

Staged Crime Scenes: Crime Scene Clues to Suspect Misdirection of the Investigation

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Abstract

In the course of their career, most detectives and forensic practitioners will come into contact with a staged crime scene; a scene altered by the offender to either mislead a police investigation or for other reasons understood only by the offender. Staged scenes are possible in nearly every type of criminal offense ranging from property crimes to violent crimes. To better understand the dynamics and general nature of “staging” this article introduces three new categories of staged crime scenes based on the motive of the offender’s scene alteration. The benefit of understanding these categories is to recognize that the offender’s staging actions can be identified through common findings that are often found when crime scenes are altered.

Keywords: Staging, body posing, depersonalization, primary staging, secondary staging, tertiary staging, premeditated, ad hoc, red flags,

Introduction

After the preliminary screening of a cold case has been completed and a decision is made to reopen the investigation, one of the first steps is to sit down and read the file; paying particular attention to the autopsy and forensic analysis reports, crime scene photographs and examination, and the statements of police, suspects, witnesses and victims; particularly, whoever discovered the body or made the initial report to police.

We have several main goals when reviewing these particular reports. First is the standard review to gain an understanding of the event itself and of the crime scene; and how it was found

based on the photographs, sketches, various technical reports and lists of all physical and forensic evidence that was identified and collected. The second goal is to examine the scene through the actions and behaviors displayed by the offender and determine what they did before, during, and after the event. These pre-incident, incident, and post incident behaviors can provide important investigative information regarding consistency with statements, physical evidence, conditions, timelines, coincidental behaviors or claims of coincidental occurrences. Any inconsistencies should be verified and may provide important evidence that the offender attempted to alter or stage the scene. This includes the addition, removal, or changing any physical evidence and may include post mortem mutilation, posing the body, or other similar interaction with the victim at the scene. Changing or altering the scene or post mortem interaction with the victim are all examples of staging; and if scene alterations are not recognized during the preliminary investigation it may completely change the interpretation of the crime and cause detectives to develop false theories and go off into misleading directions.

Most detectives have probably come into contact with offenders who have altered a scene; however, most police literature, case studies, and training in this area is really limited to examples of homicide cases in what Geberth defines as *“the perpetrator changes elements of the scene to make a death appear to be a suicide or accidental in order to cover up a murder.”*¹ Although this statement is true regarding an offender's attempts to mislead a homicide investigation, staging can include other activities and different crimes, which may include arson used to cover up evidence at a crime scene or positioning a body in a sexually stylized manner to degrade or humiliate the victim or to shock society. Staging, actually takes on many forms and is attempted for many different reasons; the scene alteration is really only dependent on the offender and the dynamics of each individual event or scene. To better understand the concept of staged crime scenes and “staging” this article takes a second look at the general definitions of a staged crime scene and characterizes these events into distinct categories based on motives and general intent of the offender.

General Definition

One of the problems with the concept of staged crime scenes is the definition as to what exactly constitutes staging or a staged crime scene. In current professional literature there are several variations. For instance; Geberth provides a somewhat general definition by stating, *“Staging is a conscious criminal action on the part of an offender to thwart an investigation.”*² The Crime Classification Manual³ provides a more detailed and specific definition as, *“Someone purposely alters the crime scene prior to the arrival of police. There are two reasons that someone employs staging: to redirect the investigation away from the most logical suspect or to protect the victim or victim's family.”*

Whereas both of the previous definitions are generally correct, the authors believe they are also overly broad and do not adequately define or explain the staging act itself, as well as all of the potential offender scene alterations that have nothing to do with misdirecting a police investigation. To enable investigators to better recognize and understand the acts of crime scene staging, this article offers a new terminology to both define and categorize different types of

staging based on the offender's motivations and behaviors. The combined offender behaviors and motivations place the offender into one of two categories known as **Primary Staging** and **Secondary Staging**. An additional and separate category of scene alteration, which is carried out by someone other than the offender and is not intended to misdirect a police investigation is defined as a **Tertiary Scene Alteration**.

A **Primary** staged scene is defined as:

An intentional and purposeful, altering or changing of physical evidence or other aspects of the crime scene, and/or providing false information to the police relative to the incident, with specific criminal intent to misdirect or divert a police investigation away from the true facts and circumstances of the crime.

The important difference between this new definition and other previous broader definitions are the words **intentional and purposeful** and **with the specific criminal intent to misdirect or divert a police investigation**. This new definition focuses on the offender and their motive behind the scene alteration and should be seen and understood as **perpetrator driven activity**. The second important change in the previous definition involves a very important aspect of misdirection of a police investigation, which is the offender **providing false information to the police**. This is an important element in almost all staged crime scenes because so many times it is the offender that actually reports the crime to the police and must therefore provide an explanation as to what happened, giving them an opportunity to enhance or supplement any scene alteration that may be present with false information they believe will further justify/explain the staged version of events they want investigators to see and believe. In essence, the offender sets the stage for a false reality based on their fantasy of what the scene should look like to represent their version of events. Examples include effort to point out any physical evidence that may be present or missing or offer other explanations as to how the crime was actually committed. Hazelwood and Napier⁴ have defined these false statements and efforts to lie to the police to initiate or continue with the misdirection of the investigation as **verbal staging**.

Based on the individual circumstances of each crime scene, **Primary Staged Scenes** can be further placed into one of two sub categories known as **Ad Hoc or Premeditated**.

Ad Hoc Primary Staged Scenes

An **Ad Hoc** staged crime scene is basically what the name implies; it is an intentional effort to misdirect the police, undertaken or completed by the offender, but without forethought and preplanning. In other words, the staging takes place "*after the fact*" of some crime or event. There are a couple of basic differences between this type of staged crime scene and the others covered later in this article. The main difference with **Ad Hoc** scenes is the clear lack of "*premeditation*" or prior planning and the *impulsivity* involved in the "staging," or actual alteration of the scene. An Ad Hoc staged crime scene would typically result from efforts of the offender to *cover up* criminal acts, omissions, or negligent activity by staging the scene to provide an *alternate*

explanation as to what really happened. Therefore, the altered or changed physical evidence and subsequent statements or explanations offered by the offender is almost always related to some type of self-preservation effort to *divert police attention away* from themselves and onto someone or something else.

Often these types of staged scenes do not necessarily reflect added evidence, as much as it reflects missing evidence, and/or an otherwise altered scene. Examples of common ***Ad Hoc*** staging efforts would include child abuse deaths wherein the offender suddenly and thoroughly clean the residence; temporary removal of other children prior to police arrival; or the victim is bathed, redressed, or repositioned in bed to alter the way the scene and the child would be seen by the authorities. In cases such as drug abuse deaths, the scene might be cleaned up and all illegal substances removed. The victim may then be repositioned to resemble an accidental or natural type death, such as an accidental drowning in a bathtub. On more than one occasion a female victim was removed from the scene, undressed and left out in public and posed in a sexualized manner to resemble a sexual homicide.

One of the better examples of an ***Ad Hoc*** type staged crime scene is illustrated in the following case example:

Case Study #1

A frantic young couple reported that on the previous evening person(s) unknown entered their apartment and kidnapped their four month old baby from her bedroom. The parents claimed that the father was away working a double shift and the mother had put the child to bed around 9 PM the night the child was kidnapped. When the mother woke up in the morning, she discovered the child missing with the front door closed but unlocked. She immediately called her husband who came right home and called the police. The parents claimed to have no idea what happened to their child and could not think of any potential suspects. The kidnapping report initiated an immediate response from all of the local police agencies.

A detailed crime scene search was initiated, but no signs of forced entry or other physical evidence consistent with the parent's claim were discovered. During the background investigation of the family, relatives and friends reported that the wife was not known to keep a very clean house and there was actual concern about the general welfare of all of their children. Yet, the house at the time of the scene processing was orderly, neat, and clearly had been recently cleaned. The mother's statements to police claimed of spending the previous days engaged in normal family activity and portrayed herself as a normal and caring parent. However, this was not the general feeling of friends and neighbors, who portrayed the mother as neglectful and inattentive to all of her children. Eventually the parents were confronted with the conflicting information and the mother confessed that the child actually died from neglect. The mother had been on the computer almost nonstop for almost an entire week and had never checked on the child. Most likely it had literally starved to death,

while the mother played on the internet. She discovered the child dead in her crib the previous evening and called her husband who managed to sneak away from his job and returned home. He took the child, wrapped it in a blanket, and then took the child to an open rural area and threw the child's body into a nearby pond where it was later recovered. The husband and wife later plead guilty to various offenses regarding the death and disposal of their daughter.

In the above cited case example, as with many other *Ad Hoc* type staged scenes, the mother had no real intention to murder their child. But, once she made the discovery she had no idea how to explain the child's death. Rather than admitting to any wrongdoing, the mother and father impulsively formulated an "*ad hoc*" plan to explain the child's disappearance and demise. While the husband took control of the child's body, the wife went through and completely cleaned their house from top to bottom. Their decision was an attempt to deflect attention onto an unknown intruder and thus escape or deflect any suspicion, blame and responsibility for their actions.

Rather than being forced to provide any details, information, or explanation as to what happened, they claimed no knowledge as to the exact circumstances surrounding the event. By maintaining that the mother was asleep and the father wasn't home, they believed they created an easily manageable explanation of events. The "*complainant's*" lack of knowledge or inability to remember what exactly happened is a frequent finding in these types of events because it is easier for the guilty party to maintain their story if they don't have to recount any details.

However, because the explanation of events are basically created "on the run" and not planned out in any great detail, inconsistencies are usually much easier for investigators to recognize and uncover. One of the key features of this type of staged scene is the nature of the description of events and the "*evidence*" left behind or presented to the investigators at the scene. Interestingly, there seems to be an overwhelming need for the offender who stages an "*Ad Hoc*" scene to paint themselves in the most positive manner by pointing out how responsible they were, what precautions they may have taken to prevent such accidents, or express frustration at the event taking place when they were not around to do something to prevent the occurrence. For those offenders who do place themselves at the scene at the time of the incident, it is not unusual for them to claim a vigorous but unsuccessful physical resistance against an unknown attacker, but was somehow overpowered or injured and could not resist any further.

Case Study #2

A 16 year old girl reported that her boyfriend dropped her off in front of her house minutes before her scheduled curfew. As she was walking towards the house, she was approached from behind by a young man who covered her mouth to prevent her from calling out and then forced her back into the street where a pickup truck, driven by another unknown male pulled up. She was forced into the "extended cab" backseat area of the pickup truck, her head covered by some

type of clothing articles, and then driven to an apartment complex where she was forced from the truck and into one of the apartments and was raped.

The victim claimed to have physically resisted the assault, but was overpowered by the combined efforts of both offenders. Afterwards she was forced back into the truck and driven to a remote area of town where she was taken out of the truck and raped again. This time however, the victim claimed to have attempted escape by running away, but was quickly recaptured in an open field and the two men then teased and tormented her by dragging her through some grass and mud and then "punished" her attempts to escape by burning her stomach twice with cigarettes. She was eventually released near a convenience store where she called her parents and reported the crime.

As part of the initial investigation the boyfriend was contacted and only after a few minutes confessed that the event did not happen the way the victim claimed. The boyfriend stated that they had actually engaged in consensual sexual intercourse together earlier in the evening. Afterwards, the boyfriend discovered the condom he was wearing had broken open and the girlfriend immediately concluded that she was pregnant. The girl could not face telling her parents that she was pregnant and after thinking for several minutes formulated a plan to stage a rape. In order to stage the rape, she believed she needed evidence of more than one man's semen. Convincing the boyfriend to follow along, the two set out to locate another man to have sex with the girl in order to obtain additional semen. They made contact with two men waiting outside a bar in a pickup truck. The boyfriend offered the girl to them for sexual relations. The men readily agreed and escorted the pair onto their apartment and the "victim" went willingly inside, disrobed and began to have sexual relations with one of the men. However, the process was taking too long for the girl and she demanded the man stop which he did. The girl then got dressed, returned to the parking lot where the boyfriend was waiting in his vehicle and they drove off. However, because the man had not climaxed, the girl still did not have the necessary evidence that she believed was necessary to support her claim of events.

As a result, the two went back to town looking for other possible "candidates." Another man was eventually located outside of a convenience store. The girl approached him with offers of sex and then two went into the nearby bushes and engaged in sexual intercourse and the man climaxed inside her. Now that the "victim" had the necessary physical evidence, the boyfriend dragged her through some mud and grass, and she burned herself on the stomach with cigarettes to validate "torture" by the suspects. The boyfriend had let her out at a convenience store where she called her parents and made the claim of rape. She reported the kidnapping and rape to the police and was able to describe the vehicle the men were driving in good detail, but was only able to provide a basic description of the suspects and did not think she would be able to identify them in the future. Based on the description of the vehicle and statement of the

boyfriend, the two men who were approached outside the club were actually located and during an interview confirmed the unusual story.

The previous case demonstrates the *impulsive and unplanned nature* of the *ad hoc* type staged crime scene. The victim's plan, although somewhat more intricate than many, was still made on the run with the intent to deflect blame from the victim and divert attention away from the real events. However, because the victim was not the real victim of a crime, she had to concoct a story in a limited period of time that she thought would be believable based on her limited life experiences. In this case, we can see many of the other markers of an ad hoc type staged scene. These include the victim portraying herself in the best possible light and whatever happened was beyond her ability to control or avoid. According to the victim, she was returning from a date *before* her curfew; she was attacked literally at her own house, by two much stronger males; although she had physically resisted and even tried to escape she was overpowered and could not possibly resist what eventually happened to her. This case was unusual in that the victim wasn't able to use the evidence that was available to her and instead had to "manufacture" evidence through consensual sex with other men. The physical injuries were self-inflicted and amounted to what that the victim thought would corroborate her claim. She relied mostly on the false information provided to the police to substantiate her allegations.

From an investigative perspective, the reported verbal, sexual, and physical behaviors of the "offenders" during the incident did not make sense and cast doubt on her claim almost immediately. What this case study clearly demonstrates is what a victim attempting to make a false complaint or stage a scene is willing to go through in order to deflect attention away from themselves and onto some other person or thing.

Premeditated Primary Staged Scenes

The second subcategory of the *Primary* type staged scene is the *Premeditated*. In direct contrast to the *Ad Hoc* type scenes, the *Premeditated* staged scene may be meticulously planned out ahead of time by the offender and run the gamut from fraudulent burglary or theft reports, to false rape complaints, and even homicides. The important characteristic difference regarding the *Premeditated* staged scene is the amount and type of physical evidence that is often provided to establish what is being portrayed. The evidence provided or the scene alteration is really only limited by the intelligence, imagination, and overall life experiences of the offender. Whereas *Ad Hoc* staging tends to point *away* from the actual act and onto other "unknown factors or persons;" *Premeditated* primary staging tends to have clear evidence that focuses the police "*onto the act*" or event being portrayed. In these cases, the offender wants the police to have a clear understanding as to what happened, leaving little to no chance the evidence will not be found or misinterpreted. It is not unusual in these situations for the offender to be the one that actually points out the evidence to the police to ensure it is found.

In the below case study an offender planned to stage a burglary with the intent of filing a fraudulent insurance claim.

Case Study #3

A student returned to his dormitory following a ten day school break and reported that while he was gone, someone had entered his dormitory room and had stolen a very expensive piece of jewelry and a stereo. The “thief” had also packaged other items, as if ready to steal, but they were apparently left behind. An examination of the scene noted no signs of forced entry to the doors, but the victim believed someone entered through his second floor window. Furthermore, the scene examination noted there was no disturbance of the ground directly underneath the “victim’s” window, nor at any other location around the entire building.

Inside the room was an empty stereo cabinet and several large plastic bags full of personal and school items belonging to the victim that appeared as if the perpetrator was going to take them away as well. The victim then brought out a small jewelry box that still had numerous pieces of quality gold jewelry, but claimed an expensive diamond engagement ring for his girlfriend was missing. The plastic bags of personal items were also examined and found to contain a few common clothing items as well as several of his text books. The theft of the stereo and jewelry could be expected, but the theft of the school texts did not make any sense at all as these were neither high valued items or of any particular interest to a lot of other students.

A canvass of the other occupants of the dorm eventually located the “missing” stereo in another student’s room. The other student reported that he had actually purchased the stereo from the “victim” several days prior to the school break. It was his intent to take it to a girlfriend’s house off the campus but hadn’t had a chance to do so. During his interrogation, the “victim” confessed to staging the scene prior to the leaving for break. His intent was to file a claim for his loss with the jewelry store where he had also purchased insurance for the ring. The student was charged with filing a false police report.

In Case Study 3, the “victim” expected a police report would be generated based on his complaint; but never expected anyone to actually do a follow up investigation. He therefore provided what he thought was evidence of a break in; his window was unlocked, his personal property was in disarray and some property was even “prepackaged” to steal, and he reported the loss of a few valuables. In his mind, this was what he would have expected to find if someone had actually broken into his room. The evidence provided was very basic, and tended to focus on the break in and actions of the offender inside the room.

There is seemingly no limit to the lengths and methods an offender will pursue in support of their premeditated staged offense. The end result of their planning is based on their life experiences, personal interpretation of how the scene and associated evidence should appear to

achieve their desired outcome, which is commonly to get away with and sometimes also benefit from the crime as demonstrated in Case Study #4.

Case Study #4

A brother and sister team planned to defraud a major tourist amusement park out of a large sum of money by claiming the sister had been attacked and raped while inside the amusement park. As part of their plan, the sister first had consensual sex with an unsuspecting male partner. The brother and sister then went straight to the amusement park where they walked to a location out of public view. The brother then physically assaulted his sister by striking her repeatedly in the face with his fists and ripping her clothing. Subsequently, the brother left the scene and his sister caught the attention of a park security guard and reported that while walking near a restroom she had been kidnapped, dragged into a hidden area, and sexually assaulted by an unknown offender. The police were summoned and the victim taken to the hospital where she was examined. Semen was recovered during the examination, which tended to confirm the victim's claim of assault. The scheme was undone when the previous consensual partner found out about the incident and he reported to the police to avoid being implicated. The pair were both tried and convicted of filing a false report. Their motive for fabricating the entire incident was a planned law suit against the amusement park.

The premeditation or planning of the above event can be seen by the intended victim engaging in consensual sex hours before the event so they would be prepared with physical and forensic evidence when they went to the amusement park. The last step was only the physical trauma that was inflicted immediately before the report. The two offenders believed the semen found in her body during the medical examination and the physical trauma would substantiate their claims. As we have seen from the two previous examples, some premeditated events are much better planned out than others and the amount and type of evidence provided to stage a premeditated scene, is only dependent upon the offender and their intelligence, criminal experience, maturity, life experiences and motive behind the event.

Since many offenders are not real victims and are likely to have never actually participated in a previous criminal act; the offender often makes a mistake by presenting "*too much*" evidence at the scene in what can be described as "*exaggeration.*" Leaving too much evidence tends to lead to conflicting evidence as to what happened. One common and very simple example of exaggeration is an offender who plans to murder a victim and then make it appear to be a suicide. The victim is then shot in the head and invariably they place the gun into the victim's hands to make it very obvious to the police that the victim shot themselves. In reality, the gun is not always found in the victim's hand, so it's really only important to the police that the weapon used was located in the immediate area of the victim. Of additional importance is the physical condition of the firearm: safety on/off, slide forward or locked to the rear, hammer cocked or forward, and other functional attributes related to the operation of the particular weapon as well as any related trace

evidence. The condition of the firearm is sometimes overlooked and can be an important indicator that a scene has been staged.

In addition to providing an overabundance of physical evidence, the offender may design a scenario or explanation that attempts to play upon perceived police and societal prejudices and offender stereotyping. An example of this effort to play upon a perceived police prejudice is seen in the well-publicized case of Susan Smith from South Carolina who falsely reported that an unknown black offender car jacked her vehicle with her children inside. In addition to the sympathy generated by the kidnapping of a young mother's children, Smith played on the perceived police and societal prejudices by identifying the offender as a black male. In reality she drove her vehicle to a lake and with the children inside, allowed the vehicle to submerge into the lake and the children were drowned.

As stated previously, staging appears across the full spectrum of crime, but there are three crimes or events that are used as themes to misdirect the police investigation more often than others; these are the *interrupted burglary or home invasion, suicide, and sexual homicides*. So whenever the investigator is confronted with these crimes a careful look for any signs of a false report or staged event should be considered.

All of the aforementioned case studies for primary staged scenes, whether they are *ad hoc or premeditated*, provide a very important key to an offender's understanding of the police investigative process: As such, the suspect's staged scene and the false story are not generally designed to last through a long term investigation; rather, the main goal is to get through the initial police observation of the scene and the preliminary criminal investigation without arousing any suspicions. If they are successful, there is actually a very good chance there will be no follow up investigation and their version of events will be accepted; therefore they will get away with their crime.

When looking at a cold case, there is also a third goal behind reviewing the initial crime scene and preliminary investigative reports; this is to identify the motive or the reason behind the crime. From an investigative perspective, once we understand the motive we can then start to identify or narrow down a possible suspect. Whenever the motive of the crime cannot be clearly established we look very carefully at the scene for any evidence that the scene may have been staged and the investigation misdirected from the outset of the preliminary investigation.

One of the more common scenes is a homicide that is staged to resemble a home invasion or interrupted burglary. In these cases, the scene has been altered to resemble someone rifling through the scene looking for some valuables. The problem many times in cold cases is there appears to be multiple or even conflicting motives noted during the investigation.

As an example of multiple motives one only has to look at the JonBenet Ramsay case wherein the 6 year old daughter of a wealthy businessman was murdered inside her home. But the parents first reported that the child was abducted based on a three page ransom note. Yet, hours later in a search of the residence the victim was found deceased in a room in the basement. Her discovery inside the house is curious as she was found with a ligature around one of her wrists as if she had been at one time bound, It is unclear why the offender would have to tie up a 6 year old in order to maintain control over her. She also had suffered a skull fracture and died of ligature strangulation. Since many other indicators of staging existed, the immediate question was; if this was a kidnapping, then why leave the body behind to be found? If the motive was murder

or even sexual assault of the child, then why leave the hand written note behind which gave the police their only real forensic evidence. Moreover, the *presented* offender was so clever they entered the house at some point (which was never really established) went up to the second floor of the house, removed the child without causing her to wake or call out, then take the child down two flights of stairs where the body was found. At some time after she was removed from her bedroom, the child experienced some severe blunt force trauma and was strangled and left in the basement. The offender then left the scene and was so resourceful that they left no signs they were inside the house. But, the same offender was so unprepared that everything used in the commission of the crime originated from the scene. The hand written note was written from a pen that was recovered by police inside the kitchen and came from a writing tablet that was also in the kitchen area. The ligature and piece of wood used as a garrote also came from the house.

The last question we always ask in this case is exactly what was the motive behind the entire incident? Sexual assault? Kidnapping? Murder? Even today, the exact motive behind the entire incident is still unclear, therefore this case and other similar cases should be looked at as a staged scene.

Hazelwood and Napier⁵ identify the issue of recognizing the motive very clearly: "*In staged scenes the investigator is confronted with the necessity to determine the motive for two different behaviors. (1) The original act that necessitated the staging and (2) The staging itself.*" Hazelwood and Napiere continue to say: "In staged crimes, learning the motive will more often than not lead to the person responsible." Thus, establishing the motive not only helps to determine the scene has been staged, but also leads to discovering the impetus leading up to the staging, ultimately leading to identifying the offender.

So, from an investigative standpoint the first task is to recognize that the scene was staged or the crime did not happen in the manner reported. We then have to look at the original crime and who would be most likely to be considered a suspect. For instance, if we determine the victim did not commit suicide as the scene initially indicated; we now have to look at the event as a murder and shift our attention to determine the motive behind the murder and who is likely to benefit or would have a reason to commit the crime. So many times in cold cases we see signs that the detectives first did not recognize the scene may have been staged or if they recognized the scene was staged did not follow-up and focus in on the original crime itself.

One of the last goals in reviewing the file is to look at all of the verbal, physical, or sexual behaviors displayed by the offender before, during, and after the crime. In looking at their behavior, we are hopefully picking up many clues of the offender's intelligence, life experiences, criminal sophistication or criminal experience. Considering these behaviors in combination with the motive will tell us a lot about the offender, or will present inconsistencies that point to a false report or a staged scene to misdirect the investigation. Again, one of the better examples is in the JonBenet Ramsay case where we have a dichotomy of offender behaviors that typically points to a staged scene or false report.

In the JonBenet case, we are presented with a suspect that displays organized offender behavior by being so intelligent and organized to be able to enter a residence, remove a child from her bedroom, commit a murder, hide her body, and then leave the residence without leaving any sign or evidence of their presence. Yet, this same offender is so disorganized and unprepared to commit the crime that everything used to commit the crime and leave the note originated from

within the crime scene. Also, with all of this work and effort the real motive for the crime cannot even be determined.

Showing *proprietary interest* during the crime is another inconsistent offender behavior during normal criminal acts. An example of *proprietary interest* shown by the offender is a murder scene where the wife is killed and her possessions are thrown around, ransacked, or damaged. Yet, in the same house the husband's personal property is left untouched. It appears as if the offender wantonly destroyed or had little concern over the wife's property but exercised care not to damage or even disturb the husband's property. Many times, at the end of the scene examination or case review that detective may find that despite the appearance of forced entry or ransacking of the scene, the only real crime that was committed was the murder of the victim.

Secondary Staging

There are many other offender behaviors encountered at crime scenes that can be grouped into the general concept of "staging," but are *not* intended to misdirect a police investigation or divert attention away from the offender. The difference with these types of scenes is the absence of motive to mislead or deceive; rather the impetus for the scene alteration is more closely related to the psychological and crime scene signature aspects of the offender. Such change in provocation for this type of staging behavior requires a different perspective when examining the scene, and thus a different definition in which to classify these events, known as Secondary Staging and is defined as:

The intentional alteration or manipulation of the crime scene or the victim by an offender that is unrelated to misdirecting or diverting the police investigation.

Such alteration takes in a very wide range of possible offender behaviors from simple acts such as placing something over the victim's head, to posing the victim into sexually provocative or embarrassing positions, insertions of foreign objects into the body, or other post mortem mutilation of the victim. These actions may be a part of fulfilling the offender's fantasy or intended to shock and offend society, humiliate or degrade the victim, or even for some other ritualistic or symbolic meaning only understood by the offender. In Secondary Staging, the scene alteration is performed strictly for the benefit of the offender. Three common examples of secondary staging are known as *depersonalization*, *body posing*, and *symbolic/ritualistic*.

Depersonalization

Perhaps the most common and easily recognizable example of Secondary Staging is depersonalization, defined by Geberth⁶ as: "*The actions taken by a murderer to obscure the personal identity of the victim. The face may be beaten beyond recognition, or the face of the victim may be covered.*" Since the head and face are the most recognizable aspects of our normal

appearance, when covered, the victim is transformed from a person the offender may know, love, or had a personal relationship with to just an anonymous body. This behavior of covering the face of the victim by some item at the scene has been interchangeably used in professional literature staging, *depersonalization* or *psychological undoing*.

Other more extreme examples of depersonalization include post mortem mutilation of the victim's body and typically involve the face or in some cases the actual removal of a woman's breasts or genitals also referred to as defeminization, defined by Geberth⁷ as "*divesting of female quality or characteristics*." These more extreme actions are seen as a way to essentially change the victim into a non-person or to *depersonalize* them.

Body Posing

Body posing is perhaps the best known, most recognizable, and probably the most documented example of crime scene staging; likewise, the vast majority of professional articles on criminal investigative analysis, offender profiling, and crime scene signature analysis involve this aspect of this type of offender behavior. Although they are extremely well documented and studied, they really only make up a small percentage of all homicides. Different efforts to determine the frequency of these incidents by Keppel and Weiss,⁸ Hazelwood and Napier,⁹ and Geberth¹⁰ have all agreed that they are actually very rare occurrences. Generally speaking, these events tend to take place within the context of a sexual homicide, which Geberth¹¹ has defined as a scene where there "*...is evidence of sexual activity observed in the crime scene or upon the body of the victim*." Geberth further stresses that a "*sexual homicide is not a case with just sexual overtones, but is the overriding motive for the death. The term "posing" in the context of a sexual homicide is deliberate offender efforts to manipulate or pose the victim into a sexually provocative position within the crime scene....*" Because the nature of the crime involves positioning the victim into sexually provocative positions and may include elements of bondage, insertion of foreign objects, or post mortem mutilation, they tend to be well publicized and studied.

Prominent public placement or display and body posing of the victims is another example of a *Secondary Staged Scene*. One of the best known examples would be the Hillside Strangler serial murder investigation during the 1970's in Los Angeles, Ca. In those cases, female victims were kidnapped, raped, sadistically tortured, and then murdered. Their bodies were then transported to residential neighborhoods, and left naked in public areas where they were found by the neighborhood residents. The bodies were clearly left to humiliate and degrade the victim as well as to demonstrate the offender's power and the incompetence of the police. Each succeeding placement of their victims added to their sense of power and accomplishment, while continuing to emphasize the inability of the police to catch them.

The common thread prevalent in these behaviors with regard to crime scene staging, is the "staging" activities are not intended to misdirect the police investigation; more notably, as previously stated, they are intended through some internal or psychological motivation to *shock and offend society, humiliate or degrade the victim, or for some other symbolic reason only understood by the offender*.

Symbolic or Ritualistic

The third general example of secondary staging are those scenes that are staged or altered for some symbolic or ritualistic reasons by the offender for reasons other than to fulfill a fantasy or misdirect a police investigation. One example is the famous case of John List.

John List case study

On November 9, 1971 List methodically killed his entire family including his wife, mother, and his three children. He initially shot and killed his wife and mother and then as his children came home from school he murdered each one. List went to the bank and closed his own and his mother's bank accounts, and then placed the bodies of his wife and children on sleeping bags next to each other, with rags/towels covering their faces, in one room of the house and attempted to clean up the scene. He also wrote a five-page letter to his pastor explaining why he had murdered his family leaving instructions for their cremation and religious services. List was experiencing financial difficulties making only \$5000 dollars for the year and foreclosure proceedings had begun on his home. In his other notes he confessed that he killed his family to spare them from experiencing poverty as well as sparing them from ever losing their souls from the evil influences in the world. To delay discovery of the bodies and his crime he had stopped milk, newspaper, and mail deliveries saying the family was going to North Carolina for a few weeks. The bodies were eventually discovered almost a month later, all lying next to each other with religious music playing over the home's intercom system.

In the above case, the scene was altered after the victims were killed and all moved to one room where they were all together and then symbolically laid out next to each other with religious music playing in the background and wrote notes confessing to the murders. But, the staging was not related to misdirecting the subsequent investigation; rather it was an example of *symbolic* staging that List felt the need to arrange for his own personal reasons.

When discussing ritualistic crime scenes, many times we tend to associate them with the occult, satanic ceremonies, or some other religious reasons. However, *ritualistic* also refers to instances where the offender's crime scene behavior is repeated and noted from one scene to another. This example of *ritualistic* behavior is also known as the crime scene signature wherein the offender implants his individuality into the scene through his own repeated behavior. This repeated behavior may be realized by how or where the victim is posed and through the various types of post mortem offender behaviors at the scene and the offender's interaction with the victim.

Thus, recognizing the presence of Secondary Staging can lead to identifying some of the best individualistic offender behavioral evidence. If similar behavior is repeated in any additional crimes, this may be the basis of recognizing or identifying the offender's particular crime scene signature and potentially linking cases together.

It is important to consider that not all sexually staged scenes fall into the category of Secondary Staging and that the theme of "sexual connotations" may be used as a ruse by the offender cover the true nature of the crime; thus, bring us back to the motive of specific criminal intent to mislead the criminal investigation in Primary Staging. As such, staging a murder scene to resemble some type of sexual homicide by removing some of the victim's clothing, posing them into a sexually stylized position, or insertion of a foreign object into the body is a very well established theme. So much so that any instance where the death appears to be sexually motivated should be carefully examined for signs of staging. In many instances, when reviewing a cold case in what the initial detectives believed was a sexually motivated crime, there may be clear signs of staging, basically because of the lack of corresponding offender behavior that is consistent with a true sexually motivated crime. .

In the case of those scenes that are staged to resemble a sexual homicide, the correct categorization would be of an ad hoc or premeditated scene rather than a sexual or symbolic staged scene, since the purpose was to misdirect the police, rather than to humiliate or degrade the victim.

Tertiary Scene Alteration

There is one last general aspect of scene alteration that needs to be considered when it is carried out by family members, or other persons that may initially find a body in an embarrassing or degrading situation, seeking to spare the family or the victim any embarrassment. Geberth is very clear on this point stating, "*Staging should not be used to describe the actions of a family member who may innocently cover or redress a loved one found nude or who has died in an otherwise embarrassing situation.*"¹²

Although unintentional and non-criminally motivated actions could potentially change the nature of the scene, they do not fall into the Primary or Secondary "staging" definition unless there was a "**specific criminal intent or purpose**" behind the scene alterations. Such potential criminal intent could be established, for example, when a suicide scene is intentionally changed to resemble a homicide or an accident to insure that the "victim's" life insurance policy with a suicide clause will still pay.

The other Non-Criminal Alteration; i.e. accidental, incidental, or innocent change to the original crime scene by family members or other witnesses, are better referred to as **artifacts**. Here, the artifact may be something altered or added to the scene after the fact, but has no real evidentiary or behavioral value and has no criminal intent to mislead or Secondary Staging motives. The term for these types of actions is **Tertiary Staging** which is defined as: **An alteration or change to the scene made by someone other than the offender, that is incidental to the crime and done without specific criminal purpose or intent to misdirect the police investigation.**

Because **tertiary scene** alterations are generally not completed by the offender, such activity should be identified and clarified, but generally has no other real evidentiary or behavioral importance. The importance in identifying this type of staging is to discover the true nature of the actual crime and insure the investigation is not sidetracked.

Conclusion

There is very little statistical data available to determine the actual number of staged scenes that are attempted each year and due to the nature of these types of incidents, it is difficult to gather data. Most of the information collected on this subject therefore is based primarily on the personal or anecdotal experiences of detectives or authors of professional literature. However, a recent study completed by Schlesinger et al (2012), completed a review of 946 homicides supplied by the FBI Behavioral Science Unit from across the US and found 79 cases or 8.35% were staged to misdirect the criminal investigation, or Primary Staging. Alternatively, 91.64% of the cases reviewed (867) were not staged to mislead police.

Of the Primary Staged scenes in this study 25.31 % (20 cases) used arson as the staging method. Verbal staging, defined in the study as filing a false missing persons police report to cover the murder, occurred in 21.51% (17) of the cases. The study went on to further classify 17.72% (14) as burglary/robbery/breaking and entering themes, 13.92% (11) as accidents, 7.59% (6) as suicides, 5.06% (4) as homicide-suicide, and one case (1.26%) Primary Staged "as a sexual homicide by exposing the victim's genitals."

Although this study gives great insight into the prevalence of staging, it is limited to homicide investigations. What's abundantly clear is that staged scenes are and will continue to be an investigative issue that affects the fact finding outcome of a criminal investigation.

The ability to recognize attempts of misdirecting the police at the earliest stages of a crime or preliminary investigation provides a greater understanding of what may have actually happened. This type of information is invaluable for investigators as they develop their case. When looking at cold cases we always look at the possibility that the original theory of the crime and how the case was investigated, was based on a staged or an altered scene and false information to support that alteration.

Endnotes

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