated homicide/crime investigation and prevention.

*10.3.1 Investigative Profiling of Bias-Motivated Homicides*

While the conditions defining exactly which cases were included in the dataset for this study restricted the cases to those that had been closed by an arrest, in less than one-third (18%) of the study homicides were those arrests easy for the investigating officials. That is, the offenders either turned themselves in or committed suicide, thus "admitting" their involvement in the bias-motivated homicide. In the other 82% (N=75) of the study homicides the investigators were faced with crime scenes where there most often was no surviving victim and the offender(s) were trying their best to avoid detection and arrests. It is for these incidents that investigative profiling offers the best potential for assisting homicide investigators.

As demonstrated in the application of the McDevitt, Levin, and Bennett (2002) bias-crime typology to the study sample, one of the main shortcomings of the existing work on bias-motivated crime/violence has been the lack of empirical studies on the underlying psychological processes of these incidents. This has resulted in mostly motivation-based classification systems that do not have proven reliability or validity because psychological processes – and therefore behaviors – often crossover between different motivations. This lack of exclusivity raised the question of whether it is possible to classify offender actions at bias-motivated homicide in a manner that is consistent enough for it to be of use to investigators.

The empirical studies of offender crime scene behaviors and background characteristics conducted throughout this study provided evidence resulting in the creation of a classification system of bias-motivated homicide crime scenes and their offenders' background characteristics that does not rely on the years of experience and expertise of

the stereotypical criminal profiler. By showing that there is behavioral consistency between how an offender behaves at the crime scene and how they interacted with situations and individuals in the past, this study laid the foundations for this proposed classification to be scientifically evaluated, which is in direct opposition to the mythical abilities of the profiler that cannot be empirically studied.

The model developed in this study focuses on specific groups of objectively observable behaviors engaged in by offenders at homicide crime scenes, which investigators should be able to focus on when they are confronted with scenes, which have no leads on the offender, in order to ascertain the behavioral theme of the bias-motivated homicide, and, therefore, the background characteristics of possible suspects. In the past, police investigators working on bias-motivated homicides had to collect all the information possible at the crime scene and then painstakingly and indiscriminately compare that information to basic trend data present in the research to determine the theme of the homicide and to create a list of possible suspects. This study's classification system emphasizes the crime scene behaviors most indicative of the possible offender. These include the weapon used, whether it was brought to the scene, sexual behavior at the crime scene, stealing property from the crime scene and/or victim, and the amount and location of the wounding the victim suffered. Together, this work offers the possibility of reducing the amount of time and guesswork that is needed to profile a crime scene and its most likely offenders by anyone but the most expert of profilers.

In the study classification system a crime scene that was predominantly Victim as Means (Instrumental) would primarily involve behaviors related to the victim as a means unto some ulterior end and would suggest to investigators that the offender would have a

criminal history characterized either by property or sex crimes. This offender also was likely a stranger to the victim. Conversely, a predominantly Victim as Target (Expressive) crime scene would consist of behaviors indicating that the offender treated the victim as a person whom they wanted to attack. This would indicate that they knew the victim on some level. These offenses most likely consist of incidents that the police routinely classified as gang- or drug-related, but this classification system provides the additional understanding that a racial or ethnic bias may have been a complete or partial motivation for the crime. This would be evident in these offenders making bias comments and most often not taking anything of value from the victim or scene.

*10.3.2 Preventing Bias-Motivated Violence and Homicides*

While no part of this study was specifically focused on developing results that could be used to inform violence prevention strategies, some suggestions can be gleamed from the work that was done. This study confirmed existing knowledge of the nature of many anti-homosexual violent attacks, which held that many offenders specifically target areas known to be homosexual cruising areas – viewing them as hunting grounds stocked with easy prey. These offenders, the literature explains (Bukfin, 1999; Levin & McDevitt, 1993; Maxwell & Maxwell, 1995; Richardson & May, 1998), view homosexuals as easy targets because of several reasons: they believe them all to be weak; they believe, based on social commentary and official legislation, that society approves of victimizing such individuals; and, they believe that their victims will not go to the police because they would not want to report what they were doing when they were victimized (Herek, Cogan & Gillis, 1992). The results of this study confirmed that some of these offenders do target easy prey by showing that offenders motivated by a sexual orientation bias almost

exclusively behaved in a way at the crime scene, and in their backgrounds, indicative of their viewing the victim as a means unto an end – as someone who could provide easy access to whatever it is that they desire, be it money, property, sexual dominance, or a sense of control/power. Additionally, the results showed that these were the offenders who lured their victims away, something that is easy to do under the pretense of meeting for a sexual encounter in a technically public space.

Given these findings, both advocacy groups and law enforcement officials should either be educating individuals that it is not unlikely for offenders who intend to target homosexuals to visit these areas, or they should be patrolling these areas more thoroughly to prevent this kind of violence. An easy answer would be to shut down these cruising areas; however, history (Tomsen & Mason, 2001) has shown that if one area is over-policed, individuals will find a new area. This means that law enforcement officials need to develop approaches that would not force these individuals into even more remote, vulnerable, locations, but still prevent the violent victimization of these individuals. Additionally, with the advent of the internet and online dating/meeting, the role of education is even more important as there no longer is the need for a physical space that can be monitored. Despite the low incidence of these types of homicides, implementing these policies is warranted because they are one of the very few groups of homicides where the individuals are targeted by strangers due to no fault of their own. This type of violence sends shockwaves of terror through minority communities (Ituarte, 2000) because they are just as likely to be victimized as the victim.

In terms of violence motivated by either a racial or ethnic bias, the literature suggests that such events often have self-promulgating ripple effects in the communities involved, with

on-going feuds/disagreements often bubbling over into a series of anti- the other crimes. The results of this study support this finding, showing that most of these offenses involved incidents where the offenders and victims knew each other on some level, were engaged in a fight or argument preceding the homicide, and that some kind of inflammatory racial/ethnic remark was made during the incident. These offenders came prepared for violence, often in response to a turf battle or feud. These findings reaffirm the strategy suggestion that law enforcement and community officials need to be particularly prepared for retaliatory violence following antagonistic encounters between racially and/or ethnically different groups. This involves implementing both crisis intervention strategies to halt the violence and prevention strategies designed to develop conflict resolution skills – particularly for younger individuals – to enable them to avoid conflict escalation.

### 10.4 Strengths, Limitations and Future Research

As with most initial/exploratory research, there are many limitations that should be highlighted when the conclusions presented herein are considered. When addressing a topic of study that has not been subjected to the type of analyses that eventually form the launching pad for proceeding studies that explore focused areas of research, there always will be other topics to examine – topics that should be investigated in those follow-up focused studies. Therefore, the first shortcoming of this study, which needs to be stated is that there were a plethora of unexplored ideas, as well as those examined in this study that need further clarification. Many of the unexplored and not fully explained ideas will be highlighted as the other limitations are discussed below.

Primary among such limitations is one that should always accompany research that is based on data – particularly police data – that is not primarily collected for research purposes: measurement reliability and validity. Police files and investigator case notes do not follow a common format, nor do they all in some kind of format request law enforcement personnel to indicate the presence/absence of all of the behaviors/characteristics included in this study's data collection tool – the Homicide Profiling Index (Salfati, 2005).

The main analytic approach (MDS) employed in this overall study has as one of its strengths the ability to robustly handle data where it is difficult to ascertain from source data whether a particular variable/behavior was not present or merely was left out of the file by an investigator logically not concerned with the coding dictionary used here (Salfati, 2000; Salfati & Canter, 1999). Additionally, although the study data clearly present limitations, they also are one of its greatest strengths because this is exactly the type of data that has never been examined in relation to bias-motivated crime, particularly homicide. Future research into whether the themes uncovered here are present in other types of bias-motivated crime would offer both further support for the behavioral themes proposed here and an opportunity to begin to understand the similarities and differences among all forms of bias-motivated violence.

The other straightforward limitation was a result of focusing on bias-motivated homicides: a limited sample size. Over the past 15 years, on average, there have been around 14 bias-motivated homicides a year. As the early chapters of this study stressed, despite the relatively low number of bias-motivated homicides reported each year, these crimes have an intense impact beyond the individuals directly involved, and, therefore,

deserve the level of scrutiny applied herein. Fortunately, one of the strengths of the analytic approaches employed in the overall study is that they are not particularly dependent on large sample sizes for their results to be robust. Furthermore, one of the main strengths of this study was its use of over two-thirds of all the reported bias-motivated homicides during the study time period. With most other bias-motivated crimes that have higher incidence levels, it would have been difficult, in terms of logistics and manpower, to collect and analyze almost all of the relevant case files.

It would be inhuman to hope for more of these homicides to increase the sample size, but it is practically inevitable that there will be more. One can hope that with more research like this study, there will be increased pressure on governments, both federal and local, to require the reporting of these crimes, and increased willingness, and ability, for investigators to correctly classify bias-motivated homicides. Conducting similar research on other forms of bias-motivated violence, here too could diminish this limitation in future studies. While the presence of only two main categories of motivating bias most likely made it easier to clearly differentiate the relationships within and between all of the crime scene behaviors and the offender characteristics, this research ideally would have had a greater diversity of motivating biases, such as gender, disability, religious; however, in the time frame included in this study, there were no homicides reported to the UCR program that were motivated by any of these biases. Expanding the research to bias-motivated assaults most definitely would result in the inclusion of these other biases.

While not necessarily a limitation of the study, a consideration to keep in mind is that there could be both location-specific differences in the ability of health care providers/emergency medial technicians to treat injuries typical of intense assaults, as

well as improvements across the ten year time frame in the treatment of injuries typical of intense assaults; therefore, assaults that in one location or time would have ended as homicides, in others did not. As noted early on in the methods discussion, this study followed strict guidelines – ignoring legal outcome, and including only those incidents where the death was a direct result of the offender's wounding of the victim. Again, either expanding this study to include bias-motivated assaults or replicating it with those crimes would offer an excellent opportunity to verify the results of this study while exploring new avenues of research.

One of the more complicated limitations for this study was the decision to consider the conclusions of the local investigators as to what the full or partial motivating for the homicide was as the final word on the matter. The other option would have been establishing a set of criteria to use to verify the classification of the homicides; however, delving into the factors which lead investigators to those decisions and those that would be required to construct any criteria – including crime scene behaviors and victim/offender characteristics – would have presented an entire area of very necessary study, which was not the focus of this research. The lessons learned in the study – including understanding those behaviors that are predominantly related to a particular motivating bias – most definitely should be applied to such future research.

A specific future study that should be conducted already was discussed in Chapter 5: clarifying the testing of the McDevitt, Levin, and Bennett (2002) bias crime typology. The overall study consistently found that while bias-motivated homicide crime scenes had behaviorally different types that could be linked to similar background behavior types demonstrated by the offender, the motivation for the homicide was intrinsically

linked to the type of homicide – a finding that was not surprising given that bias-motivated crimes, at their core, are about the motivation. With this finding in mind, the potential additive value of consulting with the developers of the original bias-crime typology, practically mandates that such a discussion/study take place so that their motivation-based typology can be better tested with the methodologies shown to be appropriate for studying this type of crime.

While certainly not the only remaining limitation, the one that was the result of an active decision, and both requires and leads to future research, was the choice to include multiple offender and/or multiple victim homicides. This was a necessary decision given the number of cases that would have been excluded had they been discarded. It was not a conclusion reached in a vacuum; instead, the limited research on multiple offender/victim homicides was consulted. There was a particular body of research showing that when groups of offenders and/or victims are involved in violent interactions, most often there is a leader who directs the overall action of the interaction and with whom the other group members share general background characteristics. Since the decision to interpret the multiple offender/victim homicides was based on a specific avenue of research, future work should be done to determine precisely whether there are intrinsic differences or similarities between multiple and single-single bias-motivated homicides. Such work could be done as a separate study using the current data, or, as it has been suggested throughout this discussion, with data on the more prevalent phenomenon, bias-motivated assaults.

## 10.5 Final Conclusions

Bias-motivated homicide effectively is an expressive act where violence is directed at those who are different than the offender, primarily accomplishing only the act of wounding/killing another person. As a result bias-motivated homicide, even those achieved mostly through Victim as Means (Instrumental) behaviors, always will contain some essentially violent and/or Victim as Target (Expressive) behaviors. Therefore, the focus of future research should be on those less-frequent Victim as Means (Instrumental) behaviors that best highlight distinctions among the types of bias-motivated violence.

# APPENDIX 1

**Bias-related Variable Additions**

*The following variables are suggested as additional motivational concepts that may be included in the coding dictionary. The motivations are reflective of the five types of bias crimes reported on in the Uniform Crime Report published by the FBI.*

1. Racial Bias Motivation – Offender

This variable was scored as present if there was evidence from the offender (such as from interview statements or summaries) that the homicide was motivated by the offender's bias against the victim's race. If the offender mentions several motivations, including racial bias, this variable is still scored as present.

2. Racial Bias Motivation – Case Notes

This variable was scored as present if the case had been labeled as motivated by racial bias (see variable __ - 'Racial Bias Motivation' – Offender) by any law enforcement personal, such as police, etc. This may include personal/professional opinions, and is independent of whether there was physical evidence or admission of racial bias motivation by the offender themselves. If several motivations are highlighted by any professional involved with the case as being causes of crime, including racial bias, this variable is still scored as present.

3. Religious Bias Motivation – Offender

This variable was scored as present if there was evidence from the offender (such as from interview statements or summaries) that the homicide was motivated by the offender's bias against the victim's religion. If the offender mentions several motivations, including religious bias, this variable is still scored as present.

4. Religious Bias Motivation – Case Notes

This variable was scored as present if the case had been labeled as motivated by religious bias (see variable __ - 'Religious Bias Motivation – Offender) by any law enforcement personal, such as police, etc. This may include personal/professional opinions, and is independent of whether there was physical evidence or admission of religious bias motivation by the offender themselves. If several motivations are highlighted by any professional involved with the case as being causes of crime, including religious bias, this variable is still scored as present.

5. Disability Bias Motivation – Offender

This variable was scored as present if there was evidence from the offender (such as from interview statements or summaries) that the homicide was motivated by the offender's bias against the victim's disability (physical or mental). If the offender mentions several motivations, including disability bias, this variable is still scored as present.

6. Disability Bias Motivation – Case Notes

This variable was scored as present if the case had been labeled as motivated by disability bias (see variable __ - 'Disability Bias Motivation – Offender) by any law enforcement personal, such as police, etc. This may include personal/professional opinions, and is independent of whether there was physical evidence or admission of disability bias motivation by the offender themselves. If several motivations are highlighted by any professional involved with the case as being causes of crime, including disability bias, this variable is still scored as present.

7. Sexual-Orientation Bias Motivation – Offender

This variable was scored as present if there was evidence from the offender (such as from interview statements or summaries) that the homicide was motivated by the offender's bias against the victim's sexual-orientation. If the offender mentions several motivations, including sexual-orientation bias, this variable is still scored as present.

## 8. Sexual-Orientation Bias Motivation – Case Notes

This variable was scored as present if the case had been labeled as motivated by sexual orientation bias (see variable __ - 'Sexual Orientation Bias Motivation – Offender) by any law enforcement personal, such as police, etc. This may include personal/professional opinions, and is independent of whether there was physical evidence or admission of sexual-orientation bias motivation by the offender themselves. If several motivations are highlighted by any professional involved with the case as being causes of crime, including sexual-orientation bias, this variable is still scored as present.

*The following variables suggested for inclusion in the coding dictionary are reflective of the "sufficient objective facts" outlined by the FBI the must be present for "a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias." Variables that are present, when combined, may be supportive of a finding of bias.*

## 9. Ethnicity/National Origin Bias - Offender

This variable was scored as present if there was evidence from the offender (such as from interview statements or summaries) that the homicide was motivated by the offender's bias against the victim's ethnicity/national origin. If the offender mentions several motivations, including ethnicity/national origin bias, this variable is still scored as present.

## 10. Ethnicity/National Origin Bias – Case Notes

This variable was scored as present if the case had been labeled as motivated by ethnicity/national origin bias (see variable __ - 'Ethnicity/National Origin Bias Motivation – Offender) by any law enforcement personal, such as police, etc. This may include personal/professional opinions, and is independent of whether there was physical evidence or admission of ethnicity/national origin bias motivation by the offender themselves. If several motivations are highlighted by any professional involved with the case as being causes of crime, including ethnicity/national origin bias, this variable is still scored as present.

## 11. Religion of Victim

This variable is scored as follows according to the victim's religion (as stated within the case files)

(1) Jewish
(2) Catholic
(3) Protestant
(4) Islamic (Moslem)
(5) Other Religion (Buddhism, Hinduism, Shintoism, etc.)
(6) Multi-Religious Group
(7) Atheism/Agnosticism
(8) Not Known

## 12. Religion of Victim – Descriptor

This variable is scored if the previous variable (religion of victim) was scored as other. Please specify here. This is a string variable.

## 13. Religion of Offender

This variable is scored as follows according to the offender's religion (as stated within the case files)

(1) Jewish
(2) Catholic
(3) Protestant
(4) Islamic (Moslem)
(5) Other Religion (Buddhism, Hinduism, Shintoism, etc.)
(6) Multi-Religious Group
(7) Atheism/Agnosticism
(8) Not Known

14. Religion of Offender Other – Descriptor

This variable is scored if the previous variable (religion of offender) was scored as other. Please specify here. This is a string variable.

15. Ethnicity/National Origin of Victim

This variable is scored as follows according to the victim's ethnicity/national origin (as stated within the case files)

(1) Hispanic
(2) Other Ethnicity/National Origin
(3) Not Known

16. Ethnicity/National Origin of Victim Other – Descriptor

This variable is scored if the previous variable (ethnicity/national origin of victim) was scored as other. Please specify here. This is a string variable.

17. Ethnicity/National Origin of Offender

This variable is scored as follows according to the offender's ethnicity/national origin (as stated within the case files)

(1) Hispanic
(2) Other Ethnicity/National Origin
(3) Not Known

18. Ethnicity/National Origin of Offender Other – Descriptor

This variable is scored if the previous variable (ethnicity/national origin of offender) was scored as other. Please specify here. This is a string variable.

19. Bias-related Comments/Statements/Gestures

This variable is scored as present if bias-related oral comments, written statements, or gestures were made by the offender which indicate his/her bias. For example, the offender shouted a racial epithet at the victim.

20. Bias-related Drawings/Markings/Symbols

This variable is scores as present if bias-related drawings, markings, symbols, or graffiti were left at the crime scene. For example, a swastika was painted on the door of a synagogue.

21. Bias-related Objects Used

This variable is scored as present if certain objects, items, or things which indicate bias were used. For example, the offenders wore white sheets with hoods covering their faces or a burning cross was left in front of the victim's residence.

22. Victim Group Affiliation

This variable is scored as present if the victim is a member of a racial, religious, disability, sexual-orientation, or ethnic/national origin group which is overwhelmingly outnumbered by other residents in the neighborhood where the victim lives and the incident took place.

23. Victim Locality

This variable is scored as present if the victim was visiting a neighborhood where previous hate crimes were committed against other members of his/her racial, religious, disability, sexual-orientation, or ethnic/national origin group and where tensions remained high against his/her group.

24. Frequency of Hate Crimes

This variable is scored as present if several incidents occurred in the same locality, at or about the same time, and the victims were all of the same race, religion, disability, sexual-orientation, or ethnicity/national origin.

## 25. Community Perceived Bias

This variable is scored as present if a substantial portion of the community where the crime occurred perceived that the incident was motivated by bias.

## 26. Victim Activities

This variable is scored as present if the victim was engaged in activities promoting his/her race, religion, disability, sexual-orientation, or ethnicity/national origin. For example, the victim was a member of the NAACP or participated in gay rights demonstrations.

## 27. Holiday Significance

This variable is scored as present if the incident coincided with a holiday or a date of particular significance relating to a race, religion, disability, sexual orientation, or ethnicity/national origin, e.g., Martin Luther Kind Day, Rosh Hashanah.

## 28. Hate Group Involvement

This variable is scored as present if there were indications that a hate group was involved. For example, a hate group claimed responsibility for the crime or was active in the neighborhood.

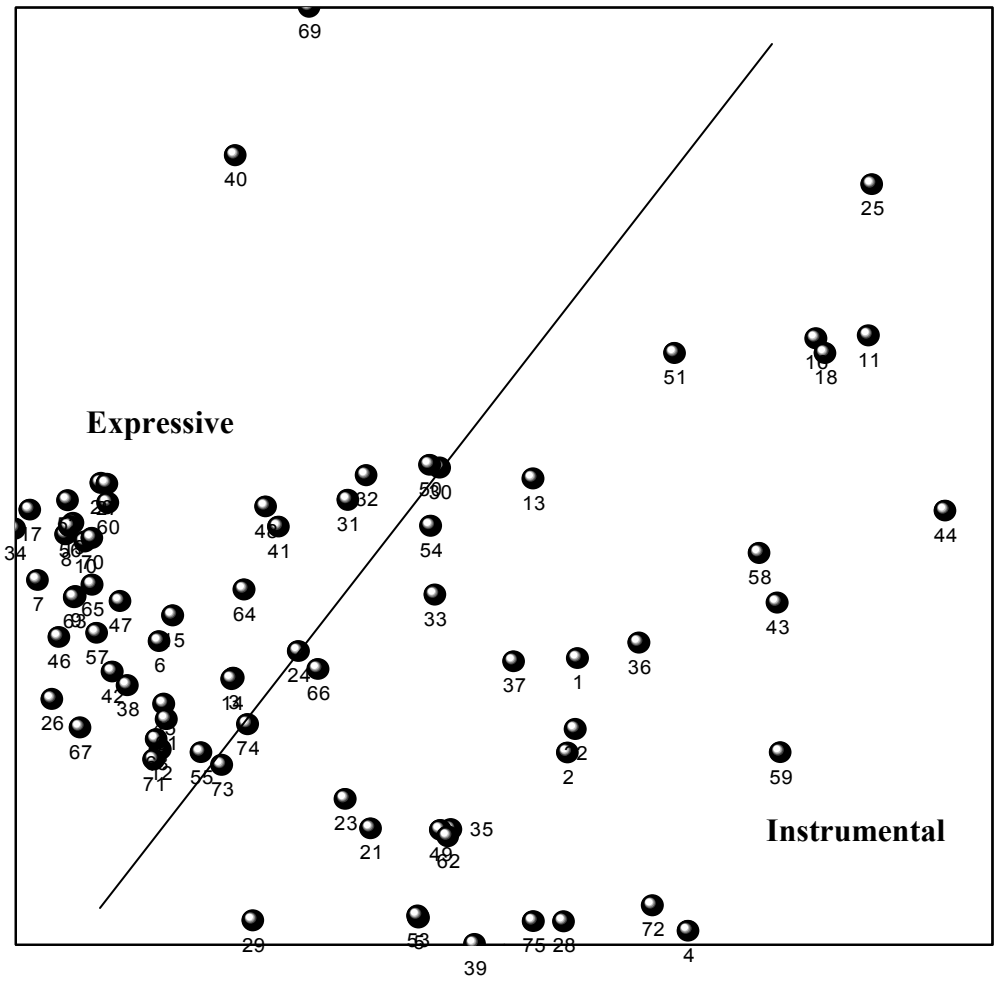
## 29. Group Animosity

This variable is scored as present if a historically established animosity existed between the victim's and the offender's groups.

## 30. Victim Advocacy Group Affiliation

This variable is scored as present if the victim, although not a member of the targeted racial, religious, disability, sexual-orientation, or ethnic/national origin group, was a member of an advocacy group supporting the precepts of the victim group.

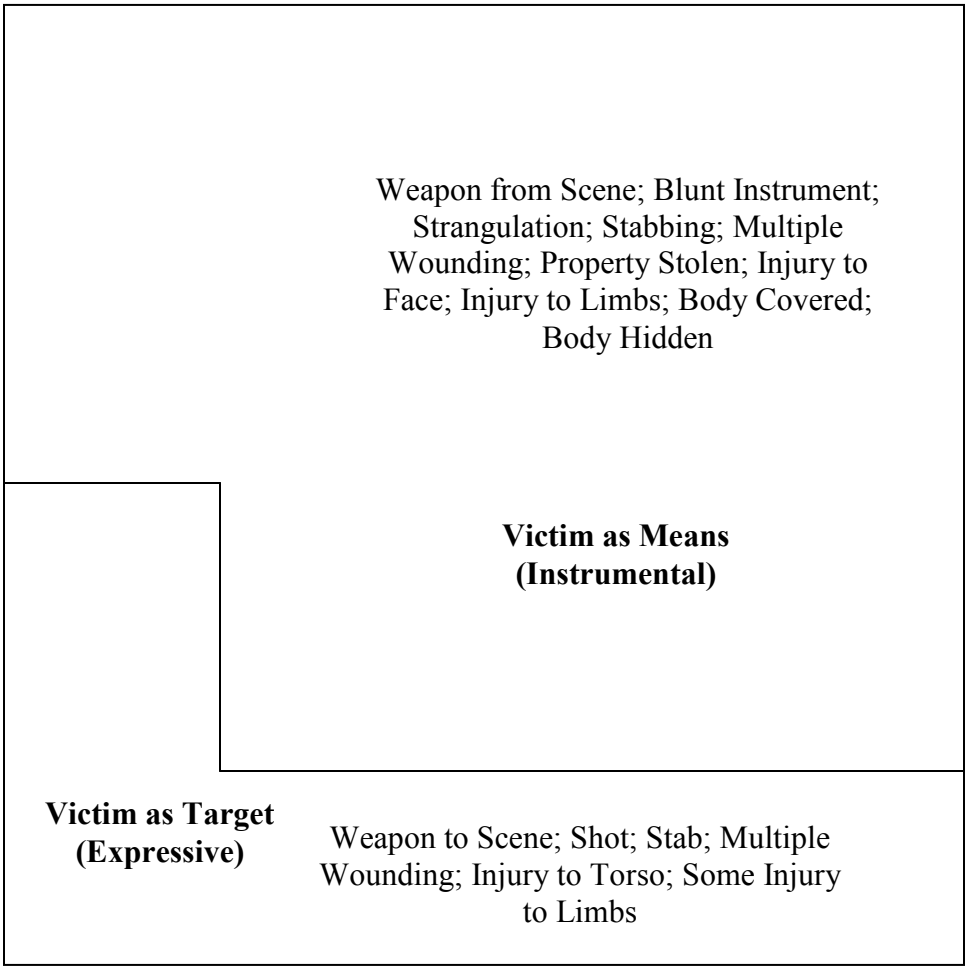
## APPENDIX 2




**Appendix 2.1: Main Multidimensional Scalogram Analysis Plot for replication of full SSA (coefficient of contiguity =.926, 16 iterations)**

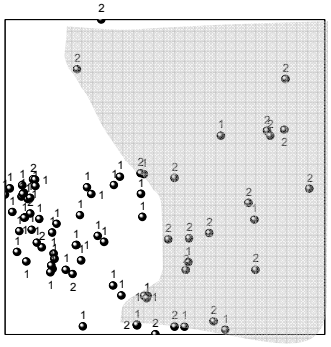
Note: Individual points could not be differentiated due to the constraints of the program

## Appendix 2

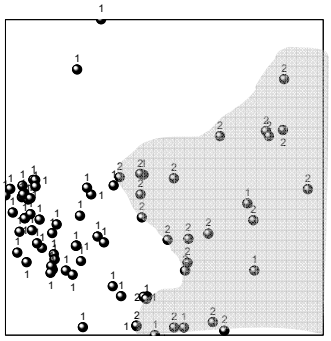



**Appendix 2.2. Summary Plot of Multidimensional Scalogram Analyses of the Bias Motivated Homicides According to Selected Instrumental/Expressive Crime Scene Behaviors.**

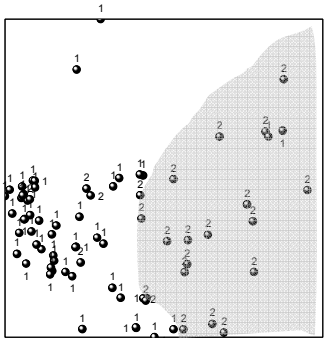
## APPENDIX 2



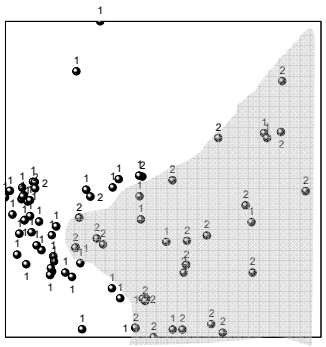
Property Stolen



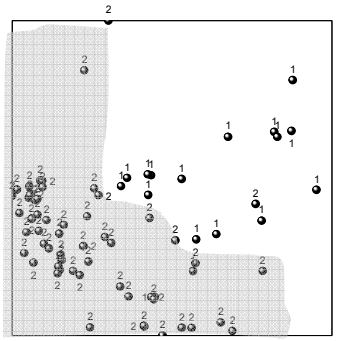
Weapon from Scene



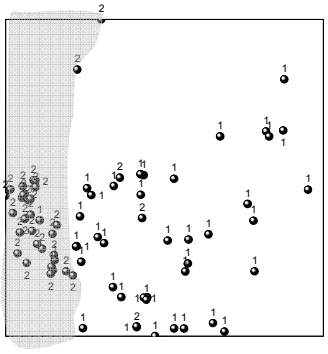
Blunt Instrument



Injury to Face



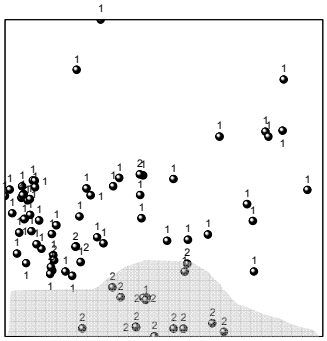
Weapon to Scene



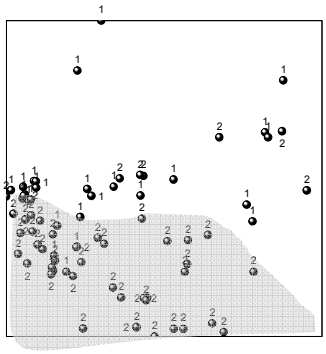
Shot

**Appendix 2.3: Multidimensional Scalogram Analysis Plot of Bias-motivated Homicides According to Selected Instrumental/Expressive Crime Scene Behaviors.**

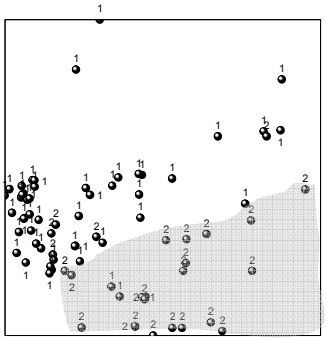
## APPENDIX 2



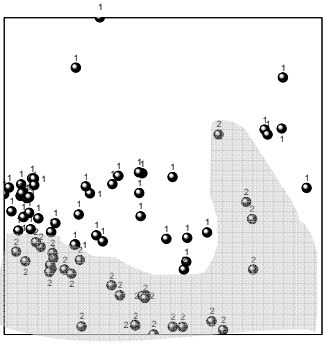
Stabbing



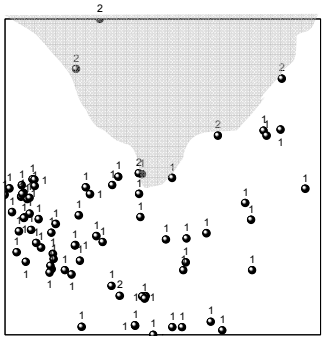
Injury to Torso



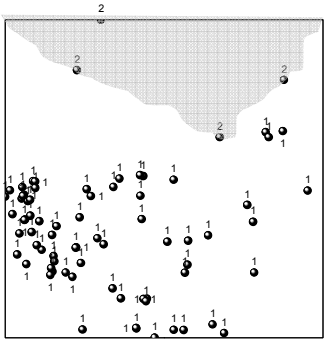
Injury to Limbs



Multiple Wounds over Body



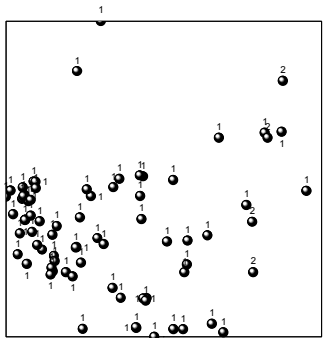
Body Covered



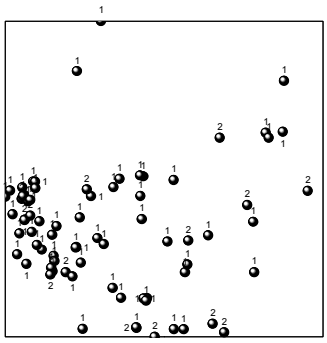
Body Hidden

**Appendix 2.4: (continued) Multidimensional Scalogram Analysis Plot of Bias-motivated Homicides According to Selected Crime Scene Behaviors**

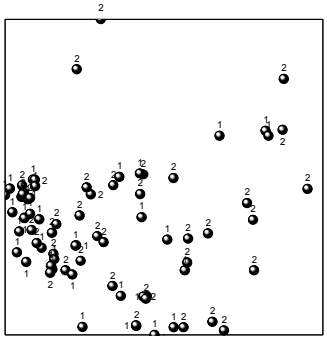
## Appendix 2



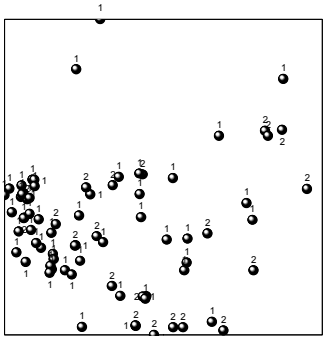
Body Bound (N/A)



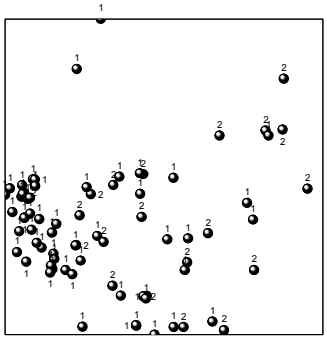
Forensically Aware Offender (N/A)



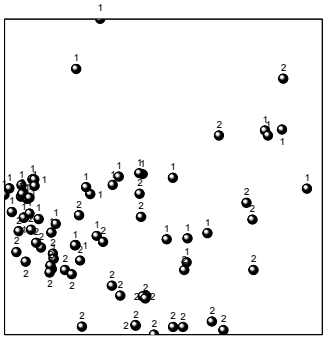
Injury to Head (N/A)



Injury to Neck (N/A)



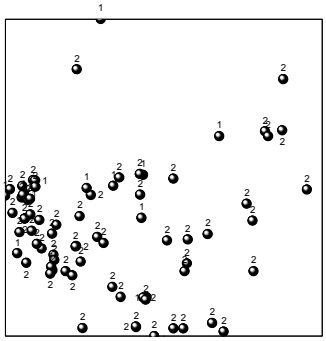
Manual Wounding (N/A)



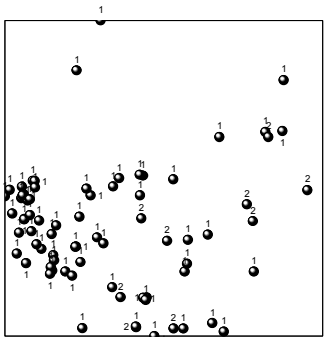
Multiple Wounds (N/A)

**Appendix 2.5: Additional Multidimensional Scalogram Analysis Plot of Bias-motivated Homicides According to Chapter 6 SSA Crime Scene Behaviors**

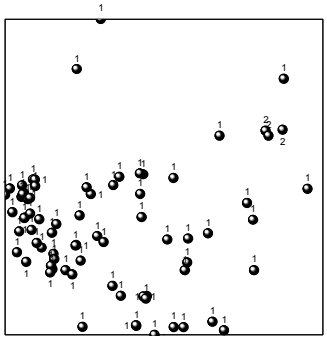
## Appendix 2



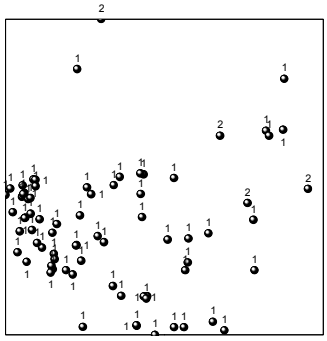
Body at Scene (N/A)



Sexual Behavior (N/A)



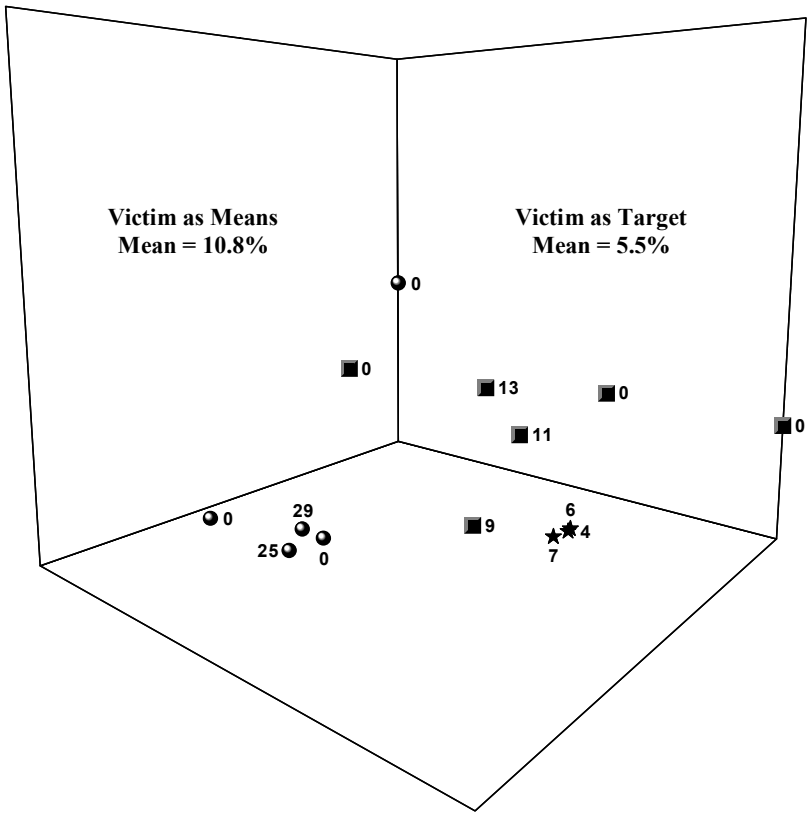
Victim Strangled (N/A)



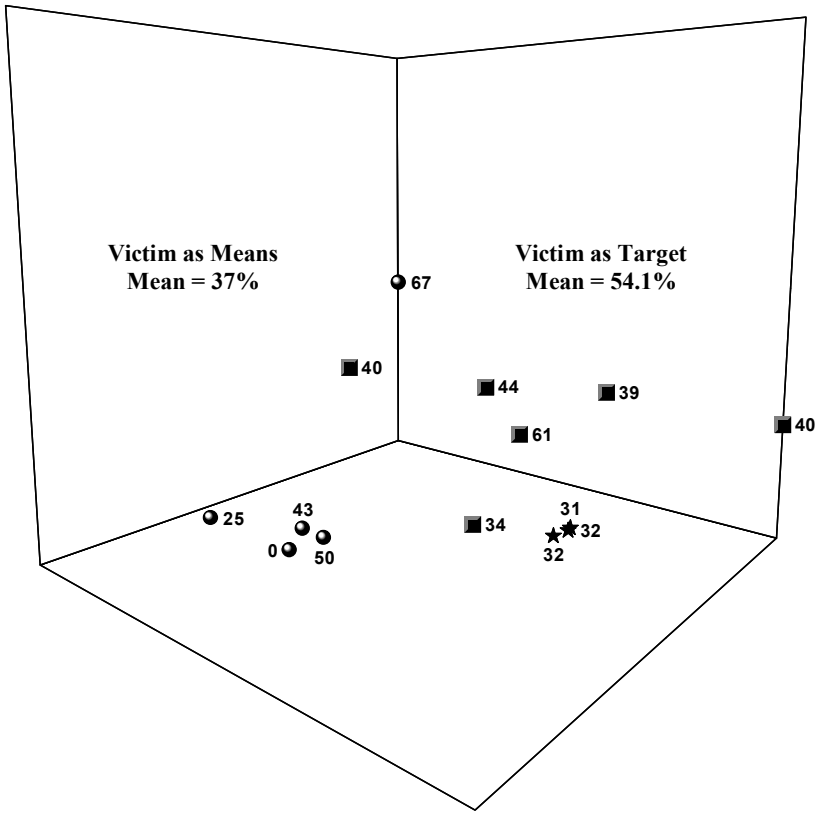
Body Transported (N/A)

**Appendix 2.6. Additional Multidimensional Scalogram Analysis Plot of Bias-motivated Homicides According to Chapter 6 SSA Crime Scene Behaviors**

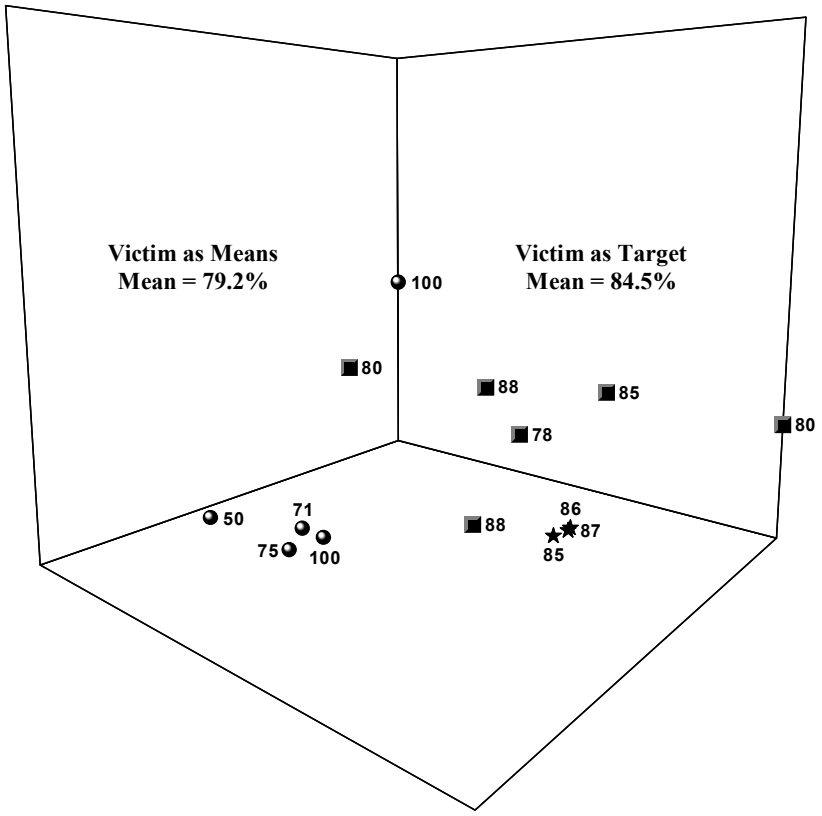
## APPENDIX 3



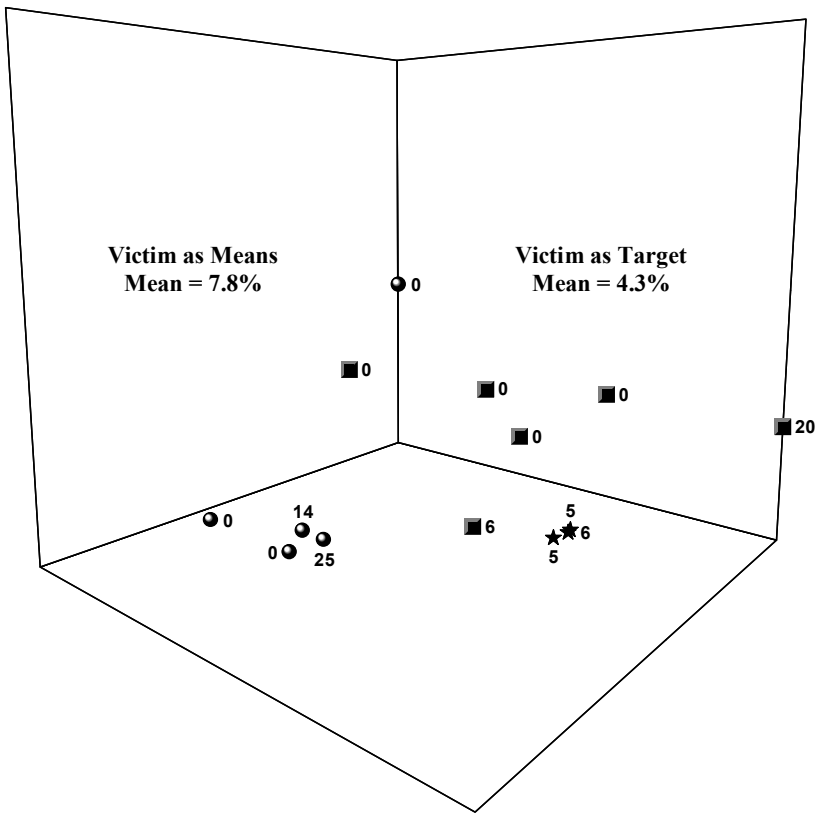

**Appendix 3.1.: SSA of Distribution of Percent of Co-Ocurrences of "Covering Victim" with Offender Background Characteristics**
**(■, Victim as Target; ●, Victim as Means, ★, High Frequency)**



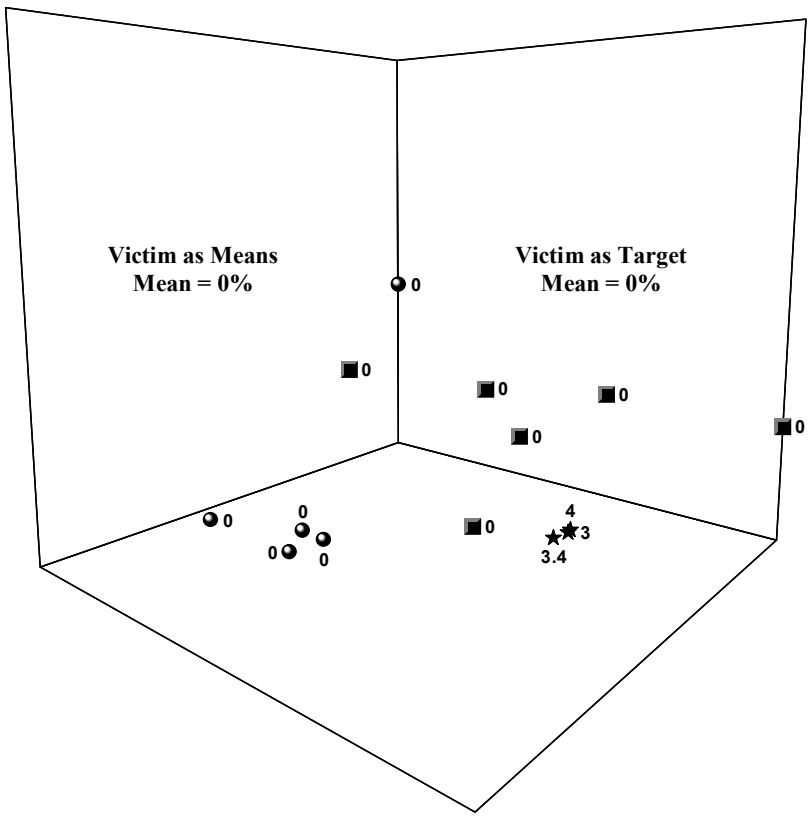

**Appendix 3.2.: SSA of Distribution of Percent of Co-Ocurrences of "Multiple Wounds over Body" with Offender Background Characteristics**
**(**■, Victim as Target; ●, Victim as Means, ★, High Frequency**)**



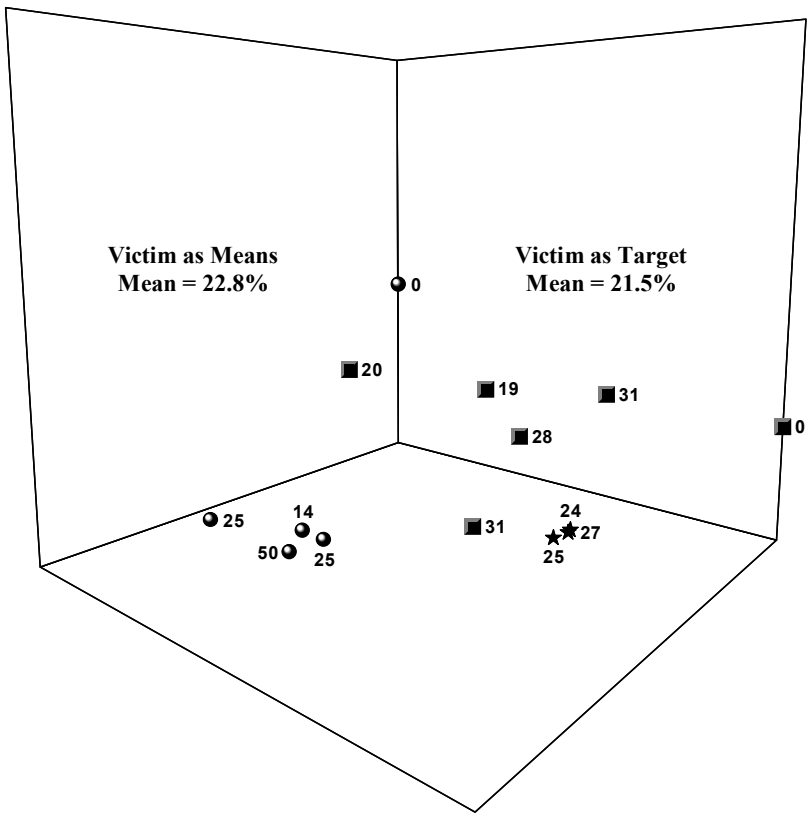

**Appendix 3.3.: SSA of Distribution of Percent of Co-Ocurrences of "Body Left at Scene" with Offender Background Characteristics**
**(**■, Victim as Target; ●, Victim as Means, ★, High Frequency**)**



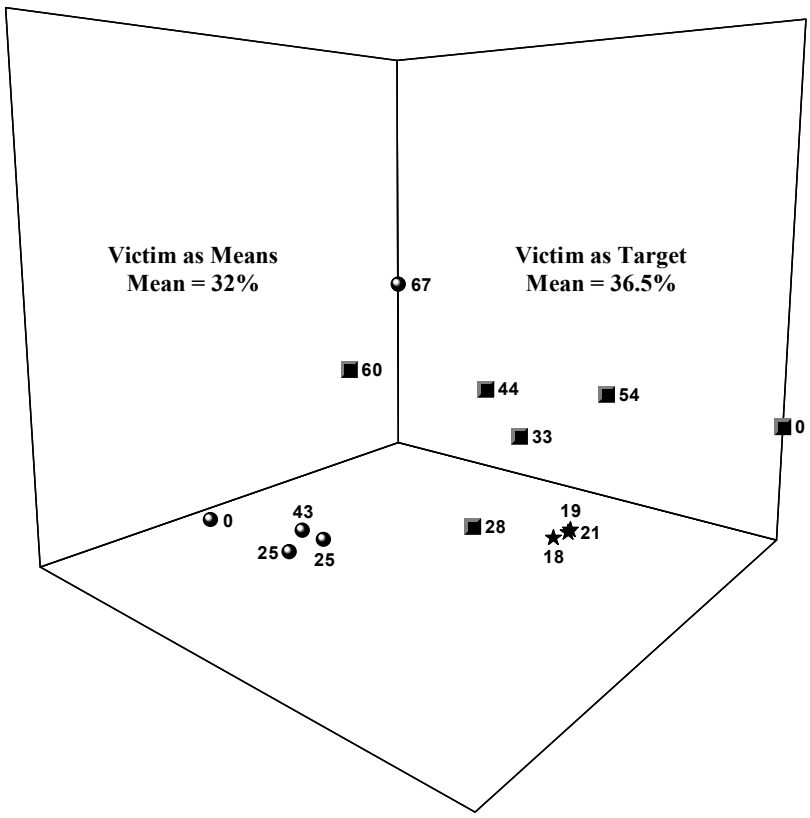

**Appendix 3.4.: SSA of Distribution of Percent of Co-Ocurrences of "Binding/Gagging" with Offender Background Characteristics**
**(**■, Victim as Target; ●, Victim as Means, ★, High Frequency**)**



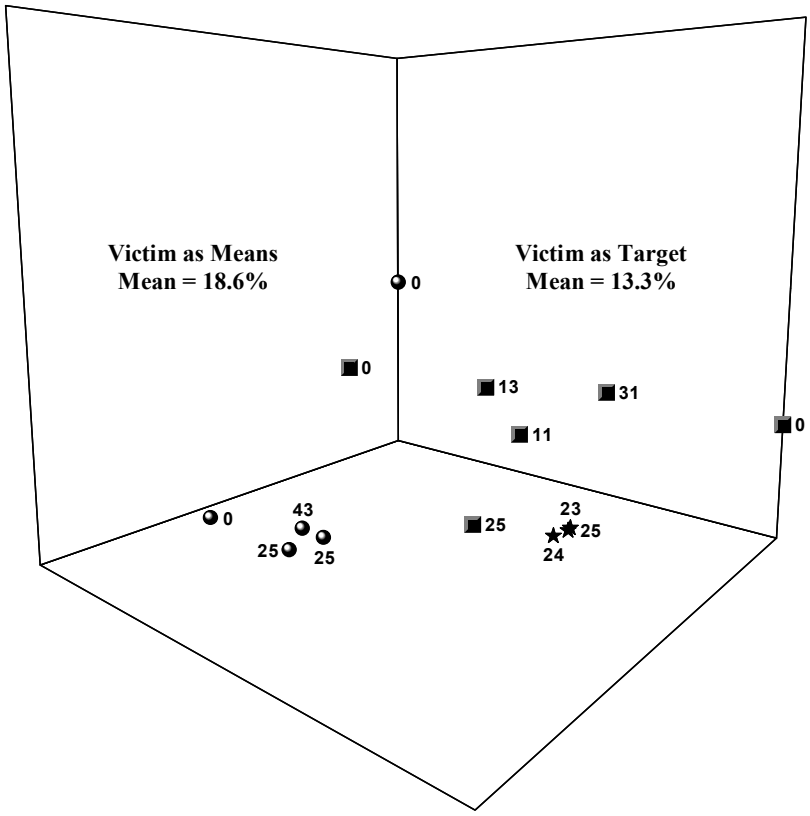

**Appendix 3.5: SSA of Distribution of Percent of Co-Ocurrences of "Strangulation" with Offender Background Characteristics**
**(■, Victim as Target; ●, Victim as Means, ★, High Frequency)**




**Appendix 3.6.: SSA of Distribution of Percent of Co-Ocurrences of "Stabbing" with Offender Background Characteristics**
**(**■, Victim as Target; ●, Victim as Means, ★, High Frequency**)**




**Appendix 3.7.: SSA of Distribution of Percent of Co-Ocurrences of "Forensically Aware Offender" with Offender Background Characteristics**
**(**■, Victim as Target; ●, Victim as Means, ★, High Frequency**)**




**Appendix 3.8.: SSA of Distribution of Percent of Co-Ocurrences of "Manual Wounding" with Offender Background Characteristics**
**(**■, Victim as Target; ●, Victim as Means, ★, High Frequency**)**

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