

Modus Operandi and the Signature Aspects of Violent Crime

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In September 1989, a Shreveport, Louisiana, man named Nathaniel Code Jr. stood trial for murder. The jury determined Code had murdered eight people between 1984 and 1987. These eight homicides took place during three different events: one murder in 1984, four in 1985, and three in 1987. There were several disparities in modus operandi (actions taken by an offender during the perpetration of a crime in order to perpetrate that crime) and victimology (characteristics of the victims) among the three crime scenes.

Could one man be linked to the murders at all three scenes? With differences in modus operandi (MO) and victimology, what could link Code with each of these eight homicides? MO and victimology are important factors in an investigation, but they are often somewhat generalized and offer less about the subtle details about personality and, ultimately, identity that are often necessary to track down an offender. However, personation, that is, the offender's *signature*, or his "calling card," is an individualized set of indicators that can point specifically to an offender's personality. (See Chapter Two for more information on personation.) In the case of multiple crimes committed by the same (or serial) offender, there is often repeated personation. This was true in the case of Nathaniel Code. He left his signature—gags, duct tape, and bodies with gunshot wounds and slashed throats—at each of the three crime scenes. This linked Code with all eight murders.

No one in contemporary law enforcement would dispute that our society has far too many Nathaniel Codes. The increase of violent crime has compelled law enforcement to develop new measures to address it. One important step is the recognition of the serial offender who often crosses jurisdictional boundaries. Any effective effort among local, state, and federal agencies depends on early recognition of a serial offender as such; different jurisdictions looking for the same offender need to recognize that they are after the same person and cooperate with one another. But the common crossing of multiple jurisdictional lines by offenders makes this a great challenge. Comprehensive analysis of victimology, crime scene, and forensics, as well as the careful interview and examination of any living victims to gather information about the offender's verbal and nonverbal behavior, can help an agency discover a serial offender within its own jurisdiction or among several others.

The MO has great significance when investigators attempt to link cases. An appropriate step of crime analysis and correlation is to connect cases due to similarities in MO. However, an investigator who rejects an offense as the work of a serial offender solely on the basis of disparities in MO (as in the Code cases) has made a mistake. What causes an offender to use a certain MO? What influences shape it? Is it static or dynamic? The answers to these questions help investigators avoid the error of attributing too much significance to MO when linking crimes.

THE MODUS OPERANDI

Actions taken by an offender during the perpetration of a crime in order to perpetrate that crime form the MO. MO is a learned set of behaviors that the offender develops and sticks with it because it works, but it is dynamic and malleable. In any criminal career, no matter what the circumstances, the MO will evolve with the criminal. Every criminal makes mistakes, but most learn from them and try to get better with time, as the following example shows.

Late one night, a novice prowler prepared to enter a house through a basement window to burglarize it. The window was closed and locked, so the prowler shattered the window to gain access to the house. He had to rush his search for valuables because he feared the breaking window had awakened the residents of the home. For his next late-night residential burglary, he brought tools to force the lock and keep the noise to a minimum. This allowed him more time to commit the crime and obtain a more profitable haul. However, he was still nervous about the prospect of waking the residents of his target home, so he began targeting unoccupied homes and switched to midmorning break-ins. This also allowed him better light by which to see the valuables he was after, an added advantage.

This offender's original MO was to break and enter through the window of a residence at night, then stealing valuables and escaping. Through experience, his MO evolved to forcing the lock on windows in unoccupied homes during the day. He refined his breaking and entering techniques to lower his risk of apprehension and increase his profit. This is very common among offenders who repeatedly commit property crimes. He saw challenges to his enterprise, figured out how to overcome them, and incorporated the techniques into his MO. He might have found another way to avoid the noise of a broken window; for example, he might have watched for the location of a hidden door key and used that to gain entrance or begun targeting unguarded and unoccupied offices at night instead of residences.

The offender learns from challenges that trip him up as well. Had that original broken window resulted in his arrest and incarceration, he would have tried not to repeat that mistake if he chose to return to burglary after his release.

In violent crimes, victims' responses can significantly influence the evolution of an offender's MO. If a rapist has problems controlling a victim, he will modify his MO to accommodate and overcome resistance. He may bring duct tape or other ligatures, he may use a weapon, or he may blitz-attack the victim and immediately incapacitate her. If such measures are ineffective, he may resort to greater violence, including killing the victim.

THE SIGNATURE ASPECT

The violent serial offender often exhibits another element of criminal behavior during an offense: his signature, or calling card. This criminal conduct goes beyond the actions necessary to perpetrate the crime—the MO—and points to the unique personality of the offender.

Unlike MO, a serial offender's signature will never change at its core. Certain details may be refined over time (for example, the lust murderer who performs greater postmortem mutilation as he progresses from crime to crime), but the basis of the signature will remain the same (performing postmortem mutilations, in this example).

What makes up this signature? Surviving victims or witnesses sometimes attest to the behavioral elements of the signature. For example, a rapist may demonstrate part of his signature by engaging in acts of domination, manipulation, or control during the verbal, physical, or sexual phase of the assault. Exceptionally vulgar or abusive language or scripting is a verbal signature. When the offender scripts a victim, he demands a particular verbal response from her (for example, "Tell me how much you enjoy sex with me" or "Tell me how good I am"). A rapist might also stick to his own sort of script by engaging in phases or types of sexual activities in a set order with different victims.

The crime scene can include aspects of an offender's signature in, for instance, evidence of excessive force. A large amount of blood ranging around the home in which a violent crime occurred might demonstrate that the victim was moved or dragged around the area as the offender used more force than necessary to subdue (in the case of rape) or kill (in the case of murder).

The signature is not necessarily evident in each of a serial offender's crimes. Contingencies can arise, such as interruptions or unexpected victim responses, that cause the offender to abandon these unnecessary steps. In such instances, the offender will be much less satisfied or gratified by his offense.

Why is this? Violent crimes often originate with offender fantasies. This is particularly true for serial offenders. As they brood and daydream, they develop a more and more compelling need to express their violent fantasies. When they finally act out, some aspects of the crime will demonstrate their unique personal expression based on these fantasies. This is personation. As an offender acts out again (and again), this personation will be repeated and is his signature. The elements that comprise signature are the most specific manifestations of his fantasies; they are therefore the most meaningful to him.

Another reason for the absence of signature elements in some crimes committed by serial offenders is that the investigator does not always have a surviving victim or even a crime scene to work with. Violent offenses often involve high-risk victims, which may mean no one reports them missing, so there is no search for them or their bodies. Many offenders dump bodies outside, away from the scene of the crime and in an isolated spot. This may result in a great deal of decomposition, which obscures signs of signature on the victim's body and clothing. And if the body has been dumped, the actual crime scene is somewhere else, along with most of the indicators of signature.

Nevertheless, although detecting a signature or calling card is a challenge, it can be the biggest piece of the puzzle in identifying a serial offender. It is an unfortunate truth that the more victims there are, the more indicators of signature there are. Investigators want to stop violent serial offenders, but it often takes evidence gathered from multiple victims, crime scenes, dump sites, witnesses, and so on to identify signature elements that will link the crimes to a serial offender.

MODUS OPERANDI OR SIGNATURE?

A rapist entered a residence and captured a woman and her husband. The offender ordered the husband to lie on his stomach on the floor. He then placed a cup and saucer on the husband's back. "If I hear that cup move or

hit the floor, your wife dies,” he told the husband. He forced the wife into the next room and raped her. In another situation, a rapist entered a house and ordered the woman to phone her husband and use some ploy to get him home. Once the husband arrived, the offender tied him to a chair and forced him to witness the rape of his wife.

The rapist who used the cup and saucer had developed an effective MO to control the husband: he had dealt with the obstacle that stood between him and his goal. The second rapist went beyond this. The full satisfaction of his fantasies required not only raping the wife, but also finding, summoning home, humiliating, and dominating the husband. The first rapist dealt with the husband because he was there; he kept him from witnessing or interfering with the rape. The second rapist needed the husband to be there and, furthermore, needed him to witness the rape. His personal needs compelled him to perform this signature aspect of crime.

In Michigan, a bank robber made the tellers undress during a robbery. In Texas, another bank robber also forced the bank employees to undress; in addition, he made them pose in sexually provocative positions as he took photographs. Do both crimes demonstrate a signature aspect?

The Michigan robber used a very effective means to increase the odds of his escape. He probably guessed or knew that the tellers would get dressed before calling the police. When interviewed, these employees offered vague, meager descriptions because their embarrassment had prevented eye contact with the perpetrator. This subject had developed a clever MO. The Texas robber, however, went beyond the required actions to perpetrate his crime. The act of robbing the bank did not gratify his psychosexual needs. He felt compelled to enact the ritual of posing the tellers and taking pictures, leaving his signature on the crime.

LINKING CASES

When investigators attempt to link cases, MO plays an important role. However, MO should not be the only criterion used to connect crimes, especially with repeat offenders who alter the MO through experience and learning. The first offenses may differ considerably from later ones; nevertheless, the signature aspect remains the same, whether it is the first offense or one committed ten years later. The ritual may evolve, but the theme persists.

The signature aspect also should usually receive greater consideration than victimology (this should not be discounted, however) when investigators attempt to link cases to one another or to a specific serial offender. For instance, physical similarities among victims may not be significant indicators when crimes are motivated by anger; in such cases, the signature will tell investigators much more about the offender than victimology will.

CASES LINKED BY OFFENDER SIGNATURE

Ronnie Shelton: Serial Rapist

During the 1980s, Cleveland, Ohio, was terrorized by a man who became known as the West Side Rapist. When he was finally caught, Ronnie Shelton was found guilty of forty-nine rapes, twenty-nine aggravated burglaries, eighteen felonious assaults, sixty counts of gross sexual imposition, twelve kidnappings, nineteen counts of intimidation, three counts of cutting telephone lines, two thefts, and twenty-seven aggravated robberies. He was convicted on 220 counts of the indictment. The judge gave him 3,198 years, the longest sentence in Ohio history.

Shelton's MO included entering the victim's dwelling through a window or patio facing a wooded area or bushes offering concealment. He wore a ski mask, stocking, or scarf. He was initially violent, threatening the victim, throwing the victim to the floor, or holding a knife to her throat. But he would then calm her down by convincing her he was not there to rape but to rob her, saying, "I just want money," or something similar. When he had the victim under control, he would return to the violent mode. Shelton would use such phrases as, "Keep your eyes down," "Cover your eyes," or "Don't look at me and I won't kill you [or hurt your kids]." Before he left, he would verbally intimidate the victim with warnings such as, "Don't call the police or I'll come back and kill you."

It was in his verbal approach and the nature of his sexual assaults that Shelton's signature was evident. He was verbally degrading and exceptionally vulgar. He also would say such things as, "I have seen you with your boyfriend," "I've seen you around," or "You know who I am." He would rape the victim vaginally, withdraw, and ejaculate on the victim's stomach or breasts. He would then frequently masturbate over the victim or between her breasts. He often used the victim's clothing to wipe off his ejaculate. Shelton forced many of his victims to perform oral sex on him and then insisted they swallow the ejaculate. He would also force them to masturbate him manually. A combination of these acts was Shelton's signature.

One puzzling element of the assaults was that the rapist's earlier victims described a bump on the rapist's penis, while later victims did not. Shelton's signature linked him with all the assaults, despite the difference in descriptions. Had his signature not been recognized, he might not have been punished for many of his crimes.

As it turned out, there was a simple explanation for the difference in physical descriptions: Shelton had undergone a procedure to remove genital warts, so the "bump" had been removed before the later victims were assaulted.

Serial Arson

Just as the serial killer or rapist develops an MO, so does the serial arsonist. An arsonist's MO may involve targeting structures of a certain type that offer easy access and escape. The use of certain accelerants and incendiary devices is a component of the MO, as is the selection of a specific site to set the fire, for example, inside, outside, in a toolshed, or near a furnace.

The signature aspects of an arsonist may include evidence of bizarre behavior at the crime scene. He may take certain items from the crime scene, like women's undergarments or cheap costume jewelry—items that are not valuable monetarily but are meaningful to him. He may leave something at the crime scene. One fire setter would draw pictures on the walls before setting fires. He may defecate or urinate at the scene. In addition, specific incendiary mixtures and accelerants, such as the unusual combination of kerosene and gasoline, may be indicative of a signature.

An investigator should apply the same principles used in detecting the signature aspect of a sexual assault or homicide to arson. The crime scene must be analyzed for any offender activity that appears unusual or unnecessary for the successful perpetration of the arson.

Ted Kaczynski, the Unabomber: Serial Bomber

In May 1998 Theodore J. "Ted" Kaczynski was found guilty and sentenced to life in prison for a series of sixteen bombings that claimed three lives and injured twenty-three other people, two of them seriously. Kaczynski either mailed or hand-placed all of the bombs between May 1978 and April 1995. He initially targeted individuals associated with universities and the airline industry—thus, the FBI code "Unabom" and, later, "Unabomber."

The Unabomber case is an excellent example of an MO that evolves with repeated offenses and increased skill. Most of the earliest bombs were pipe bombs constructed with such untraceable common materials as match heads and batteries. The third bomb, which was planted in a package in the cargo hold of American Airlines flight 444, featured a detonator controlled by an altimeter. Despite the fact that the bomb only caught fire and failed to explode, this detonation system indicated a new level of complexity in the Unabomber's MO. The sixth bomb, sent to Vanderbilt University, contained smokeless powder. The eighth bomb, left in a computer lab at the University of California-Berkeley, was the most powerful yet. It contained ammonium nitrate and aluminum powder. On December 11, 1985, the Unabomber planted a bomb outside a computer store in Sacramento, California. This bomb, the eleventh, had a gravity trigger and a backup system, and it was

filled with nails to make the blast more harmful. It exploded as soon as it was touched and caused his first fatal bombing.

Kaczynski had a distinctive signature. From the beginning of the bombings, he showed a fascination with wood. One of his victims, president of United Airlines at the time, was named Percy A. Wood. Wood received the bomb hidden inside a book published by Arbor House. Another intended victim was named LeRoy Wood Bearnson. Perhaps most intriguing, in June 1995, Kaczynski sent a letter to the *San Francisco Chronicle* bearing the return address of Frederick Benjamin Isaac (which, interestingly, would be abbreviated FBI) Wood of 549 Wood Street in Woodlake, California. His final target was the headquarters of the California Forestry Association.

His obsessions carried over into the ritualistic details found in the handiwork of his bombs. He built many of the electrical and switching mechanisms in them from scratch, even though these components are available at most hardware stores for relatively little cost. He constructed elaborate wooden housings for many of the bombs. By the time Kaczynski was apprehended on April 3, 1996, it was estimated that more than one hundred hours of work would have gone into the construction of one of his bombs. It was evidently a point of pride for him; in a letter to the *Washington Post*, Kaczynski boasted about the precision and care with which he assembled his bombs. Some of his correspondence, which he signed as a member of the “Freedom Club,” points to another (literally) signature element of his crimes: the letters “F.C.” were found on the remnants of several of the bombs.

When investigators and prosecutors face a situation as convoluted and confusing as the Unabomber case, the recognition of the offender’s signature is of paramount importance. Broad geographical range and initially baffling victim selection can make it very difficult to establish motive. In such an information vacuum, the various facets of the signature become increasingly important in linking an offender to his crimes.

SERIAL KILLERS AND SIGNATURE CRIME

Steven Pennel

Steven Pennel was a sexual sadist who murdered at least three victims. His MO involved using duct tape and ligatures to control his victims while he tortured them. He used hammer blows to kill them (Douglas, 1989).

Pennel’s signature could be seen in the nature of the wounds inflicted on his victims. He targeted the buttocks and breasts, beating and pinching them with tools, including a hammer and pliers. The victims were kept alive during these assaults because Pennel derived sexual gratification from their response to torture. Autopsy results confirmed that none of the victims had been sexually assaulted.

The victims also had ligature marks around their necks, although the blunt-force trauma to the head was the cause of death. Pennel enjoyed tightening the ligature to the point of near strangulation. Because he required his victims to be alive and conscious during torture, he did not kill them this way. Strangulation was part of his signature, not the MO. It was a method to cause extreme suffering in order to fulfill his sadistic fantasy.

Body disposal was similar for the victims. Pennel left their bodies in full view, dumped with cold indifference by roadsides. The absence of remorse demonstrated by Pennel's body disposal methods can be considered another aspect of his calling card.

The violence escalated as Pennel's ritual matured and his fantasies seasoned. The last victim suffered the greatest amount of antemortem trauma and postmortem mutilation. Again Pennel targeted the breasts. But in this victim's case, there was postmortem mutilation to the breasts rather than antemortem mutilation, as had been evident with his other victims. This caused some to debate whether this victim bore Pennel's signature and whether she had in fact been killed by him.

There were two reasons that this case could be linked to Pennel. His signature was still evident with this victim. First, he had inflicted a great deal of injury to the victim's buttocks while she was alive. Therefore, the signature aspect of torturing a live victim was present, but it was evolving. With each victim, the torture became more brutal. As stated above, interference with the ritual due to contingencies arising will alter an offender's ritual. This victim probably died before Pennel completed his ritual mutilations, so the signature appeared to be somewhat different but actually was the same. Second, victimology strengthened the connection between these victims and Pennel. The victims were all high risk: they were prostitutes or had a history of drug abuse, or both. They disappeared from the same area, a state highway, and police recovered the bodies within a few miles of each other.

Nathaniel Code

Nathaniel Code, the offender referred to earlier in this chapter, killed eight times on three separate occasions. The first homicide, a twenty-five-year-old black female, occurred August 8, 1984. Code stabbed her nine times in the chest and slashed her throat. Approximately one year later, on July 19, 1985, Code struck again, this time claiming four victims: a fifteen-year-old girl, her mother, and two male friends. Code nearly severed the girl's head from her body. Her mother died from asphyxiation and was draped over the side of the bathtub. Code shot one of the males in the head, leaving him in a middle bedroom. The other male was found in the front bedroom, shot twice in the chest and with his throat slashed. The last killing took place on

August 5, 1987. The victims were Code's grandfather and his two young nephews, ages eight and twelve. The boys died of ligature strangulation. Code stabbed his grandfather five times in the chest and seven times in the back.

All three cases involved single-family dwellings. The air conditioners or TVs, or both, were on, drowning out the noise of the intruder as he entered through a door or window. Code quickly gained and maintained control of the multiple victims by separating them into different rooms.

But there were changes in Code's MO exhibited from case to case, which offer another excellent example of the refinement of an MO. With the first murder, a gag had been fashioned from material at the scene. The next time, Code had come prepared, bringing duct tape with him. It is evident that he engaged in some type of surveillance activity to obtain information about the victims, especially with the second homicides. He brought a gun to dispose quickly of the greatest threats, the males. The last victims, an elderly man and two children, posed little threat to someone of Code's large physical stature, so he did not use the gun.

Code had a very distinctive calling card. The overkill injuries suffered by the victims demonstrated one aspect of his signature. Code employed a very bloody method of attack and overkill. He could have simply murdered each of these victims with a single gunshot wound, a clean kill involving very little mess. Instead, he slaughtered his victims, slashing their throats with a sawing motion, causing deep neck wounds. Although brutal, the attack did not satisfy Code's ritual; all the victims who sustained neck wounds, with the exception of the fifteen-year-old girl, also suffered additional injury. One male victim sustained gunshot wounds to the chest and another multiple stab wounds to the chest. Code wounded nearly all of the victims far beyond what was necessary to cause death.

This physical violence and bloody overkill satisfied Code's need for domination, control, and manipulation. He positioned all of his victims face down, more evidence of this theme of domination. Forensics revealed the daughter's blood on the mother's dress, indicating that Code forced the mother to witness her daughter's death.

The last signature aspect of Code's crimes probably best illustrated this unique calling card: the ligature. Code used an unusual configuration and material. In all three cases, the victims were bound with electrical appliance or telephone cords acquired at the scene. Code could have brought rope or used his duct tape, but the use of these cords satisfied some personal need. He used a handcuff-style configuration, with a loop around each wrist. He also bound the ankles handcuff style and connected them to the wrists by a lead going through the legs.

The dissimilarities of these cases involve the MO, not the signature aspect. The use of a gun with threatening males revealed an adaptive offender.

At the time of the grandfather's homicide, additional financial stressors affected Code, as evidenced by the theft of money from the grandfather's residence. Three years of living reshaped this offender's behavior at each of the crime scenes. The MO reflected this change, but the signature did not.

CONCLUSION

Understanding and recognizing the signature aspects of crime has obvious importance. It is often vital to the recognition, apprehension, and prosecution of the serial offender.

In 1984 David Vasquez pleaded guilty to the murder of a thirty-two-year-old Arlington, Virginia, woman. The woman had been sexually assaulted and died of ligature strangulation. The killer left her lying face down with her hands tied behind her back. He had used unique knots and excessive binding with the ligatures, and a lead came from the wrists to the neck over the left shoulder. The body was openly displayed so that discovery would offer significant shock value.

The offender had spent an excessive amount of time at the crime scene. He had made extensive preparations to bind the victim, allowing him to control her easily. His needs dictated that he move her around the house, exerting total domination of her. It appeared he had even taken her into the bathroom and had made her brush her teeth. None of this behavior was necessary to perpetrate the crime; the offender had felt compelled to act out this ritual.

Vasquez had a very low IQ. His lawyers felt this would make it difficult to prove his innocence, so they convinced him he would probably receive the death sentence if he went to trial. Afraid for his life, Vasquez opted for life imprisonment and pleaded guilty.

In 1987, police discovered the body of a forty-four-year-old woman, nude and face down on her bed, with a rope binding her wrists behind her back. The ligature strand tightly encircled the neck, with a slip knot at the back, continued over her left shoulder down her back, and then wrapped three times around each wrist. Forensics revealed she had died of ligature strangulation and had been sexually assaulted. The offender left the body exposed and openly displayed. He appeared to have spent a considerable amount of time at the scene. This homicide occurred four blocks from the 1984 murder.

Vasquez had been imprisoned for several years when the 1987 murder occurred. The National Center for the Analysis of Violent Crime conducted an exhaustive analysis of these homicides, a series of sexual assaults, and several other killings that had happened between 1984 and 1987. Eventually it linked these offenses, through analogous signature aspects, to an Arlington, Virginia, subject. Physical evidence later corroborated this connection.

Vasquez was exonerated and released.

This example illustrates the importance of recognizing the signature aspects of a violent crime. These signature aspects can serve justice and society not only by curtailing a serial criminal's violent career, but also by preventing the arrest or punishment of the wrong person.