

## CASE REPORT

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# A Case of Stalking in the Workplace and Subsequent Sexual Homicide

**ABSTRACT:** A case of stalking in the workplace and subsequent sexual homicide by a 33-year-old male is reported. Following several months of stalking a 38-year-old female, the male subject went to the woman's office after business hours and restrained, raped, and murdered her. The cause of death was multiple stab wounds. The facts of the case reveal that the subject fits a predatory-type stalker, which represents a small subgroup within stalkers that has received little attention. Unlike other types of stalkers, the predatory stalker gives little warning to their victim (or multiple victims), as their stalking behaviors tend not to be very invasive or harassing. In general, most stalkers are not physically violent; however, predatory-type stalkers, given their tendency for sexual violence, are dangerous and the importance of identifying them is emphasized. Factors associated with perpetrators of sexual homicide are discussed.

**KEYWORDS:** forensic science, sexual homicide, stalking, predatory, workplace violence

Well-publicized cases of stalking that have ended in homicide tend to center around a celebrity or public figure. These are usually characterized by the absence of an existing relationship between the suspect and the victim. In general, most stalkers are not physically violent. The rate of homicide among victims of stalking has been reported at less than 2% (1,2). The most dangerous cases typically involve a former intimate partner who has been rejected. They pose a greater risk of violence toward their victim, compared with other types of stalkers, due in part to their knowledge of the victim and their prior emotional connection with the other party (3–5).

Moreover, stalking violence, when it occurs, is usually linked to affective, rather than a predatory type of violence (1). Affective violence is generally associated with an emotional reaction to an immediate perceived threat. Predatory violence, a rare event in stalking, is planned, controlled, and without emotion and the objective is usually to control or devalue the victim. Predatory violence tends to be correlated with personality pathologies (6,7). Although there is little research on the use of weapons in stalking cases, of the cases that have been studied, rarely are weapons used to injure the victim (1). More often, they are utilized as a manner of controlling the victim.

The prevalence of sexual homicide itself is unknown. Some have estimated rates from 1% of all homicides in the United States (8) to 4% in Canada (9) although these rates are thought to be underestimated given that most databases do not specify the manner in which homicides are committed. In addition, in some areas, homicides preceded by sexual assault are recorded as first-degree murder only (10). However, based on these rough estimates, sexual homicide is relatively rare, in relation to all homicides.

This report discusses a case of predatory-type stalking and subsequent sexual homicide between subjects who had no preexisting intimate relationship.

In November 2002, a 38-year-old attractive, petite, white female (Ms. P.) was found by the police in a utility room on the ground floor of the building in which she worked. An autopsy later revealed that the cause of death was multiple stab wounds. Ms. P. had worked in commercial real estate and would often be in her office on weekends and after hours. She had leased a modest office suite on the fifth floor of a nine-floor building, located in the downtown area of a large metropolitan city in Canada.

The crime occurred at c. 8:14 p.m. on a Saturday, when the perpetrator (Mr. D.) attacked the victim as she left for the night. Evidence suggests that Mr. D. accosted her in the hallway, just as she was about to lock her door. At some point he handcuffed her to prevent her from escaping and led her at knifepoint down some stairs toward a remote ground-floor equipment room. There he sexually assaulted her and stabbed her seven times, finally dragging her still alive into a dirty equipment room where he slit her throat. On the fifth floor, police found only the janitor's room door unlocked and slightly ajar. It was located just around the corner from Ms. P.'s office door and presumably had been used by Mr. D. to stalk Ms. P.'s movements before the assault.

### Stalking the Victim

Mr. D. had been among six people who cleaned suites on weeknights at the building where the victim worked but was not a current employee. Mr. D. had last been employed there in May of 2002—6 months before the assault. Mr. D. had often worked there with his mother and it was Mr. D.'s mother who asked his late father, the cleaning company's founder, to hire her son. In addition, Mr. D. once helped his supervisor clean the victim's fifth-floor office suite. Cleaning staff never worked on weekends.

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In the year leading up to the murder, five calls from Mr. D.'s cell phone were made to Ms. P.'s office, a person Mr. D. later claimed he barely knew. All of the calls lasted less than 1 min and were made outside business hours. Three of these calls were proven to have been made just blocks from the victim's office and with the call-blocker employed so that there would be no record of his name or number.

The calls appeared to be a form of stalking behavior from a determined individual intent on finding out when the victim was at the office and how late she would stay; thereby, assisting Mr. D. in executing a careful assault plan, consistent with the victim's work habits. Further, Mr. D. had an apparent interest in other women who worked at the same building as Ms. P. In the year before Ms. P.'s death, his cellphone reached women's offices there, generally outside office hours, often in rapid succession, and in calls lasting a minute or less.

In addition, two other tenants of the same building remembered seeing the suspect regularly sitting in the lobby during early afternoons in the 2 months before the victim was murdered. Evidence from the former supervisor suggested that even after Mr. D. stopped working at the building, he often loitered in the lobby. He would frequently come around to have a coffee or visit two women he knew on the seventh floor. Once when Mr. D. was working at the building in the spring of 2002, he remarked as Ms. P. was leaving that she was "good-looking" and "hot."

Moreover, Mr. D. not only stalked Ms. P., but also stalked other women as well. For example, women in another commercial building, where he also once worked as a cleaner, did not know he was anonymously phoning their places after business hours. Furthermore, two women at the rehabilitation hospital where he currently worked as a cleaner did not know that he was snapping their photos, listing their addresses, or stealing their identification. Police also found a camera in Mr. D.'s locker at the rehabilitation hospital containing undeveloped pictures of women entering and leaving the rehabilitation center parking lot. In addition, they found a map book on which had been circled the area of the city where a female employee of the rehabilitation center lived.

The 6 ft 2 in Mr. D. was 33 years old at the time of the crime. Mr. D. was known by his supervisor to come dressed well for work, usually in black, with black dress pants, a clean white shirt, and shiny shoes. His hair was usually slicked back and he presented a clean, sharp, almost a presidential image. His past work experience as a cleaner in the building allowed him personal knowledge of the layout of the building as well as how to enter the building without a key. He also had knowledge of the remote ground-floor utility room whose lock was faulty and where he knew he could sexually assault Ms. P. in relative privacy.

DNA, blood splatters, and other forensic evidence were used against Mr. D. in court. Other evidence supplied by Mr. D. was also used against him in the court. For example, even though he no longer worked as a cleaner in the building where Ms. P.'s body was found, Mr. D. showed up a few days after her death and denied he was her killer to his former co-workers and supervisor. He suggested that during the time of the murder he had worked the overnight shift as a cleaner at a mall. Police later learned from Mr. D.'s current employer that he was, in fact, not working on the day of the murder.

Mr. D.'s former supervisor told police that Mr. D. hated cleaning but he did it to help out his mother, a Portuguese immigrant and single parent with whom he lived. Mr. D., the middle of three sons, often spoke about how he resented his mother for putting his younger brother on a pedestal. When approached at her front door, Mr. D.'s mother said she did not speak English, but managed to

say his murder charge was his problem, not hers. Reportedly, the worn knife sheath that Mr. D. had on him when arrested had a Mother's Day card wrapped around it. Mr. D.'s younger brother said the family found Mr. D. mysterious and that they did not know anything about him including who he was with, who his friends were, or where he hung out.

When Mr. D. was questioned by detectives, he claimed he hardly even knew Ms. P. and that he never really talked to her or associated with her. Mr. D. said the woman was simply someone he greeted "hello" or "goodbye" while carrying out his janitorial duties. Given this fact, the secret phone calls made in the months preceding the murder become inexplicable, except for a sinister purpose. Further, Mr. D.'s current supervisor had noticed a handcuff key on Mr. D.'s key ring. When asked about the handcuff key, Mr. D. only smiled but did not respond. Four months after the crime, police arrested the now 36-year-old Mr. D. on a Canada-wide arrest warrant. A large kitchen knife found on the suspect appeared to fit snugly into a homemade sheath also found on the suspect, which contained Ms. P.'s DNA. Mr. D. also had with him two pairs of handcuffs, one of which contained the victim's DNA. The jurors did not hear that several other items were also found in the suspect's jacket and on his person—including gloves, a police officer's card, condoms, two pairs of handcuffs with keys, a sock, a balaclava, and rope—amounting to what police called a "rape kit." It appears that Mr. D. was trolling for other sex victims.

During the execution of a search warrant at Mr. D.'s house, police also found four handcuff keys that unlocked the handcuffs found on Mr. D. at the time of the arrest. In addition, the jury did not hear that police found a number of paperback crime novels at his home that explicitly described the rape and torture of women, including a fictional detective thriller that described the rape and murder of a real estate agent.

### Previous Criminal History

Mr. D. was not unfamiliar with police investigations. He had a criminal history of more than 15 crimes on his rap sheet, many for which he received jail sentences. In a record dating back to 1988, he had been convicted of assault with a weapon, robbery, theft, carrying a concealed weapon, assault with intent to resist arrest, dangerous operation of a motor vehicle, and failing to appear. The robbery and dangerous operation of a motor vehicle charges were in 1991 for an attack and forcible confinement on a female taxi driver. Further, he had also been convicted of sexual assault with a weapon, forcible confinement, and uttering threats in 1995.

With respect to these latter charges, he had spent almost 4 years in prison for sexually assaulting a teenaged girl at gunpoint. While there, he threatened female jail guards. He was spared a longer jail time because he pleaded guilty. He was also forbidden from owning guns for life. At that time, the judge recommended that early release would not be appropriate and that the accused not be released until he received counseling for his violent sexual fantasies.

During this 1995 rape, Mr. D. lured the girl to his house with the promise that he would lend her money. He then forced the girl into the bedroom of his house and demanded that she should remove her clothing. He handcuffed his teenaged victim to a bed. He then placed a starter's pistol on the bed beside her head. The victim was sexually assaulted twice and was only allowed to leave after promising under threat of death not to report the incident. The teenager made her way to a local hospital where she reported the attack.

At the time of that arrest, police found diaries at his home that claim he committed five previous rapes on victims at gunpoint

ranging in age from 13 to 48 years old, although it was unknown if these were actual rapes or rape fantasies. The diaries described hundreds of rape fantasies, including assaults on his probation officer, O.J. Simpson's murdered wife Nicole Brown, Princess Diana, Cher, and actress Goldie Hawn. It also outlined plans to sodomize and assault the 17-year-old girl he later raped. One diary entry stated "I will not hesitate to pull a knife on the victim and rape her at knifepoint if she is unwilling or doubtful or reluctant or uncertain about having sex with me." Police also found notes that read "once the victim arrived at my place I grabbed her from behind and pressed a large knife, attacked her, overpowered her, raped her and raped her violently anally." At a preliminary hearing before Mr. D.'s murder trial started, police testified that the teenage rape victim had asked her attacker why she was bleeding during the rape and Mr. D. had responded "Don't worry, I didn't do anything wrong. I'm sorry. I didn't mean to hurt you. Please forgive me."

## Discussion

Little research has been conducted in the area of stalking and sexual homicide. Mullen et al. (11) conducted a study on stalkers that included six "predatory" types who were defined as those who stalk their victim in preparing an attack, usually sexual in nature. Mr. D. appears to fall into this subtype of stalker. The predatory types are attempting to satisfy their sexual and control needs through the stalking behavior. The gathering of information, surveillance, and getting to know their victim allows the stalker to prepare for, rehearse in fantasy, and plan their intended attack. The stalking behavior may, in itself, be pleasurable and sexually exciting to the predator from the perceived sense of power and control over the victim and in some cases, their ability to humiliate them by unwanted intrusions and instilling fear (5).

Usually, the stalker does not want to alert the victim before the fantasized or planned assault; thus, there is rarely any direct contact and the victim tends not to be aware that someone is stalking them (12). While this type of stalking tends to be brief, it may also continue for several months. Predatory-type stalkers are in all instances male and are more likely to have previous convictions for sexual offences than other type of stalkers and are most likely to proceed to physical assaults (11). Unlike other stalker types, predatory stalkers tend not to focus specifically on one victim for a long period of time.

To better understand perpetrators who commit sexual homicide, research has also developed several different typologies of rapists. The initial research by Hazelwood and Burgess (13) describes four categories of rapists: (a) power assertive, (b) power reassurance, (c) anger retaliatory, and (d) anger excitation. With the addition of Keppel and Walter's (14) and Turvey's (15) work who undertook to expand these categories in order to apply them to rape-murder investigations and other criminal behavior, we can perhaps better understand the motivation behind the stalking and assault of Ms. P.

It appears that Mr. D.'s behavior most closely resembles an "anger retaliatory" type. Mr. D.'s organized stalking of Ms. P. months before the murder and eventual overkill are representative of this type and are suggestive of an anger-venting act showing symbolic revenge (14). While little data regarding Mr. D.'s developmental or psychiatric background were available to the author—given that no court-ordered psychiatric examination was completed according to court transcripts (P. Tasia, personal communication, July 26, 2006), several reports from his supervisor suggest that Mr. D. had feelings of resentment toward his

mother while simultaneously having had to work and live with her, thus indicating her power over him. This may have resulted in redirecting his anger to a substitute female, although it is possible that other women who had rejected or humiliated Mr. D. could have been the source of his anger (16). This victim substitution allows the perpetrator to release sexual aggression without inhibition and also reduces the probability of getting caught by the police (8).

Given that this type of substitution does not resolve the hatred toward the intended target, the violence tends to be repeated in an attempt to decrease personal stressors, as shown in Mr. D.'s numerous physical assaults on different women over time. As is usually the case, victims appear to have been chosen opportunistically from areas where Mr. D. lived and worked. Consistent with Mr. D., the killer resembling the anger-retaliatory type usually walks to the crime scene and attacks the victim once he/she is alone, often using a weapon. Further, when the attack is over, the body is placed in a submissive position, covering the eyes or behind a door, as was the case in this crime. At times a small souvenir may be taken. It should be noted that Ms. P.'s wallet or knapsack was never found and may have been kept as a souvenir. Most likely, Mr. D. did not feel any remorse or guilt for any wrongdoing as he transferred this responsibility to the victim (14).

Researchers have noted the maternal rage often present in sexual homicides that appear to be displaced matricides, with suspects often committing their crimes against older women (8,17). As with Mr. D., a history of assaults against women and a violent fantasy life is often present, as well as the absence of a father figure. This apparent anger toward the mother may be a result of a failure to separate from the mother when Mr. D. was young that later developed into feelings of inadequacy (8). It may also have been precipitated by criticism from his mother—a woman with power over him.

In addition, other unknown factors, other than parental conflict, may have contributed to this criminal behavior including conflict Mr. D. had with other females in his life, financial stress, conflict with males, any free-floating hostility or frustration, and opportunistic planning of the criminal act, all of which have been cited as important antecedents to similar crimes (18). Biological determinants have not been found to predict sexual homicide, although psychopathic traits found in those who commit sexual homicide may biologically predispose an individual to commit this crime (8).

Similarly, there is no conclusive research that social antecedents such as a family background of physical or sexual abuse, criminality, psychiatric problems, or alcoholism readily predict sexual homicide, and the relative importance of these factors often has mixed results (18,19). It seems reasonable that an examination of these types of perpetrators needs to include a history of sexual arousal and pairings of sex and violence that may have been conditioned in the perpetrator (8).

Further, research has also not been able to conclusively predict sexual homicide using psychological factors; however, clinical experiences tend to associate this crime with factors such as a history of violence, hatred, fear, or fantasy of violence against women, sexual inhibitions or female fetishism, feelings of isolation, and violence against animals (20,21). In addition, Ressler et al.'s (18) model of sexual aggressors suggests certain factors are related to acting out sexual fantasies including (a) pathological attachment (lack of nurturing, discipline); (b) physical or sexual assault pairing sexual arousal and violence; (c) social withdrawal into fantasy and aggression in childhood; (d) negative and repetitive cognitions motivated by a desire to control others; (e)

patterns of arousal that are either hyperarousal coinciding with early trauma or hypoarousal consistent with psychopathy and emotional detachment; (f) childhood and adolescent antisocial behavior, which may represent a displacement of aggression from the parents onto children, animals, and property; and (g) learning from past criminal behaviors.

Another line of research has focused on using the Rorschach's test to measure the psychodynamics of those who commit sexual homicide (6,22). Their findings indicate five characteristics of sexual homicide perpetrators which include (a) chronic anger, (b) sense of entitlement and grandiosity, (c) absence of stable and secure attachments, (d) impaired reality testing usually at a borderline level, and (e) formal thought disorder, which can add to the perpetrator's emotional impairment.

It appears likely that some type of pathological attachment played a role in Mr. D.'s behavior. This may not only be in the form of the absence of a stable and secure parental attachment figure but also in the form of superficial relationships in adulthood, which is one reason why fantasy plays an important part in his life. Overall, fantasy tends to be an important part of organized and ritualistic sexual homicide supplying pleasure, reducing inhibitions, stimulating grandiosity, compensating for any inadequacies, increasing perception of omnipotence, and allowing for the rehearsal of any paraphilia (23,8). Indeed, relationships with Mr. D. appear to have been mainly fantasy based, supplying emotional enjoyment and narcissistic satisfaction. In stalking his victims, Mr. D. invested a great deal of time and effort into planning his assault.

The stalking behavior of Mr. D., as with most stalkers in general, may have been part of a maladaptive response to social incompetence, a sense of failure, and feelings of sexual inadequacy (24). In the sexually deviant, low self-esteem and low self-efficacy in relationships are common (25). Mr. D. appeared to be a loner and socially, a person whom no one really knew, including his own family, again consistent with the profile of the anger-retaliatory type. His aggressive feelings toward women appear to be linked with impulsive behavior, as seen in his criminal history. The stalking behavior may have also satisfied Mr. D.'s erotic fantasies by intruding on the victim and her privacy through the phone calls and loitering.

Moreover, Mr. D.'s obsession with books of rape and torture and his own written fantasies of abducting and raping women most likely represented a personal belief that he would never be able to develop a healthy sexual relationship with a woman. Indeed, his desire to control women may be related to his perceived feelings of abandonment by his mother. He, no doubt, experiences himself as cut off from others, as they experience him as being "mysterious" and unknowable. Mr. D. never progressed from saying "hello" to Ms. P. on a few occasions because he probably believed that she would surely reject him. Thus, it is likely that the stalking of Ms. P. gave Mr. D. the perceived power and control over her that he believed was not apparent in simply asking her for a date. Further, the pattern of loitering and observing her presence without her knowing allowed him to develop increasingly elaborate fantasies of rape and murder.

Mr. D.'s feelings of low self-esteem, humiliation, personality traits, and unpredictable behavior have no doubt contributed to his inability to live up to his potential, rather than the presence of any psychotic disorder. Indeed, most individuals who commit sexual homicide are not psychotic, but rather narcissistic and antisocial personality traits tend to predominate, although they may or may not meet the diagnostic criteria in DSM-IV-TR (8,18,26). Mr. D.'s lack of empathy, vulnerability in self-esteem, preoccupation with

fantasies of power and love, as well as his sense of entitlement and grandiosity are consistent with narcissism. On the other hand, Mr. D.'s organized crime scene behaviors, along with the lack of delusions and hallucinations tend to point away from a psychotic disorder (26).

In addition, Mr. D.'s pattern of violating the rights of others and social norms with respect to lawful behavior, deceit, pattern of irresponsible work behavior, and lack of remorse for his acts all correspond to traits associated with antisocial personality. However, as is the case with others committing sexual homicide, Mr. D. also appears to be more obsessional, as indicated in his organized planning and attack, than perhaps those with similar personality disorders. Further, research has also found a relationship between schizoid personality disorder and perpetrators of sexual homicide (27). Mr. D.'s pattern of detachment from social relations and lack of desire for close family relationships or intimacy are indicative of this pattern.

It is possible that his feelings of inadequacy, and fear of rejection, as well as his maladaptive personality traits all may add to his desire to dominate women. The prospect of actually meeting the women he was attracted to and asking them out would most likely prove terrifying rather than sexually arousing. Rather, a mutual intimate relationship Mr. D. believes is not possible, is replaced by controlling a defenseless human being and inflicting humiliation and pain (5). If Mr. D. had not been caught, it is likely he would eventually perfect his crime to fit his fantasy in the most calculating and vicious manner.

In some cases, those charged with stalking a nonintimate may be concealing the possibility of sexual psychopathology. Paraphilias may actually manifest as stalking behaviors. As violent fantasies progress into real-life behaviors, serious consequences can result from not acknowledging associations between stalking and sexual offenses (5). Adding to this danger is the fact that, unlike other types of stalkers, the predatory stalker gives little warning to their victim (or multiple victims), as their stalking behaviors tend not to be very invasive or harassing.

While predatory-type stalkers represent a small subgroup within stalkers, in general, it is vital that they are identified given their tendency for sexual violence. The management of these types of stalkers is generally integrated into a sex offender program with specific management of the paraphilia—usually the main cause of the stalking and continued treatment upon release, preferably as a condition of parole (5). Treatment approaches can include cognitive-behavioral therapy, along with pharmacological therapies, and life skills/interpersonal skills training for the sexually deviant stalker. At 36 years old, Mr. D. was found guilty of first-degree murder and sentenced to life in prison.

Finally, it is important to note that certain limitations in evaluating this case are present due to the fact that the author was not actively involved in the case firsthand, but instead relied on court officials, court observers, and court transcripts as well as media reports for case material.

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