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Crime Scene as a Source of Information in the Process of Profiling the Unknown Perpetrator of Homicide

Miejsce zdarzenia jako źródło informacji w procesie tworzenia profilu kryminalnego nieznanego sprawcy zabójstwa

SUMMARY

This study is about the crime scene as a valuable source of information about *modus operandi*, motives and characteristics of the perpetrator of the homicide crime. Based on Polish and foreign literature, the author made attempts to present various concepts of the perception of the crime scene in the criminal profiling process, as well as to indicate the key elements of the behavior of the perpetrator of the homicide resulting from the manner of proceeding, which can be interpreted from the crime scene. The study also presents the basic assumptions regarding the construction of criminal profiles of unknown perpetrators of homicides, with particular emphasis on the dichotomous concept of division into organised and disorganised perpetrators and the possibility of making other conclusions as to the psychophysical characteristics of the perpetrators of homicides. Thus, it is a form of universal presentation of the problem and may be of interest, in particular, to law practitioners.

Keywords: profiling; criminal profiling; perpetrator; homicide

INTRODUCTION

Since its inception, forensic science (criminalistics) has striven to develop the most effective methods of detecting the perpetrators of crimes, as well as to develop effective techniques for capturing them, and to collect evidence in order to enable the judicial authorities to decide on the question of the criminal liability of an

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accused person for an alleged offence[1]. As J. Widacki points out, these objectives became achievable at the turn of the 20th century, owing to, among other things, the efforts of H. Gross, who included the knowledge available at the time on forensic methods of detecting and prosecuting perpetrators in the first forensics manual[2]. The use of the guidelines of forensic sciences that determine the detection process is a necessary condition for achieving the objectives of criminal legislation. This is a manifestation of the inseparable link between criminal procedural law and forensic science, as it is the provisions of the Code of Criminal Procedure[3] that provide for procedural activities which, if carried out properly, make it possible to achieve the objectives set out in the Act. However, procedural law does not discuss how to perform these activities, leaving this issue to forensic science. On the other hand, the provisions of the Code of Criminal Procedure significantly limit the scope of application of certain activities of a forensic nature in order to guarantee that citizens' rights are respected and protected[4].

For the purposes hereof, the issue of meeting the objectives of criminal proceedings achieved through the use of forensic science should be limited to one of the objectives set out in Article 2 § 1 point 1 CCP, supplemented and made more specific in Article 297 § 1 point 2 CCP, i.e. detection of the perpetrator[5]. The de-

[1] Obviously, this is about forensics in the practical sense, related to the activities of law enforcement agencies in the broad sense, the functioning of which in the field of combating and preventing crime can be seen since the times when crime began to be treated as a negative social phenomenon, related to the functioning of the state and the social system existing within that state. The literature on the subject contains examples of the implementation of the assumptions of modern forensic science in a non-scientific form: in the times of ancient Egypt, Babylonia and, to a large extent, from the periods of the Middle Ages, Renaissance or the revolutions of the 18th and 19th centuries. For more detail, see J. Kasprzak, B. Młodziejowski, W. Kasprzak, *Kryminalistyka. Zarys systemu*, Warszawa 2015, p. 15; J. Thorwald, *Stulecie detektywów*, Kraków 2009; T. Hanausek, *Kryminalistyka – zarys wykładu*, Kraków 2000, p. 16. M. Kulicki, V. Kwiatkowska-Wójcikiewicz and L. Stępka (*Kryminalistyka. Wybrane zagadnienia teorii i praktyki śledczo-sądowej*, Toruń 2009, p. 9) aptly refer to the period before the development of forensic science as the "pre-forensic period".

[2] H. Gross is considered a kind of "father" of forensics due to his extensive contributions to this science. The most important achievements include: authorship of the first forensic textbook; a publishing initiative of the journal "Archiv fur Kriminalantropologie und Kriminalistik"; establishment of the Forensic Institute at the Charles Francis University of Graz. For more, see J. Widacki, *Kryminalistyka*, Warszawa 2016, p. 3; M. Kulicki, V. Kwiatkowska-Wójcikiewicz, L. Stępka, *op. cit.*, p. 12 ff.

[3] Act of 6 June 1997 – Code of Criminal Procedure (Journal of Laws 2018, item 1987), hereinafter: CCP.

[4] M. Kulicki, V. Kwiatkowska-Wójcikiewicz, L. Stępka, *op. cit*., p. 39.

[5] Pursuant to Article 2 § 1 point 1 CCP the purpose of criminal proceedings is that the perpetrator of the crime is detected and brought to criminal liability, and that the innocent person does not bear this responsibility. Moreover, the provision of Article 297 § 1 CCP, specifying the objectives of the preparatory proceedings, among which the detection and, if necessary, appreciation of the perpetrator of the crime can be distinguished.

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tection process, aimed at identifying people who may be perpetrators of crimes, is carried out by adhering to the assumptions which are the determinants of the principles and methods of effective action, developed by forensic tactics, together with the simultaneous use of technological means adapted to use them in the process of detecting and combating crime[6]. B. Skowron indicates that the detection of the perpetrator takes place when the collected evidence provides sufficient grounds to suspect that it was a specific person who committed the act covered by the proceedings in question[7]. The above seems to be fully in line with the definition of criminal detection process proposed by T. Hanausek, who defines it as the entirety of actions of law enforcement agencies aimed at disclosing an event identified as a crime at a given stage of the proceedings, obtaining information allowing them to put forward hypotheses about the person who is in a legally relevant relation to the investigated event, as well as establishing the person's details. As a final result, the process of detection aims at collecting materials which make the hypothesis of that person's participation in the event plausible to the extent justifying the initiation of the process of proving it[8]. It is being assumed that the perpetrator of the detected event is a person the suspicion against whom referred to above will maintain until the end of the proceedings[9].

In view of the foregoing, it should be concluded that the legislation in force in Poland oblige law enforcement agencies to take all measures that are lawful and proportionate to the circumstances, in order to identify and capture the perpetrator and to gather evidence to prove the accused's guilt[10]. Due to the subject matter of this study, the view expressed by B. Lach and other authors, who agree that the detection of criminal offences and their perpetrators is the main task of

[6] At this point, reference should be made to general definitions of criminalistics, from which both the subject matter of interests of this discipline can be interpreted, together with almost every reference to the issue of the detection of crimes and their perpetrators (and other socially negative phenomena and persons involved, where, for example, the issue of suicide or drug addiction can be mentioned). The above is supported, almost in the same manner, by: M. Kulicki, V. Kwiatkowska-Wójcikiewicz, L. Stępka, *op. cit*., pp. 38–50; J. Kasprzak, B. Młodziejowski, W. Kasprzak, *op. cit*., p. 28; D. Jagiełło, *Kryminalistyka (przegląd podstawowych zagadnień taktyki, techniki i profilaktyki kryminalistycznej)*, Skierniewice 2011, p. 11; T. Hanausek, *op. cit*., pp. 16–18. J. Widacki (*op. cit*., pp. 4–8) notes that criminalistics is a meta-science for all detailed forensic sciences, that focuses on the traces left by the perpetrator, methods of disclosing, securing and investigating them in order to detect, find and collect convincing evidence of guilt against the perpetrator.

[7] B. Skowron, [in:] *Kodeks postępowania karnego. Komentarz*, ed. K. Dudka, Warszawa 2018, p. 597.

[8] T. Hanausek, *Zarys kryminalistycznej teorii wykrywania*, part 1, Warszawa 1988, p. 45; S. Pikulski, *Podstawowe zagadnienia taktyki kryminalistycznej*, Białystok 1997, p. 104.

[9] J. Tylman, *Cele postępowania przygotowawczego*, [in:] *System Prawa Karnego Procesowego*, vol. 10: *Postępowanie przygotowawcze*, ed. P. Hofmański, Warszawa 2016, pp. 139–140.

[10] T. Grzegorczyk, *Dowody w procesie karnym*, Warszawa 1998, pp. 35–41; T. Hanausek, *Kryminalistyka…*, p. 187; B. Lach, *Profilowanie kryminalistyczne*, Warszawa 2014, pp. 53–54.

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those authorities, should be accepted[11]. In order for this task to be carried out, the most appropriate detection methods, including criminal profiling, must be used each time.

THE TERM OF "CRIMINAL PROFILING"

This interdisciplinary field of forensic psychology is defined as "the process of acquiring the short, dynamic characterization of an unknown perpetrator, including the most important perpetrator's characteristics and manifestations of behaviour"[12]. It is used in particular for violent crimes such as murder, abduction or rape. One may also encounter the use of the criminal profiling technique for other events that put at risk human life or health, as well as property. It is possible to profile the perpetrators of terrorist offences and arson (especially if they take the form of serial events) or, for example, ritual crimes[13]. Thus, it is a tool used for detection in the events where the perpetrator at the time of the commission shows a strong emotional involvement towards the target of his or her attack, which involvement in results in a specific and characteristic manner of committing the act in question.

The very term "profiling" is combined with other words, which precise its meaning and the subject matter the profile will concern. As for the issue of preparing psychophysical profiles of unknown perpetrators, terms such as "criminal profiling", "psychological profiling", "forensic profiling"[14] or "psychological and criminal profiling" can be found. In my opinion, the gradual harmonisation of the terminology used should be proposed by adopting the term "criminal profiling" or "forensic profiling" for this technique. This would eliminate unnecessary terminological chaos, which does not serve the profiling itself, the activities of persons compiling criminal profiles, as well as entities using the profiles[15]. This can be justified by referring to the source of the word, which is undoubtedly the word *crimen* (Latin: 'crime, offence') which evokes association with crime even laypeople, while allowing for a precise separation of the above technique from the

[11] B. Lach, *op. cit.*, p. 53; S. Waltoś, *Czy w Polsce proces karny jest rzetelny*, [in:] *Węzłowe problemy prawa karnego, kryminologii i polityki kryminalnej. Księga pamiątkowa ofiarowana Profesorowi Andrzejowi Markowi*, eds. V. Konarska-Wrzosek, J. Lachowski, J. Wójcikiewicz, Warszawa 2010, pp. 645–655.

[12] J.K. Gierowski, *Określanie sylwetki psychofizycznej nieznanego sprawcy zabójstwa – profilowanie*, [in:] *Zabójcy i ich ofiary. Psychologiczne podstawy profilowania nieznanych sprawców zabójstw*, eds. J. Gierowski, T. Jaśkiewicz-Obydzińska, Kraków 2002, p. 14.

[13] B. Lach, *op. cit.*, p. 16.

[14] J. Gołębiowski, *Profilowanie kryminalne. Wprowadzenie do sporządzania charakterystyki psychofizycznej nieznanych sprawców przestępstw*, Łomianki 2017, p. 31.

[15] The lack of a uniform terminology may understandably raise doubts as to the seriousness, scientific status and uniformity of criminal profiling, with a negative impact on its practical value.

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broadly understood psychological profiling, which is widely used in other spheres of everyday life, as a branch of psychology not necessarily related to investigative psychology[16].

Contrary to the foregoing, according to J. Gołębiowski, the practice is that in the vast majority of cases the procedural bodies in the course of the proceedings request that the expert draw up a "psychological profile" or "psychological characterisation/profile of the unknown perpetrator"[17]. There are also provisions on the appointment of an expert witness in accordance with Article 194 CCP, in which the procedural body requests for "the drawing up of a psychophysical profile of the unknown perpetrator" or "the drawing up of a psychosocial profile"[18].

The term "investigative psychology" already used above (which should not be equated with "forensic psychology"[19]) was formulated in the late 1980s by the British psychologist D. Canter for a branch of psychology to include the use of extensive knowledge of both classical psychology and psychopathology for the purposes of investigation. The author stated that the three following main components should

[16] This is because, based on psychological assumptions, it is possible to profile consumers, employees and advertisements in order to adapt to their needs in the most appropriate and thus most effective way or to act as effectively as possible (cf. *ibidem*, p. 34). Profiling is applied in marketing communication and in advertising to personalize the content of the advertisement, adjust it to the preferences and tastes of the Internet user, so as to maximize the effectiveness and accuracy of the presented content. For more detail, see K. Szymielewicz, *Śledzenie i profilowanie w sieci*, „Fundacja Panoptykon" 2017, p. 22 ff. It is also worth mentioning that the concept of profiling (in a sense completely different than applied herein) has gained its legal definition as a result of the entry into force of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ EU L 119/1, 4.05.2016), hereinafter: GDPR. According to Article 4 para. 4 GDPR, "profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person". The above example shows an analogy in relation to criminal profiling with regard to the core of profiling, namely the inference about the characteristics that distinguish the person under profiling.

[17] J. Gołębiowski, *op. cit.*, pp. 31–34.

[18] J. Gołębiowski, K. Grochowska, *Profilowanie kryminalne na potrzeby sądu. Kontrowersje wokół przydatności*, [in:] *Innowacyjne metody wykrywania sprawców przestępstw – materiały z konferencji*, eds. M. Szostak, I. Dembowska, Wrocław 2014, pp. 120–121.

[19] The term "forensic psychology" was first mentioned by L. Howard in 1953. This author suggested that a separate branch be distinguished in the context of applied psychology, to deal with the collection, study and presentation of evidence for judicial needs. It is forensic psychology in its strict sense. Forensic psychology in the broad sense is defined as any application of psychological knowledge or methods in tasks carried out within the legal system. In view of the above, it seems reasonable to claim that "investigative psychology" should be treated as a branch of forensic psychology in the strict sense. Cf. J.K. Gierowski, T. Jaśkiewicz-Obydzińska, M. Najda, *Psychologia w postępowaniu karnym*, Warszawa 2008, pp. 151–188; J. Kabzińska, E. Habzda-Siwek, *Psychology and law – between multidisciplinary and interdisciplinary approach*, "Problems of Forensic Sciences" 2014, vol. 99, pp. 219–220.

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be classified within the scope of investigative psychology: psychological principles of investigation; knowledge of criminal behaviour; methodology of collecting and analysing data on a specific crime[20].

As B. Lach points out, it is precisely the third element of investigative psychology identified by D. Canter that is particularly relevant for criminal profiling, as it refers to the need for an interdisciplinary approach to the problem of crime and the combat against it, and in particular the detection of perpetrators through the use of various sciences, in particular forensic medicine, criminalistics and psychology[21]. Drawing up a criminal profile of an unknown perpetrator is one of the basic and, as the psychological literature emphasizes, the "most spectacular" tasks faced by profilers using the methodology adopted by investigative psychology[22]. The analysis of all the traces found and secured in the course of the investigation makes it possible to formulate hypotheses regarding the person who is the, not yet known, perpetrator of the incident, which together form a coherent, logical and useful for the detection process characterization of the person wanted. It seems appropriate to emphasize here the fact that a properly build criminal profile will only be a probabilistic representation of the figure of the person under investigation. The hypothetical nature of the profile drawn up is one of its essential features, since it refers to a person who is a kind of theoretical being, a person initially referred to as the "unknown perpetrator of the incident" – and will never point to a specific person identified by name.

CRIME SCENE

The model of profiling unknown perpetrators of homicide, adopted and adapted to Polish realities, is a complex system consisting of assumptions contained in profiling models originating in particular from the United States and the United Kingdom. At the root of this model is the examination of the crime scene as one of the most important factors. The literature on the subject points to the fact that the crime scene is an invaluable source of information both about the perpetrator and the victim, as well as the relationship between them[23].

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[20] D. Canter, *Professional, Legal and Ethical Issues on Offender Profiling*, [in:] D. Canter, L. Alison, *Profiling in Policy and Practice. Offender Profiling Series*, vol. 2, Dartmouth 1999, pp. 6–8; F. Bolechała, J.K. Gierowski, *New areas of cooperation between investigative psychologist and medical examiners in profiling of unknown offenders*, "Problems of Forensic Sciences" 2010, vol. 81, p. 42.

[21] B. Lach, *op. cit.*, p. 15.

[22] See J.K. Gierowski, T. Jaśkiewicz-Obydzińska, M. Najda, *op. cit.*, p. 251.

[23] For more on the characteristics of the model of profiling unknown perpetrators of murders, adopted, among others, in the practice of the Department of Forensic Psychology of the Professor Jan Sehn Institute of Forensic Research in Kraków, see A. Czerederecka, J.K. Gierowski,

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"Crime scene examination" is a concept that is sometimes used interchangeably, both in forensic literature and in common language, with regard to the term "visual inspection". It seems that the authors who consider it as a broader concept are right, as it refers to a variety of both procedural and non-procedural and technical activities aimed at obtaining as much information as possible about the investigated incident and the offender. Crime scene examination is a concept which involves a variety of activities such as, for example, securing the crime scene, visual inspection of the crime scene, visual inspection of the corpse and items, reconstruction of the incident, or site penetration that are designed to make it possible to establish the facts of the case, thereby creating a forensic version and profiling of the offender[24].

At this point, it should be specified the understanding of the term "crime scene". As K. Witkowska assumes, the "scene" subject to examination is a part of space in which certain facts relevant to a given incident have occurred, due to the possibility of obtaining material evidence from them. Thus, it is a place where the evidence relevant to a given case can be found. The place is determined each time by the type of the prohibited act concerned, its dynamics, the way in which the perpetrator acted, the weather conditions or the features of the area[25].

As regards foreign authors who deal strictly with the issue of profiling unknown perpetrators, it is worth mentioning the synthetic definition of crime scene proposed by B. Turvey, as "a location where a criminal act has taken place"[26]. This author enriched and clarified the above definition by stating that four main types of crime scene can be specified, each of which is determined by the quantity and quality of forensic traces that can be discovered. According to this author, it should be borne in mind whether the place of the incident that may have been an offence is located outdoors or indoors[27]. This is important in the context of inferring how the scene

T. Jaśkiewicz-Obydzińska, E. Wach, *Ekspertyza psychologiczna*, [in:] *Ekspertyza sądowa. Zagadnienia wybrane*, eds. M. Kała, D. Wilk, J. Wójcikiewicz, Warszawa 2017, pp. 842–846; M. Szaszkiewicz, *Model opracowywania charakterystyki psychofizycznej nieznanego sprawcy zabójstwa*, [in:] *Zabójcy i ich ofiary*..., pp. 185–187.

[24] K. Sławik, *Kryminalistyka w związkach z procesem karnym, kryminologią i wiktymologią*, Szczecin 2003, pp. 136–137; J. Kasprzak, B. Młodziejowski, W. Kasprzak, *op. cit*., pp. 222–223. A different position is taken by M. Kulicki, V. Kwiatkowska-Wójcikiewicz and L. Stępka (*op. cit*., p. 426), who claim that for a procedural activity it would be more correct to use the term "inspection", while the term "examination" should only refer to the fragment of the inspection in which the object of inspection is subject to a "thorough, in-depth study", as a result of which sufficient amount of evidence may be acquired.

[25] K. Witkowska, *Oględziny. Aspekty procesowe i kryminalistyczne*, Warszawa 2013, pp. 67–70.

[26] B. Turvey, *Criminal Profiling: An Introduction to Behavioral Evidence Analysis*, Amsterdam 2003, pp. 189–191.

[27] While such a division seems to be widely understandable and beyond doubt, the other two types of locations presented by this author may be deemed controversial. He allows the area below water surface of and the area within the vehicle to be identified as a separate type of crime scene. See *ibidem*, p. 190.

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may have been accessed, which in the case of a closed room may indicate the possession of special equipment to break the locks and safeguards of the premises and the ability to use it, or winning victim's trust by pretending to be a person that does not arouse negative feelings or suspicions: perpetrators who plan to commit a crime may pretend to intervene in the guise of a policeman, and may also pretend to be an injured or disabled person, or pretend to be a representative of various institutions: a postman, priest, doctor, or payment collector[28]. The perpetrator may feel at ease in the role, thereby arousing the impression of authenticity of the assumed identity among the public. On the part of the investigators and the profiler, this may suggest that the perpetrator in his life had had to do with an activity or profession he "played". This, in turn, may lead to will to a narrowing the circle of suspects. According to J. Gołębiowski, for a sexual homicide committed outdoors, there is a high probability that the perpetrator may be a person who has a criminal history of sexual offences or is known to law enforcement agencies from, e.g., his or her exhibitionistic behaviour[29].

According to the profiling model developed by B. Turvey and referred to as Behavioral Evidence Analysis by this author, based on a thorough analysis of forensic traces and a detailed victimological analysis, then subject to deductive reasoning, there are four main stages, including notably the stage of analysing the features of the crime scene[30]. The author of the model notes that there are several basic categories of crime scene:

1. The location of the first contact between the perpetrator and the victim – the place where the perpetrator-victim relationship was initiated, where the perpetrator has involved the victim into his or her area of psychological influence.

[28] In 1994, a serial killer was active in southern Poland, nicknamed "the payment collector" by the public and the media. He killed five people in their homes by shoots in the head. In each case, the *modus operandi* showed great similarities, so that these offences were attributed to the same person. The perpetrator used to enter the victims' homes, pretending to be a representative of the electric utility company, who must have access to electricity meters. Having entered the flat, he used to kill people by shooting an 8 mm Walther PPK gas gun, converted and adapted to fire live ammunition cal. 6.35 mm. Witnesses who saw the man before the murder testified that they had not known him but thought it must have been a payment collector. This was confirmed by the opinion of experts drawing up the perpetrator's criminal profile, who stated that he "used to perform such or similar work in the past or had the opportunity to observe often the payment collector's activities". Example as cited in F. Bolechała, J.K. Gierowski, *op. cit.*, p. 46. See also M. Szaszkiewicz, *op. cit.*, p. 215.

[29] J. Gołębiowski, *op. cit.*, p. 236.

[30] The profiling model based on behavioural traces analysis has been presented by B. Turvey in the book *Criminal Profiling: An Introduction to Behavioral Evidence Analysis*. The issue has been discussed and criticised by S. Hicks and B. Sales (*Profilowanie kryminalne*, Warszawa 2015, pp. 49–75).

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2. Primary crime scene – a section of space in which the conduct of the perpetrator that is crucial from the point of view of criminal liability takes place. This is where the most important stage of the incident occurs, i.e. the homicide. Thus, an alternative term may therefore be proposed: the location where the offence was actually committed. This is the area where, as a rule, the most forensic traces are located. This place may be the place where the corpse has been left.
3. Secondary crime scene – the location where any traces of criminal activity of the perpetrator can be found. It is possible to have several or even a dozen secondary crime scenes depending on the number of victims or the intensity of activity of the perpetrator.
4. The place where the corpse has been left – the location where the victim's corpse or remains have been left by the perpetrator. It may, at the same time, be the primary crime scene if the corpse has not been moved[31].

The latter is of particular importance from the point of view of developing the characteristics of the unknown perpetrator of an incident. The place where the corpse has been left, as well as the manner in which the perpetrator left the corpse of the victim, can provide valuable information on the perpetrator's motivation and his or her psychological characteristics. Research indicates that an analysis of the place where the corpse was found and the appearance of the corpse can provide information on the so-called degree of organisation of the perpetrator. A characteristic feature of disorganised perpetrators is that quite often they depersonalise the victim during the attack, using much more force than is required to achieve the objective (so-called overkill). Perpetrators of this type usually do not take the corpse from the primary crime scene – the place where they killed the victim – because they do not care whether they leave on the crime scene traces to identify them, or not. This is mainly due to a high degree of mental disorder, which does not allow the perpetrator to carry out such complex and multifaceted operations[32]. Leaving the corpse at the scene of a homicide is directly linked and stems from one of the

[31] B. Turvey, *op. cit.*, pp. 191–192. S. Hicks and B. Sales (*op. cit.*, p. 145) partly criticise this division. These authors note that the purpose of distinguishing crime scenes is to enable the investigating bodies to provide a practical indication of where the crime was committed and which secondary locations played an important role in the occurrence. However, it is doubtful for the authors if there is any possibility of establishing a hierarchy of crime scenes as proposed by B. Turvey, which is caused, among other things, by difficulties in precisely defining the characteristics of the individual elements of the incident under investigation, as well as by the fact that the collection of evidence must take place before making findings to classify the crime scene. The authors note that the erroneous prioritisation of one location over another may be detrimental to the investigation by directing attention to places that do not have a lot of traces.

[32] K. Gradoń, *Zabójstwo wielokrotne. Profilowanie kryminalne*, Warszawa 2010, pp. 67–69; B. Lach, *op. cit.*, pp. 110–112.

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features of disorganised perpetrators, i.e. the absence of a motor vehicle that would enable the corpse to be moved effectively.

The use of a vehicle is an important indicator for determining the probable type of organisation of the perpetrator. Adaptation to the situation and mobility are features of an organised perpetrator due to the fact that he has a car or another motor vehicle. Moreover, it is assumed in practice that the vehicle is maintained in a good technical and visual condition, which may be important in planning the search activities. Keeping the vehicle in such a condition makes it possible to lure the victim and then transport him or her to the place where the perpetrator intends to assassinate them. In the case of disorganised perpetrators, it is assumed that the degree of their mental disorder does not allow them to drive freely, particularly in states of strong agitation. Such perpetrators use public transport or move on foot, which obviously restricts their mobility both before and after the crime has been committed. K. Gradoń states that any vehicle held by a disorganised perpetrator may be in a very poor technical and visual condition[33].

Regarding the appearance of the victim's corpse, where the action of an organised perpetrator is the case, the victim's body may bear traces of personalisation, i.e. activities that are not directly related to the homicide and the motivation for committing it, and which are aimed at giving the victim the characteristics that he or she does not have, but expected by the perpetrator[34]. Moreover, the indicator to classify the perpetrator as an organised type will be the finding that the perpetrator tried to hide the corpse or moved it to the place where the corpse was left, or made such an attempt. A similar reflection on the type of organisation of the perpetrator may be justified by the fact of finding the corpse left on the primary crime scene, but arranged in a shocking, degrading or ridiculing position. This may be an element of the "game" referred to by M. Całkiewicz, clearly indicating the fact of the perpetrator being organised[35].

[33] K. Gradoń, *op. cit.*, p. 68.

[34] The personalisation of the victim by the perpetrator thus involves making the victim more like the person existing in perpetrator's fantasy, or fitting in with his or her preferences for particular types of look. This may involve dressing the victim in a certain outfit, applying make-up or doing a certain hairstyle. The victim can also be personalised when still alive, by starving or fattening, as well as by giving them personality traits that they do not have, such as forcing them to behave in a certain way. Cf. R.M. Holmes, S.T. Holmes, *Profiling Violent Crimes: An Investigating Tool*, Los Angeles – London – New Delhi – Singapore – Washington 2009, pp. 139–142; M. Szaszkiewicz, *op. cit.*, p. 215.

[35] M. Całkiewicz (*Modus operandi sprawców zabójstw*, Warszawa 2010, p. 282) points out that as regards the behaviour of murderers in relation to corpses, three categories of behaviour can be shown including the interest in the victim's corpse, manifested in carrying out necrophilic acts, mutilation or cannibalism. In addition, the perpetrator may attempt to hide or move the body in order to prevent or delay its discovery. Secondly, according to the author, the perpetrator may use the corpse of the victim as part of a "game" the perpetrator is playing with law enforcement bodies in order to frighten or shock the public and officers.

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The process of drawing a criminal profile of the unknown perpetrator of a crime is based on the assumption that there is a certain mental process behind each behaviour of the perpetrator, determined by his or her personality traits. In other words, it can be said that every human activity, both criminal and everyday activity, causes the exposure and reflection of one's psychophysical features in a more or less clear fashion. Thus, it is possible for the profiler to assume that the visible results of the perpetrator's actions, which can be noticed at the crime scene, may be characterized by the traits of the perpetrator's personality. However, it should be noted that not every manifestation of human behaviour enables unambiguous conclusions as to the personality of the perpetrator. The main reason for this inability is the similarity of human behaviours. Thus, the traces that distinguish the perpetrator from the general population are of the greatest importance for the process of criminal profiling[36]. Properly interpreted traces will enable assigning the perpetrator to one of the two basic categories of perpetrators existing in the science of profiling: an organised perpetrator or a disorganised perpetrator. Such classification may constitute an important component of the forensic version developed by investigators.

R. Ressler states that a perpetrator classified as the disorganised type is a person who leaves the crime scene after committing the crime, reflecting in his or her appearance the emotions and states under the influence of which the perpetrator was at the time of the offence. Examples of these emotions and emotional states may be: fear, panic, emotional immaturity, irrationality of actions taken. A disorganised perpetrator leaves numerous traces at the scene, not paying attention to the removal of e.g. fingerprint traces from the tool used, or biological traces present at the scene. Organised perpetrators are much more likely to leave the crime scene in the state as previously planned by them. Their aim is to demonstrate and arouse the feeling in investigators that they are dealing with an above-average intelligent perpetrator who exhibits minimal emotional influence on his or her actions. Moreover, the perpetrator will try to demonstrate his or her maturity and planning skills[37].

The typology of the dichotomy of homicide perpetrators is nowadays only a kind of guidance for people who prepare the psychophysical profile of an unknown perpetrator. In practice, there are offences whose perpetrators have characteristics of both organised and disorganised types, which means that they are referred to as "mixed type" perpetrators[38]. It should be borne in mind that the dichotomous division presented above was proposed in the late 1980s with regard to the psychophysical profiles of the perpetrators of sexual murders. However, criminal profiling

[36] B. Lach, *op. cit.*, p. 127; M. Szaszkiewicz, *op. cit.*, p. 195.

[37] D. Piotrowicz, *Wybrane problemy metodyki profilowania nieznanych sprawców przestępstw*, [in:] *Profilowanie kryminalne*, eds. J. Konieczny, M. Szostak, Warszawa 2011, s. 42.

[38] V. Geberth, *Practical Homicide Investigation: Tactics, Procedures and Forensic Techniques,* London – New York 2006, p. 791.

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is currently developing very intensively, so with appropriate modifications and upgrades to the concept, it seems that even now it can be used on a large scale in homicide investigations[39].

ROLE OF THE CRIME SCENE IN THE CRIMINAL PROFILING PROCESS

The model of profiling unknown perpetrators of crimes developed by Professor Jan Sehn Institute of Forensic Research assumes the need to pay special attention to the crime scene. When examining each incident with the purpose of drawing up a criminal profile of the unknown perpetrator, particular attention should be paid to the characteristic features of the crime scene, including in particular its location, visibility, availability, the presence of the tool of crime and supporting tools located at the scene of the crime committed, as well as the overall spatial layout, which should be documented by the visual inspection group by photographic and video recording, as well as written record[40]. Such details as the environment, inscriptions or drawings, the damage caused by the perpetrator, as well as traces indicating his or her use of a means of transport, may also be relevant to the characterisation of the unknown perpetrator on the basis of information relating to the location of the incident.

The criminal profiler may take preliminary information on the psychophysical profile of the unknown perpetrator from the geographical location of the scene. M. Całkiewicz says that it is difficult to talk about the conscious choice by the perpetrator of the place where the homicide would be committed[41]. In my opinion, this is not entirely correct, since the perpetrator can plan in detail where the attack will take place through earlier, often long-lasting, observation of the victim, learning about their habits and rituals, the locations and times of the day in which they will be staying, as well as the routes along which they would move, so that the attack occurs in the place and circumstances as much as possible (in the opinion of the perpetrator) optimal for achieving the intended purpose. When planning the above, the perpetrator usually calculates the possible risk of being spotted by the victim or bystanders, which, in conjunction with the motive that determines the perpetrator's actions, may be manifested in the fact that he or she may make an informed choice of the place of attack on the enclosed room or open area[42]. The perpetrator

[39] J. Widacki, *op. cit.*, p. 74.

[40] A. Czerederecka, J.K. Gierowski, T. Jaśkiewicz-Obydzińska, E. Wach, *op. cit.*, p. 844; F. Bolechała, J.K. Gierowski, *op. cit.*, p. 45.

[41] M. Całkiewicz, *op. cit.*, p. 138.

[42] This was the modus operandi of Leszek Pękalski. He used to choose desolate, dark places poorly attended by bystanders who could prevent him from committing the crime. His first victim was a woman attacked by him after nightfall in an unlit gate. For more detail, see M. Omilianowicz, *Bestia. Studium zła*, Warszawa 2016, pp. 47–53. Another example of a perpetrator behaving as in

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may also plan in advance to conceal his or her crime by getting rid of the corpses by destroying or hiding it using the topography of the site[43].

Some criminals do most of their activities directly related to the incident, without moving through the different stages of the crime, while others pursue their fantasies and intentions in various locations. According to the theory of dichotomous division of perpetrators, disorganised perpetrators do not change the place where they carry out activities related to the crime committed, which is usually committed where the perpetrator first comes into direct contact with the victim. As a rule, it is a random place to which the victim is not lured or forcibly brought. This is where the key elements of the offence take place. In the case of organised perpetrators, there is a noticeable tendency to plan where the perpetrator's intention is to be implemented. People of this type tend to arrange the location of the intended offence more often[44]. There are cases of preparing a suitable interior design, playing romantic music, or preparing items necessary to control the victim, or serving as tools of torture. Organised perpetrators are more likely to plan the implementation of individual elements of a committed crime in several different places[45]. Furthermore, the perpetrator of this type will seek to adapt his or her behaviour to the characteristics of the site and its accessibility by choosing an appropriate means of transport which can be used both to come to the scene and to leave it as quickly as possible and to take away the tool of crime, corpse or other traces of the crime committed.

Determining the exact geographical location of the crime scene is of paramount importance for the practice of drawing up a criminal profile. In any event, the physical location of such a place should be considered in reference to the surrounding environment, the adjacent buildings, the level of development in the immediate vicinity, while for places situated outside the built-up area, the longitude and latitude at which the site is located and the most characteristic points directly adjacent to

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the thesis presented was Karol Kot who himself described his emotions during killing as follows: "The conditions for the crime to be committed were simple: there must have been me, the victim and tranquility. I used to look for a victim in desolate places, such as churches, far peripheries of the city or an empty staircase. I had to be one-to-one with the victim, at least for a fraction of a second, but alone" (as cited in B. Sygit, *Kto zabija człowieka… Najgłośniejsze procesy w powojennej Polsce*, Warszawa 1989, p. 83).

[43] For more details on the phenomenon of concealing a homicide, see K. Kagan, *Concealing the Crime of Homicide by the Perpetrator*, „Studia Iuridica Lublinensia" 2018, vol. 27(4), DOI: https://doi.org/10.17951/sil.2018.27.4.19-38, pp. 19–36.

[44] This should not be equated with staging of the crime scene, which is a manifestation of the perpetrator's desire to avoid criminal liability for the act committed, or to impede the investigation or mislead investigators as much as possible. The staging of the incident is intended to lead law enforcement bodies to conclude that the offence that was mocked was actually committed. For more on staging, see B. Sygit, *Zachowania pozorujące przestępstwa i ich zwalczanie. Studium z dziedziny kryminalistyki*, Warszawa–Poznań 1985, p. 72; B. Turvey, *op. cit.*, pp. 250–275.

[45] M. Szaszkiewicz, *op. cit.*, pp. 193–194.

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the site under examination must be determined as precisely as possible. Questions should arise in the profiler's (and the investigator's) mind, concerning the characteristics of the crime scene under examination which was presented, in a synthetic and (in my opinion) very accurate manner by B. Turvey:

1. Who appears or can appear at or near the crime scene in everyday circumstances?
2. How can one get to the crime scene? Is an off-road vehicle, boat, access by air, climbing equipment required?
3. What usually happens at the crime scene?
4. Is there anything in common that links the crime scene to any other events investigated? Do they have any common features?
5. How could the perpetrator get to the scene and how did he leave?
6. Why did the perpetrator choose this place? Was it a planned action, a coincidence, an action due to convenience?
7. How well did the perpetrator need to know the crime scene and the adjacent premises/areas? Is the crime scene easily accessible and easily discernible to a stranger, or on the contrary, is even a minimum orientation in the site required?[46]

To obtain answers to the above questions, the person drawing up the profile of an unknown perpetrator must have the widest possible set of information about the location of the crime scene. Desirable are not only verbal descriptions, records in protocols, but also videos and photos of the crime scene – both ground and aerial. From the point of view of criminal profiling, a category of photographic documentation can be distinguished, referred to as "storytelling photography". It is a kind of photography that does not fit into the typical divisions developed by forensic scientists, because it allows the person who creates a criminal profile to get an overview of its entire image without paying an actual visit to the scene: the location, access routes, obstacles limiting the visibility of the scene, the hypothetical possibility of the perpetrator getting to a given place, i.e. almost all elements constituting the questions indicated above[47]. All kinds of maps and information obtained as a result of personal familiarization with the topography of the crime scene are also used in the work of criminal profilers.

[46] B. Turvey, *op. cit.*, pp. 192–193.

[47] K. Gradoń, *op. cit.*, p. 255. The phrase "does not fit into the typical divisions developed by forensic scientists" used in this fragment should be understood as a reference to this category of photography as combining generally adopted types of crime scene photographic documentation: general layout, situational and detailed photography. More on the photographic documentation of the crime scene in: M. Goc, *Oględziny*, [in:] *Kryminalistyka*, ed. J. Widacki, Warszawa 1999, pp. 46–47; J. Kasprzak, B. Młodziejowski, W. Kasprzak, *op. cit.*, pp. 211–214.

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RELATIONSHIP BETWEEN THE VICTIM AND THE OFFENDER POSSIBLE TO DEDUCT FROM THE CRIME SCENE

In the practice of profiling unknown perpetrators of homicides, as well as other crimes against life, health or sexual freedom, the information concerning the victim is of utmost importance for investigators and profilers. For homicide, the issue of the general appearance and location of the corpse is particularly important. Identification of how the perpetrator treated the victim before the killing, as well as unequivocal finding about the cause of death and noticing the manipulation with the victim's corpse by the perpetrator, allows for stating a hypothesis as to the perpetrator: who he or she was for the victim, in what environment he or she should be looked for, what are his or her psychophysical distinguishing features. Moreover, such information makes it possible to infer as to the motive for committing the crime and some traits of the perpetrator, such as sexual dysfunctions or fantasies manifested in a special way when it is found that the crime could have been committed for sexual motivation[48].

T. Jaśkiewicz-Obydzińska and E. Wach conducted research in which they analysed 164 homicide victims. The authors found that in 77% of cases the perpetrator and victim knew each other before the killing. In the pathological homicide group, all perpetrators and victims knew each other before, and 50% of the perpetrators were family members for the victims. For sexually motivated homicides, 62% of the perpetrators were unknown to their victims at the time of the act, while economically motivated homicides were characterised by the fact that the victims were mostly friends with the perpetrators but not members of their families. In the case of emotional killings, the majority of the victims were family members of the perpetrators, or their life partners[49].

The classification of victims by the motivation of the perpetrators can be supported for the purposes of this study by the assumptions of forensic psychology, according to which two main types of aggressive behaviour of the perpetrator can be distinguished. If the type of aggression underlying the offence is established and the criminal act in question is classified as a particular group, it is possible to propose a hypothesis about the motivation of the perpetrator[50]. S. Fesbach stated that two types of aggressive behaviour – expressive or instrumental aggression – can be distinguished[51]. Aggressive expressive behaviour occur in the case of the

[48] T. Jaśkiewicz-Obydzińska, E. Wach, *Ofiary zabójstw*, [in:] *Zabójcy i ich ofiary…*, s. 97.

[49] *Ibidem*, pp. 97–98. The research covered a group of 182 people, including 15 women and 167 men, but the perpetrator's motivation could not be established in the cases of 18 victims. Therefore, the results of the research concern the number of 164 victims.

[50] D. Piotrowicz, *op. cit.*, p. 48.

[51] Cf. S. Fesbach, *The function of aggression and the regulation of aggressive drive*, "Psychological Review" 1964, vol. 71(4), DOI: https://doi.org/10.1037/h0043041. The text is available at: https://psycnet.apa.org/record/1965-03634-001 [access: 26.07.2019].

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perpetrator's actions targeting another person who is of emotional importance to the perpetrator. In this case, the perpetrator of homicide will seek to abreact strong emotions resulting from various crisis situations, caused by the actual or imaginary action of a third party, who consequently becomes the victim of the perpetrator's attack. In the perpetrator's perspective, there may be many causes of the attack, including e.g. an insult, physical attack, personal failure, sense of harm, betrayal. As D. Piotrowicz points out, a typical example of the above is the crime of homicide within a family or partnership, where aggression is triggered by anger, trauma or a desire for revenge[52]. In aggressive instrumental behaviour, the perpetrator is focused on achieving a specific goal where another person as an individual has no emotional significance for the perpetrator. The purpose of the perpetrator's action may be to take possession of certain objects, position, territory, to meet their biological needs, as well as to carry out a specific task (e.g., contract killing)[53]. It can therefore be concluded that instrumental aggression exists where, in order to achieve the objective pursued, the perpetrator comes across an obstacle in the form of another person who, as a result of his or her action, becomes the victim of a criminal offence.

Close emotional relationships between the perpetrator and the victim prior to the incident are most often revealed by identifying extensive injuries on the victim's body. Very often there may be the use of force beyond the force that is necessary for the killing[54]. A characteristic feature of the use of physical force in the case of an attack on a person known to the perpetrator and emotionally involved is the repeated infliction of hits on one area of the victim's body or the chaotic infliction of hits all over the victim's body. The fact of discovery of injuries both at the front and back of the corpse and at its full height, as well as possible confirmation of

[52] D. Piotrowicz, *op. cit.*, pp. 48–49.

[53] D. Youngs, M. Ioannou, J. Eagles, *Expressive and Instrumental Offending: Reconciling the Paradox of Specialisation and Versatility*, "International Journals of Offender Therapy and Comparative Criminology" 2014 (November), DOI: https://doi.org/10.1177/0306624X14557478, pp. 7–8; G. Salfati, D. Canter, *Differentiating Stranger Murders: Profiling Offender Characteristics from Behavioral Styles*, "Behavioral Sciences and the Law" 1999, vol. 17, p. 393.

[54] Such situation was in the case against M.P., A.K., P.N., accused under Article 148 § 2 point 2 of the Criminal Code in conjunction with Article 197 § 3 point 1 of the Criminal Code in conjunction with Article 280 § 2 of the Criminal Code, concluded with the judgement of the Regional Court in Białystok of 5 January 2016 (III K 92/15, LEX no. 2174299). In the grounds of the judgement, the Court cited an assessment of the opinions of witness psychological experts, which boiled down to the outline of the psychological profile of the three murder suspects. These experts stated, among other things, that "a significant number of injuries are related to the discharge of accumulated emotions by the perpetrator; the injuries are of an overkill nature; they are not proportional to the victim's degree of defence and exceed the number of blows necessary to take the victim's life; negative emotions may accompany the perpetrator as a result of frustration accumulated earlier or a tendency to be aggressive".

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defensive injuries, may suggest a dynamic course of events, preceded by an interaction between the perpetrator and the victim, which may have been initiated precisely because the perpetrator was known to the victim[55].

The results of a study conducted by S. Last and K. Fritzon, cited by one of the authors, indicate that the characteristics indicating the expressive nature of the event are: extensive injuries and wounds on the victim's face, the diverse nature of injuries, the use of a tool from the crime scene or the lack of a tool and the use by the perpetrator of his or her own body to hurt the victim[56]. This should be related to the results of studies conducted by T. Jaśkiewicz-Obydzińska and E. Wach, who found, when analysing cases of sexual killings, that although in most cases (62%) the perpetrator and the victim did not know each other before, when in other cases there was an emotional bond between them, there was a relationship between this fact and injuring or covering of their faces[57].

Like for expressive aggression, several typical variables characterising the event can be identified as instrumental aggressive behaviour of the perpetrator. A perpetrator showing instrumental aggressive behaviour focuses on the act of murder, manifesting in the manner of committing it a high probability of planning in advance, preparing for and agreeing to commit it. Moreover, typical features both at the crime scene and in the appearance of the corpse include: lack of the presence of a tool used for killing the victim (which was most often not originally part of the scene, it was previously prepared and brought to the scene by the perpetrator and then taken away), signs of control by the perpetrator over the victim and over the course of the event itself, manifested in the appearance of the crime scene. It is also possible to notice *post-mortem* injuries, but also the absence of traces of multiple blows or signs of the use of force more than necessary to kill the victim[58].

Taking into account the model of profiling unknown perpetrators, which assumes the existence of a dichotomous division between organised and disorganised perpetrators, the above data can be used to draw the psychophysical profile of an unknown murderer based on preliminary data on his or her behaviour at the crime scene. Thus, in view of the above, it can be assumed that perpetrators who show instrumental aggression in the crime they are committing will, with a high degree of probability, be pre-qualified for the organised type, and *vice versa*, perpetrators who commit a crime with clearly marked elements of expressive aggression will be

[55] T. Jaśkiewicz-Obydzińska, E. Wach, *op. cit.*, pp. 98–99; V. DiMaio, D. DiMaio, *Medycyna sądowa*, Wrocław 2003, pp. 195–197.

[56] S.K. Last, K. Fritzon, *Investigating the Nature of Expressiveness in Stranger, Acquaintance and Intrafamilial Homicides*, "Journal of Investigative Psychology and Offender Profiling" 2015, vol. 2(3), DOI: https://doi.org/10.1002/jip.36, pp. 2–16 (as cited in D. Piotrowicz, *op. cit.*, p. 50).

[57] T. Jaśkiewicz-Obydzińska, E. Wach, *op. cit.*, p. 102.

[58] D. Piotrowicz, *op. cit.*, p. 49–50.

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pre-qualified for the disorganised type. This may be evidenced by the basic typological criteria which have been adopted as the basis for the dichotomous model[59].

One of the more interesting, in my opinion, research on the link between the perpetrator of a murder and the traces left by him or her at the scene is the research carried out by G. Salfati and D. Canter. The authors intended to verify the commonly accepted view that the *modus operandi* specific to each perpetrator at the crime scene will affect its characteristics. Thus, they attempted to draw conclusions as to the psychophysical characteristics of the perpetrator based on the *modus operandi*, with particular emphasis on the aggression manifested at the crime scene[60]. The authors analysed 82 single homicide cases, the selected characteristic features of which were analysed according to the method of Smallest Space Available analysis[61]. The three possible types of "behavioural themes" of the perpetrators of the homicides were specified in the course of the analysis: Instrumental Opportunistic, Instrumental Cognitive and Expressive Impulsive[62]. The behaviour of the perpetrator belonging to the Instrumental Opportunistic theme is characterized

[59] As the issue is very broad, the reader should be referred here to the arguments on the basic features of organised and disorganised perpetrators presented in this study, as well as to the literature on the subject. The authors of the dichotomous model described in detail the typology they adopted: see R. Ressler, A.W. Burgess, J.E. Douglass, *Sexual Homicide: Patterns and Motives*, New York 1988, p. 123 ff. The above issue was presented in a synthetic way by B. Lach (*op. cit.*, pp. 111–112), who presented in the form of a table the features of the crime scene typical of the activities of an organised perpetrator and disorganised perpetrator. The study describing the manifestations of aggressive behavior of an unknown perpetrator of the murder should also be taken into account: D. Piotrowicz, *op. cit.*, p. 49.

[60] C.G. Salfati, D. Canter, *op. cit.*, p. 391.

[61] Smallest space analysis is a statistical tool that allows correlating each variable of interest under study with another variable in order to create a correlation matrix. Then these correlations are arranged and presented as points on the plane constituting the so-called scatter plot in such a way that the greater the correlation between the variables, the closer the points are one to another on the plot. Then, the space where the above relations are presented is divided into appropriate sections. In the described study, individual data points refer to specific features of the crime that can be seen at the crime scene. They were placed on a plane, creating a scatter plot, which is divided into three sections corresponding to the themes of the perpetrators' behaviour at the crime scene adopted by the authors. For more detail, see S. Hicks, B. Sales, *op. cit.*, pp. 87–88, 111–116; C.G. Salfati, D. Canter, *op. cit.*, pp. 398–399.

[62] It should only be mentioned as a side note that the term "theme" used above is characteristic of the profiling model developed by D. Canter. This author uses the term "theme" to distance himself from the views proclaiming that it is possible to create separate categories or types of perpetrators, due to the fact that in the author's opinion there are no clearly defined dimensions in criminal behaviour, which makes the creation of typology problematic. However, in reality, as S. Hicks and B. Sales note, there is practically no noticeable difference between the existing typologies and the "themes" of behaviour adopted by D. Canter. The author hereof agrees with the position presented by S. Hicks and B. Sales due to the presented and sustained postulate to unify the terminology in the field of criminal profiling. Creating new conceptual constructs which do not introduce significant, practical changes is of not use for criminal profiling due to the multitude of terms that do not differ significantly as to their meaning.

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by the fact that they are most often directed against an unknown person, who is used instrumentally. The victim can "serve" the perpetrator to obtain material gain (most often cash or victim's belongings, such as jewellery or clothes) or to meet the perpetrator's sexual needs. Characteristic of the perpetrator's action is the fact of committing the crime at the victim's home. Most often, the injuries are hand-inflicted injuries, mainly in the neck area, with possibly discovered signs of suffocation of the victim. Moreover, the authors point out that the victims of perpetrators representing the described theme of behaviour usually had their faces covered[63]. For perpetrators representing the expressive and impulsive themes of action at the crime scene, it is assumed that the crime scene will reflect the frantic action of the perpetrator. Characteristic of this theme will be, among other things, traces of multiple injury across the victim's body, the use of tools to used to kill the victim, or the concentration of injuries on the face, indicating the emotional bond between the victim and the perpetrator and the strive to depersonalise the victim[64]. The conduct of perpetrators classified as characteristic of the instrumental and cognitive theme is characterised, in particular, by the fact that the perpetrators seek to disguise the crimes they have committed. These perpetrators are aware of the traces they leave behind, so they carefully remove fingerprints, biological traces, traseological traces, and try not to leave at the scene the tools with which they may have come into contact.

G. Salfati and D. Canter then conducted a second analysis in which they determined the characteristics of the perpetrator, based on the behaviour at the crime scene. Thus, in identifying the perpetrator representing the expressive and impulsive theme of behaviour at the crime scene, they concluded that it could be characterised by, *inter alia*, the earlier commission of violent crimes; earlier commission of offences against public order or property; convictions for sexual offences; being married at the time of the offence or being previously married. According to the authors, the perpetrators in the instrumental and opportunistic category are likely to know the victims and the area where they operate, and are probably unemployed. In addition, they have criminal experience due to their history of thefts and burglaries[65]. For the latter category of perpetrators, who represent the instrumental and cognitive theme of behaviour at the crime scene, it is characteristic that aggression and violence form an integral part of their daily lives and that man is perceived by them as an obstacle to achieving the desired goal. It is usually assumed that this is due to the fact that these perpetrators served a custodial sentence or served in the military[66].

[63] G.C. Salfati, D. Canter, *op. cit.*, p. 401.
[64] *Ibidem*.
[65] *Ibidem*, pp. 401–404.
[66] *Ibidem*, p. 405; S. Hicks, B. Sales, *op. cit.*, p. 232.

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CONCLUSION

To sum up the above considerations, it should be stressed that crime scene is an extremely valuable source of information for the process of drawing a criminal profile of an unknown perpetrator. It is worth quoting the words of L. Wachholz (as cited by J. Gurgul), who claims that answering the question of who is the killer is usually more difficult than answering the question whether the investigated incident is a homicide. L. Wachholz notes that the most common way to detect the killer is the most thorough investigation possible, with particular emphasis on the results of examinations of the traces on the victim and adjacent area[67]. Although more than 80 years have passed since the publication of this statement, it is still the most up-to-date and crucial for the criminal profiling itself.

In my opinion, a diligently conducted examination of the crime scene, with particular emphasis on the examination of the corpse and the place of its disclosure, should be the focal point of the detection process. However, it should be borne in mind that in order to learn about the actual nature of the incident, the possibility of reconstructing its course, determining the relationships between the killer and the victim and, consequently, interpreting the characteristics of the perpetrator of the crime, it is necessary to adhere to both tactical and forensic principles of the activities performed, as well as experience and sometimes specialist expertise.

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STRESZCZENIE

Niniejsze opracowanie traktuje o miejscu zdarzenia jako cennym źródle informacji na temat sposobu działania, motywów oraz cech charakterystycznych sprawcy przestępstwa zabójstwa. Celem jest przedstawienie różnych koncepcji postrzegania miejsca zdarzenia w rozumieniu kryminalistycznym oraz wskazanie kluczowych dla procesu profilowania kryminalnego elementów zachowania sprawcy zabójstwa, dających się wyinterpretować z miejsca zdarzenia i umożliwiających wnioskowanie o cechach go wyróżniających. Powyższe zostało dokonane w oparciu o literaturę polską i zagraniczną. W artykule przedstawiono również podstawowe założenia dotyczące konstruowania profili kryminalnych nieznanych sprawców zabójstw, ze szczególnym uwzględnieniem dychotomicznej koncepcji podziału na sprawców zorganizowanych i zdezorganizowanych oraz możliwości dokonywania innych wnioskowań co do cech psychofizycznych sprawców zabójstw. Tym samym artykuł stanowi formę uniwersalnego przedstawienia problemu i może być przedmiotem zainteresowania w szczególności praktyków prawa.

Słowa kluczowe: profilowanie; profilowanie kryminalne; sprawca; zabójstwo