CRIMINAL PROFILING OF PSYCHOPATHIC SERIAL KILLERS

Monal, Symbiosis Law School, Hyderabad

ABSTRACT

A method to produce details about the person committing the crime, typically a psychopath serial killer, by analyzing the crime scene and studying the pattern and nature of the crime performed is termed criminal profiling. The two main techniques of criminal profiling are either by doing the analysis of the crime scene or by investigating the psychology of the crime scene.[1] Criminal profiling of psychopathic killers is interesting to study as it differentiates between the on-screen display in books, novels, series, documentaries, movies, etc., of how it is, from what it actually is in real life. Many stakeholders, such as judges, police officers, professionals, scientists, and psychologists, do not recognize profiling as an investigative technique. Criminal profiling is considered both science and art, differentiated by how we look at it.[2]

With the rise in the number of crimes in our country, like India, criminal profiling proves a non-disposable technique for the investigation of violent crimes and ones with similar patterns that need to be in practice. It is crucial for criminals identified with mental disorders, such as in cases of psychopathic serial killers, to be first examined by an eligible psychologist and get treated. People who do criminal profiling of psychopathic killers are called when no conclusion can be drawn from the evidence from the crime scene. It is shocking to hear that there are 73,000 cases still left before the Supreme Court of India only due to lack of investigation or, we can say, due to lack of proper style of investigation required at a certain time.[3] Most of the mental disorders are not even recognized, which creates a need to classify them properly. A lot of cases involving horrendous crimes are recorded to be performed by serial killers and people with mental illness, but they are not reported as done by psychopaths in India and all across the world. Some countries, like the U.K. and the U.S., have different statutes for psychopaths.

---

[1] PATRICK E. COOK & DAYLE L. HINMAN, Criminal Profiling: Science and Art, 15 J. CONTEMP. CRIM. Just. 230 (1999).

[2] Damon A. Muller, Criminal Profiling: Real Science or Just Wishful Thinking?, 4 HOMICIDE Stud. 234 (2000).

[3] The gender neutrality part of psychopath killers is also considered.

With the increase in the severity of psychopathic crimes, there is a need to create an infrastructure to predict them properly and take the required steps and also how technology is playing a role in doing so. The gender neutrality part of psychopath killers is also a part to be explored due to the fact that it is generally regarded that male members of society are psychopathic killers and not females, but there are proven instances that make it gender neutral for both. For instance, Renuka Shinde and Seema Gavit were sisters. That is, they were females who killed over six toddlers and many kidnappings.[4] Wrong decisions are happening due to less knowledge in the field of criminal profiling. It is necessary to introduce criminal profiling as a compulsory practice for the investigation of a case rather than to just depend on the police and judiciary.

INTRODUCTION

An investigative technique developed by the FBI (Federal Bureau of Investigation) for studying criminals and their crimes is known as criminal profiling. Profiling studies the behavior, personality, patterns, and details of a person who is suspected of performing a crime or a series of crimes. Profiling does not define who did the crime as portrayed in media,[5] but the type of individual who might have performed it, which is then compared with the list of suspects and criminal is identified.(Louis B. Schlesinger ,2009,)[6] Criminal profiling is generally applied only in cases where psychopathology is required, usually in cases of serial psychopathic killers.

LITERATURE REVIEW

In the article "**Psychological Profiling: Investigative Implications from crime scene analysis.**" Includes different stages of profiling such as input, decision process, crime assessment, criminal profile, investigation and apprehension, which play a significant role in identifying the nature of criminal, eventually leading to who is the actual criminal. Characteristics and main aspects of the offender and the patterns of serial crimes are also researched, such as the personality-wise differences in the crime scenes, and also an emphasis was given on the kind of person committing the crime instead of who committed the crime. The aspect on which the author missed out is the role of gender in the cases and remained fixed to only one gender. As can be seen after talking about the personality of the serial killer, for

---

[4] Renuka Bai v. State of Maharashtra, (2006) 7 SCC 442.
[5] Samriddhi Rai, Robust Criminal Profiling: Need of the Hour in Criminal Justice of India, 2 Jus Corpus L.J. 316 (2021).
[6] Louis B. Schlesinger, Psychological Profiling: Investigative Implications from Crime Scene Analysis, 37 J. Psychiatry & L. 73 (2009).

example, it is mentioned that "If such an individual were to commit a crime, "he" would probably do so in an orderly, planned fashion."(Louis B. Schlesinger, 2009, p.75). Afterward also , the pronouns used for the criminal in the article are only masculine in nature. For example, the text on pages 78, 74, etc., in the same article mentioned above.[7] An effort was made to study the characteristics of the offender but only remained constrained to one gender i.e. male, and not researched further.

The article "**Robust Criminal Profiling: Need of the Hour in Criminal Justice of India**"[8] mainly talks about what actually criminal profiling is, the techniques involved, and how the lack of use of criminal profiling in cases of psychopathic killers has led to an increase in the number of pending trials and that there should be a proper implementation of laws on this aspect of investigation of violent criminal cases (Samriddhi Rai, 2022, p. 708, 707). The article has given many solutions and recommendations but failed to define the use of technology in this field in a technologically developing world.

In "**The Columbia Science and Technology Law review**" it discusses about the fear of using genetic informants and genetic genealogy to catch serial killers. It has discussed how in the developing world of technology, new techniques of criminal profiling have emerged such as FGG(Forensic genetic genealogy", DTC genetic databases and more. These tools are mainly used in profiling cold cases like of serial killers. The effectiveness of such methods and the problems such as legal provisions, and privacy issues faced are also discussed. Poor data security issues contributed to the privacy of the users. It also highlights the use of LRFS(Long range familial searches) over the preceding methods as it would enhance the quality of justice delivered to victims and punish those who are committing society's most heinous crimes.

RESEARCH QUESTIONS

- Does digital criminal profiling serve a similar purpose as manual criminal profiling?

- Effectiveness of Criminal profiling in the investigation of violent crimes and complex situations in India

---

[7] Louis B. Schlesinger, Psychological Profiling: Investigative Implications from Crime Scene Analysis, 37 J. Psychiatry & L. 73 (2009).
[8] Robust Criminal Profiling : Need of the hour in Criminal Justice of India, 2.2 JCLJ (2022) 698

HYPOTHESIS

- The criminal profiling of psychopathic serial killers is dramatized on media platforms, which is a complex investigative technique.

- This method is not very prevalent in India due to various factors and needs to improve. Also, the use of digital methods has affected this area, which requires proper analyzation.

- Sometimes, a gender-biased view of criminal profiling can be seen, which is an inaccurate assumption.

METHODOLOGY

This research paper is based on the doctrinal form of research involving the study of resources and academic material available on this topic from all primary sources.

DATA ANALYSIS

Does digital criminal profiling serve a similar purpose as manual criminal profiling?

The use of biometrics, such as analyzing fingerprints, iris recognition, palm prints, and face recognition, is practiced by the FBI (Federal Bureau of Investigation) in its system of Next-generation identification (NGI), which helps to correspond or match to the offender and study the criminal history, patterns, and information relevant. (Purdue Global, 2018,). There are various factors on which the accuracy and usefulness of this method depend. Some practices(hobbies) have been opted by law enforcement agencies to solve cold cases. These techniques involves various drawbacks and also enhance the process of criminal profiling. There are some main topics under which we can analyze them.

Algorithm and data

Complex problems can be analyzed by using and designing integrated software programs that assist in analyzing the nature of the offender by studying various elements of the crime with the use of technology . The effectiveness of the analysis will also depend on the data present and the way of development of the software. For a comparative analysis and study, a large

quantity of data which is accurate should be present. For instance, a 2018 study predicted that roughly 90% of Americans of European descent will be genetically identifiable in a few years by the use of a DTC (direct-to-consumer) Genetic database, which would be very helpful for law enforcement agencies to carry out criminal profiling. Without the collection of samples of the person(offender), a relative's genetic data can become a silent witness. This can be matched with the DNA left at the crime scene. So, this type of collection of data and software would make this technique more effective. As it shows, at least thirty murderers and rapists have been arrested after the implementation of these methods. [9]Sometimes, problems such as legal aspects, privacy and autonomy of innocent individuals in collecting such data might arise, which can be solved by issuing warrants while going for collection of samples. A great method called FGG (Forensic Genealogy) is useful in the criminal profiling of psychopath killers. Joseph DeAngelo, the Golden State killer who murdered 12 people and assaulted 45 women, was finally arrested after decades of using this method (CODIS, p. 15.). So, with the use of an ample amount of data and appropriate algorithms, this is useful for our approach.

Manual influence

As the digital profiling might include processes such as FGG, which would involve the collection of a good number of samples to test against the crime scene. Which would somehow affect the privacy, as happened in the case of California v. Greenwood (486 U.S. 35, 41 (1988)). Someone might agree to give statements, but providing genetic material can be a problem. The experience of a professional criminal profiler is way better than the digital profiling software and methods. The experience of finding the points and analyzing certain behavioral patterns can be missed out by the digital methods due to a lack of recorded data, misinterpretation by the software, algorithm glitches, and many more. For example, Anthropomorphism, a "false positive bias," is when characteristics such as agency, intention, purpose, or violation, like human characteristics, can be inferred, which are not even present. This occurs due to overactive intentionality bias. Digital methods can analyze these types of things, and the main things of usefulness can be missed (Teneille R. Brown,2019,pg. 60). Human expertise can, in a way, be enhanced or supported by digital profiling methods, but it is very difficult to match the same standards due to the complexity and involvement of various factors.

---

[9] Peter Aldous, The Golden State Killer Case Ha Spawned a JNew Forensic Science Industy, BuzzFEED NEWs (Feb.15, 2019), https://NN.buzzfeednews.com/article/peteraldhous/genetic-genealogy-dnabusiness-parabon-bode.

Effectiveness of criminal profiling in the investigation of violent crimes and crimes with certain patterns in India

Criminal profiling is a crucial practice that is required to be included in the investigation of complex criminal cases in India. Some factors that can gear its implementation can be proper training and expertise and uniform implementation with accurate comparative and empirical studies. It makes the investigation process becomes feasible with the help of psychological evaluation.[10] This great technique is not that prevelant in India due to various aspects discussed ahead.

Speed and Accuracy

The on-screen depiction of criminal profiling is usually a rapid process as soon as the criminal profiler professional enters the scene, but in real aspects, it is very different in approach. A proper series of methods and steps are to be followed for the effective criminal profiling of serial killers. It takes a long period of time, as in the case of Surendra Koli v. State of U.P., (2011) 4 SCC 80, which took from 2005 to 2017, to provide justice to the victims. As shown on screen, it is not always accurate and never targets a particular individual but targets a behavioral pattern and nature of the offender and then compares this data with the suspects and tries to analyze and guess the actual criminal. Taking the example of the same case it was stated that there should be a proper test system or method that provides the court with convincing evidence or reasoning. The success rate on screen is usually high or a hundred percent, but in the real world, it depends on the situation, the evidence found, and other aspects and is not always solved by this method. Thus, the development of appropriate methods should be looked upon for accurate and more proficient criminal profiling. Criminal profiling is just a wider and more effective way to study complex criminal cases, and its outcome can be positive as well as negative. It can be weighed positively by concentrating on the quality and speed of the process.

Gender biases involved in this area

A significant amount of the gender-biased nature of criminal profilers can be inferred from the criminal profiling processes. It is usually seen that the offender is considered male. It is

---

[10] Norbert Ebisike, 'The Use of Offender Profiling Evidence in Criminal Cases' (Golden Gate University School of Law 11 February 2007) accessed 22 December 2021

stereotypical to think that a certain type of psychopathy, behaviors and motives can be related to a male member only. This bias can mislead profilers, distract the focus of the investigation and will eventually lead to faults in the criminal profile. Some examples of female serial killers provide the contradiction and challenge to such thought processes, such as Renuka Bai v. State of Maharashtra[11], (2006) 7 SCC 442, where two serial killer sisters. Also the famous Cyanide Mallika who was India's first female serial killer[12] (Registrar General, High Court of Karnataka v. Mallik) thus gives an example that processes such as criminal profiling should not involve such stereotypes.

Training and expertise

Before the implementation of criminal profiling as a practice in the investigation of crime and trying to enhance the time required, there is a need for the introduction of an academic principle that imparts knowledge and practical aspects of this subject matter. The lack of any such discipline is seen as the steps to becoming a criminal profiler, including bachelor's, master's, and Ph.D. level education in criminology and then proficient knowledge of law and psychology (from Indeed, 6 March 2023). It does not involve criminal profiling as a separate matter of study. So, there is a necessity to introduce it . It will ensure that professionals with a strong background in criminology, psychology, and law are experts in this field with a study of these subject matters also learn to implement it on criminal profiling by studying it as a separate method to study. This will increase the impact and accuracy of solving such heinous cases.

Empirical methods and professionalism

Criminal profiling involves empirical and statistical study of the case and situation. The image of professionals that most of people have is that they have some extraordinary abilities using which they are able to solve the most complex cases easily as can be seen in a Hindi movie "MARDAANI" where only the police officer is able to find out the loopholes and instantly caught the serial killer. Also, it was mentioned in an article that the real truth is that we simply do not know. As far as the author knows, there have never been any published empirical studies on the differences between various subtypes of serial offenders (Damon A. Muller,2000, pg. 225). But the actual resolution of such cases (criminal profiling of psychopath serial killers) works in a different way. There is a need to work according to the legal provisions and study

---

[11] Renuka Bai v. State of Maharashtra, (2006) 7 SCC 442
[12] Registrar General, High Court of Karnataka v. Mallika, 2012 SCC OnLine Kar 8798

various factors like victimology, crime scenes, common patterns, etc. It involves professionals who have a strong background and training in psychology, law, and criminology who, with their knowledge, try to study the criminal scene (Samriddhi Rai, 2021, pg. 321,322).

Uniform implementation

Uniform implementation of the practice of criminal profiling in complex cases. The practice should not remain constrained to only a few places but should spread all over the country as an essential law. Legal provisions for making it uniform should be introduced with respect to ensuring the implementation of criminal profiling in complex and heinous cases. Various aspects are mistaken about criminal profiling.

CONCLUSION

Criminal profiling is not as simple as it appears but requires suitable processes and methodologies. It is never possible to directly identify the culprit without any mistake or simple techniques. Criminal profiling can become a great method if used wisely and effectively. Digital methods of criminal profiling can only become beneficial if they act as a constituent of manual profiling, as it will avoid minor errors and aspects that are neglected or overlooked in the digital method. The method of criminal profiling in which India is yet to advance, needs to be looked upon, and implementation of this practice should be established while taking into account factors like training and expertise, proper empirical study, removal of gender biases, and uniform implementation throughout the country with appropriate speed and accuracy.