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Utilizing Offender Profiling and Eye-witness Testimony Through a Critical Lense

As the ever expanding knowledge and literature regarding forensic psychology continues to grow, its applicability increases as well. Within the criminal justice system accuracy of conviction is very important. No one wants to falsely accuse someone of crime but there is always a push to find the suspect and evidence quickly in order to proceed. For this reason, it is important to have accurate profiling and testimony tactics in order to bring those to justice without compromising integrity. Sadly, that is not always the outcome.

One way the criminal justice system utilizes psychological advances is through offender profiling. Offender profiling is rooted in the assumption that characteristics and information regarding the offend can be deciphered by analyzing the details of the crime they committed. It is important to remember that offender profiling is only an assumption and is not always one hundred percent accurate. Offender profiling aids detective work and can help law enforcement put the pieces of the crime together. There are many subcategories of offender profiling that are in use today. First, in regards to crime classification, there is organized patterns and disorganized patterns of crime. Organized refers to an offender who is very calculated, deliberate, and concise. It is often that the crime scene of an organized offender would include, no signs of forced entry, little to no evidence of blood spatter, possible clean-up of the scene, no biological markers such as fingerprints or hair, assumed signs of a plan. Disorganized refers to an offender who is not very calculated and shows signs of carelessness and impulsiveness. The crime scene of a disorganized offender would include signs of forced entry, no signs of clean-up, hastiness, many

samples of biological evidence such as hair or fingerprints, and signs of spontaneity. Crime classification can be incredibly helpful but as of right now it is only used within the CSA and FBI. Although crime classification is helpful, it has its flaws. One being that an offender's identity cannot be found solely through the use of crime classification. Yes, their patterns can be identified but crime classification is only based off of inference.

Secondly, there is one of the major profiling tactics law enforcement uses, Geographical profiling. Geographical profiling examines location and timing patterns of perpetrator and the crimes committed. The use of Geographical profiling can aid law enforcement when trying to discern where a perpetrator may reside and attend work. Geographical profiling is helpful because it narrows down the area law enforcement would have to monitor. Geographical profiling is also helpful because it visually maps out where the crime(s) were committed and can give insight to how many offenders they may be looking for. For example, if there is a string of murders across a wide area, law enforcement may infer that there are multiple offenders. Additionally, geographical profiling can be used to identify the offenders knowledge of the area. It can also help local authorities pinpoint areas that are heavily crime ridden. It is important to note that there are two types of offenders under geographical profiling, commuters and marauders. Commuters are more likely to travel further away from their hometown due to their calculated and organized nature. While marauders tend to stay within close approximation to their hometown due to their impulsive nature. Marauders may also stay close to home due to their feeling of security and knowledge of the area. Marauders tend to be disorganized while commuters tend to be organized. One main principle of Geographical profiling is the "least effort" principle, where perpetrators are more likely to offend the first chance they receive.

Another main principle of geographical profiling is distance decay which refers to the fact that perpetrators will only travel as far as they would need to in order to commit their crime. But these lack any indication of crime that would be committed by a commuter, therefore one could infer that geographical profiling only aids investigation of crimes committed by those who live adjacent to the committed crimes. That being said, Geographical profiling is beneficial in many ways but is not always accurate. If one commutes to a far away town to commit a crime, it becomes more difficult to pinpoint that individual and bring them to justice if Geographical Profiling is the only profiling tactic being used. (Young and Varano 2006). In addition, Geographical profiling completely disregards the other characteristics of the offender such as, gender, age, racial background, mental health background, and intelligence. Geographical profiling also fails to take terrain into account. Rather, Geographic profiling solely focuses on the area around the crime making it useful for only a certain number of crimes, but not all of them (Young and Varano 2006). Nonetheless, geographical profiling is a useful tool that aids law enforcement and it can always be built upon to make it more accurate and effective.

Thirdly, there is Investigative psychology, also known as statistical profiling, has its roots in geographical profiling but it also includes patterns of behavior. Investigative profiling suggests that the behaviors noted at the scene of the crime coincide with behaviors the offender exhibits in their daily life. This can include, but is not limited to, place of work and title at work, relationship to the victim, social characteristics, domestic characteristics, the level of violence one exhibits, educational background, and “forensic awareness” such as cleaning up the scene or the eradication of evidence. (Young and Varano 2006) This is the style of offender profiling is mainly used in true-crime television shows but is seldom used in the majority of actual cases.

The accuracy of this may be questionable as many have their own biases about behavior. For example, if there was a crime within the inner city, a profiler may assume that the offender would be a person of color because of the location of the crime. However, race cannot always be assumed. This profiler may have an implicit bias against those of a different race therefore compromising the investigation due to bias. Having the ability to pinpoint detailed characteristics about an offender is definitely a positive but the accuracy of this is questionable. This may be why it is not usually used in most investigations.

Offender profiling can be a very useful tool for local law enforcement. It can locate areas that are heavily flooded with crime. It can help law enforcement identify patterns of crime and where the offender may strike next. Profiling can even aid in the retrieval of important personal information such as the offender's crime classification (organized or disorganized/ commuter or marauder), where they reside, their relationship to their victim(s), their educational past and occupational present. But offender profiling can also illicit the biases of law enforcement, for example, racism or classist ideals of what a "criminal" looks/behaves like.

Eye-witness testimony is another tool that law enforcement utilizes during the trial process and investigation. Eyewitness testimony is exactly what it sounds like, a testimony from a witness who was at the scene of the crime. One would think that eye-witness testimony would be accurate as the person was at the scene of the crime but sadly that is not usually the case. Eyewitness testimony is anywhere from 8% accurate to 80% accurate so there is a lot of wiggle room on the accuracy. That being said about two thirds of all wrongful convictions are due to inaccurate eyewitness testimony. One issue that could be added to the inaccuracy of eyewitness testimony is weapon focus. Weapon focus is when an individual at the scene of the crime is too

focused on the weapon being used that they have issues recalling information about the crime. Another reason eyewitness testimony can be so misleading is because of violence distraction. Many times at the scene of a crime there is violence. Witnesses can become blind to their surroundings because the level of violence is so severe. Researchers Holland and Clifford found that one's ability to recall information decreased as the level of violence experienced increased. Another reason eyewitness testimony is so unreliable is due to the fact that everyone interprets stimuli differently (Loftus 2019). If a witness interprets the events of the crime incorrectly to what actually happened that is a big issue, especially since most law enforcement and juries rely so heavily on eyewitness testimony to lead their investigations and to make decisions. Another issue with eyewitness testimony is leading questions. Leading question can cause mix up of the events and is a way law enforcement can skew the course of the investigation. The best way to ensure accuracy regarding the events of a crime would be to give a Cognitive interview. This keeps the witness talking while helping law enforcement get an accurate idea of how the events unfolded. Additionally, another way to ensure testimonies are more accurate would be to also bring in an expert to testify as well. An expert is likely to have more knowledge, but sadly was not at the scene of the crime. That's why eyewitness testimony in conjunction with expert testimony may yield a better result. (Parrot et al., 2017).

In conclusion, there are both pros and cons to eyewitness testimony and offender profiling. Hopefully as the literature expands so will the accuracy of law enforcement's tactics.

References

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