

Investigating a Serial Killer

The Development of the FBI's Role Told Through Public Documents

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The number of serial killers, those who have murdered three or more people at separate times in the United States,¹ has declined from its peak 128 in 1987 to just 15 in 2015.² But people's fascination with them has not waned. The Netflix drama *Mindhunter* aired in October 2017 and gave true-crime fanatics a Hollywood view of the early days of the Federal Bureau of Investigation's (FBI) work on criminal profiling and its involvement with local law enforcement agencies on investigations.

However, the FBI can't take over a local police department's serial murderer case.³ In order to investigate a potential serial killer, "a request by an appropriate state official is required," but that does not mean the FBI idly waits for police to ask for assistance. Government documents detail how the Bureau's role has developed.

The Beginning

In its infancy, the FBI handled few violent crimes.⁴ Whether the Bureau stepped in during the early 1900s primarily depended on the location of the crime. Government property, Native American reservations, and open water, for example, fall under the FBI's jurisdiction.

In the 1930s, a single kidnapping and murder case brought a change to the Bureau's role.⁵ Around 9 p.m. on March 1, 1932, someone used a ladder to abduct toddler Charles Augustus Lindbergh Jr. (figure 1), son of famous aviator Charles Lindbergh, from a second-floor room of the Lindberghs' home. The day after the kidnapping, FBI Director J. Edgar Hoover told the New Jersey State Police the Bureau would provide any resources necessary for the case. A man accidentally found the boy's body on May 12, 1932. In the fall of 1933, the FBI was given authority to handle the "investigative features of the case." Examination of ransom notes, gold certificates, and the ladder led to the arrest, conviction, and 1936 execution of Bruno Richard Hauptmann for first-degree murder.

Around the time of the Lindbergh case, the Bureau also used any federal laws it could to arrest and convict gangsters



Figure 1. Charles Lindbergh Jr., who was kidnapped and murdered by Bruno Hauptmann in 1932. Source: Federal Bureau of Investigation, *Charles Lindbergh Baby*, (1930s), <https://multimedia.fbi.gov/?q=charles%20lindbergh&perpage=50&page=1&searchType=image>.

that contributed to a rise in violent crime in the 1920s and 1930s.⁶ According to FBI, local police weren't equipped to handle gangsters in part because they couldn't cross jurisdictions. After its work in the Lindbergh case, The FBI continued to work on some violent crime cases with local agencies, including serial killer cases in the 1950s and 1960s.

The Rise of Serial Killers

In the early 1970s, Americans saw an increase in the frequency of serial killers, a term that was just beginning to be used.⁷ Using the 2005 FBI definition of a serial killer, "the unlawful killing of two or more victims by the same offender(s), in separate events," figure 2 shows the frequency of serial killers in the 1970s was 605, compared to 217 in the 1960s.⁸ During this increase, FBI Special Agent Howard Teten and others began considering the psychological science of serial killers. They launched the Behavioral Science Unit in 1972, which was later renamed the Behavioral Analysis Unit (BAU). Agents

Serial Killer Frequency by Decade (Decade of First Kill)

Decade	US	International	Total
1900	49	23	72
1910	52	23	75
1920	62	41	103
1930	55	31	86
1940	55	45	100
1950	72	41	113
1960	217	76	293
1970	605	160	765
1980	768	217	985
1990	669	322	991
2000	371	295	666
2010	117	113	230

Source: Radford University/FGCU Serial Killer Database

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Figure 2. Serial Killer Frequency by Decade. Source: M.G. Aamodt, *Serial Killer Statistics*, (2016), 4–5, maamodt.asp.radford.edu/Serial%20Killer%20Information%20Center/Serial%20Killer%20Statistics.pdf.

John Douglas and Robert Ressler conducted interviews with thirty-six of the most notorious serial killers of that time.⁹ Their techniques and findings have been shared with local agencies through training and case assistance.

Congress's view on the FBI's involvement in serial killer cases can be seen in legislation from the 1980s. At a 1983 hearing on serial murders, attendees discussed the plan for a National Center for the Analysis of Violent Crime (NCAVC), a resource center to help agencies deal with violent crimes by assisting with training, research, and criminal profiling.¹⁰ NCAVC became a reality shortly after the hearing. At that same hearing, the Bureau introduced the concept for the Violent Criminal Apprehension Program (ViCAP)—a data information center to collect, analyze, and provide reports on violent crimes from local agencies.

Lawmakers heard about ViCAP again in 1986,¹¹ shortly after it was implemented. The goal of ViCAP is to make connections between agencies reporting similar patterns of violent crimes so law enforcement officials can better communicate and arrest a suspect. Agencies can send reports to the FBI to be analyzed and entered into ViCAP. The reporting agency is notified of the results or lack thereof. FBI Executive Assistant Director John Otto told members of Congress that statistics

from the past decade showed that violent crimes like serial murder “represent a serious challenge to the (local) law enforcement community.” Otto provided a 1974 example of such a serial killer. First, ten women in Washington state vanished in eight months. Then a similar case of disappearing women occurred in Utah. The killer, Ted Bundy, can be seen in figure 3. He twice escaped prison in Colorado and went on to kill three women in Colorado and three in Florida.¹² Authorities arrested Bundy in Florida for a stolen car, and he was tried and sentenced to death for murder. At the time of the 1986 hearing, he was believed to have killed twenty-four to thirty-six women. Before his execution, FBI agents interviewed Bundy while developing their criminal profiling techniques.¹³

According to Otto, the authorities in each affected state had no way of linking the crimes.¹⁴ Jurisdictional boundaries hindered their ability to do so typically because the agencies were unaware of one another's cases. While the FBI has the authority to act in all jurisdictions, when it comes to violent crime, it is limited to being asked by local authorities to assist. “Because many serial criminals deliberately cross police jurisdictions in the conduct of their crime sprees,” Rep. Glenn English said, “I believe that the federal government owes an obligation to assist to the greatest extent possible in such cases.”¹⁵ ViCAP became the FBI's solution to make connections between agencies that might be dealing with the same serial killer.

The FBI's Developing Role with Technology

The 1990s saw more new initiatives, including the Violent Crime Control and Law Enforcement Act of 1994. The act directed the attorney general to expand training for state, tribal, and local agencies and create a pilot system to gather and analyze information from federal, state, and local agencies to support violent serial crime investigations.¹⁶

In the mid-1990s, the FBI formed the Child Abduction and Serial Killer Unit (CASKU), which sends agents into the field when children are kidnapped or murders occur. At a 1995 hearing about the new unit, attendees discussed an apparent lack of coordination between federal, state, and local agencies to solve serial killings.¹⁷ FBI Critical Incident Response Group Special Agent in Charge Robin L. Montgomery said CASKU utilizes ViCAP, but to be most effective, state and local law enforcement need to report violent crimes quickly.¹⁸ A statement from FBI Child Abduction and Serial Killer Unit Supervisory Special Agent William Hagmaier III noted that crimes between different jurisdictions can't be linked if agencies don't report cases to ViCAP.¹⁹

The FBI gathers and publishes crime stats as part of the Uniform Crime Reporting Program (UCR), which was conceived in 1929.²⁰ Today, more than 18,000 agencies throughout the United States participate in the program, providing crime data relating to many different crimes including murders. From when ViCAP launched in 1985 through 1993, law enforcement officers reported 198,287 murders to the UCR, and about 4.25 percent of those were reported to ViCAP. Along with reporting to ViCAP to find linkages between cases, agencies dealing with violent crimes and can ask the FBI to assist with their investigations. That assistance can include criminal profiling, crime analysis, investigative strategies, interview techniques, linkage possibilities, and prosecution guidance.²¹

Congress established the Morgan P. Hardiman Child Abduction and Serial Murder Investigative Resources Center (CASMIRC) under public law in 1998.²² CASMIRC is managed by the FBI's NCAVC and other resource teams in field offices. It provides resources, advice, and training to local agencies working on cases of missing, kidnapped, or murdered children and serial murders. This extends to investigation support in the form of onsite assistance and coordination of other federal agencies. CASMIRC is also responsible for conducting related research and operating a central database for information from state and local law enforcement about these types of cases.

Along with managing the resources center, the NCAVC's role has changed since its implementation to include four Behavioral Analysis Units (BAU) and the Violent Criminal Apprehension Program.²³ These programs aid local police departments, most of which have not had experience with serial murder cases.²⁴ During a 2011 episode of an FBI podcast, Supervisory Special Agent and BAU-2 Unit Chief Mark Hiltz said, "The case remains their case. . . . We're there at their request and at their assistance. They're going to be the ones that actually solve the case."²⁵ When the FBI assists with a case, much of the agents' time is spent reading case documents prepared by local law enforcement. The BAU agents provide the local officers with their findings and advice, which the local department can then determine how to use.

The FBI's responsibilities to provide local agencies with behavioral analysis services, share criminal information, collect fingerprint cards and identification records, train state and local law enforcement officials, and operate the National Crime Information Center and the FBI laboratory are outlined in Title 28 of the *Code of Federal Regulations*.²⁶

The DNA Identification Act of 1994 allowed the FBI to establish the National DNA Index System (NDIS),²⁷ which has DNA profiles from federal, state, and local laboratories. The Combined DNA Index System (CODIS) is the FBI's program

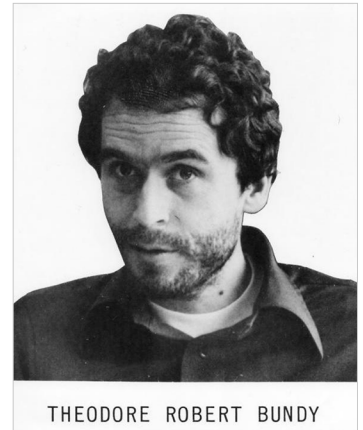
supporting local, state, and the national DNA databases. CODIS has helped link and solve cases by matching evidence to convicted offenders. When CODIS identifies a match, the involved laboratories are contacted, and the various law enforcement agencies can coordinate their investigation. As of June 2018, NDIS contained 13,413,029 offender profiles, 3,174,013 arrestee profiles, and 864,128 forensic profiles.²⁸ CODIS is credited with assisting in more than 409,788 investigations since it launched.

In 2004, the FBI launched the Highway Serial Killings Initiative to raise awareness of interstate serial killers.²⁹ The victims in these cases are commonly transients and the suspects are often long-haul truck drivers. In 2009, the FBI used ViCAP, which includes information on homicides, sexual assaults, missing persons, and unidentified human remains, to create a national listing of murder victims along or near highways and potential suspects. According to a 2017 FBI podcast, more than four hundred suspects and seven hundred victims have been identified since the initiative launched.³⁰

The FBI also assists with information dissemination to the media.³¹ In an interview with an Anchorage, Alaska, news station, criminal profilers explained that was part of the FBI's role for investigation into serial killer James Dale Ritchie, who murdered up to five people in Anchorage in 2016 before he was killed in a shootout with police. The profilers also provided police with suggestions about the investigation, including to consider the case from a behavioral view.

Questioning Criminal Profiling

The FBI's role in serial killer and other violent crime cases has grown from that of handling issues in its own jurisdictions to providing direct assistance when asked by state or local agencies as well as providing laboratory, database, training, and other indirect services. One of the most controversial services is using the details of crimes to try to determine personality, behavioral, and lifestyle characteristics of an offender—in other words, creating a criminal profile.



THEODORE ROBERT BUNDY

Figure 3. Serial killer Ted Bundy admitted to killing 36 people before he was executed in 1989. Source: Federal Bureau of Investigation, Serial Killer Ted Bundy, (Date range 1974-1978), multimedia.fbi.gov/?q=tred%20bundy&perpage=50&page=1&searchType=image.

Supervisory Special Agent and Profiler Michael Yonder noted in the interview about the Ritchie case that FBI profilers used to rely on childhood precursors,³² such as incidents that involved the suspect inflicting pain to other children or themselves while growing up. Yonder said there are “no common precursors,” and the FBI now looks at cases individually and specifically and then considers whether they are behaviorally or forensically linked.³³ However, current methods are still criticized, and research questions the success and science of criminal profiling.

The FBI uses crime scene and victim traits to determine a possible profile for a serial killer.³⁴ This is done by using known subjects and patterns of behavior and applying them to current cases. According to the Bureau, certain traits and personal characteristics appear to fall under either organized crimes—those that are done with a meticulous method—or disorganized crimes. However, nongovernment research has increasingly questioned this approach, noting the FBI doesn’t consider behavioral frequency across events,³⁵ female behaviors, behavior that falls between organized and disorganized,³⁶ or offenders that show both organized and disorganized characteristics.

Problems also arise when profiles are “overly specific” and stated with “overconfidence,” Criminologist Dan Kennedy said in an interview.³⁷ Some studies have concluded that evidence supporting the success of profiling is lacking and have noted that profilers are reluctant to cooperate with research. The FBI has pointed to the continued request of profiling as proof that it works. In the mid-1980s, local law enforcement requested FBI assistance on about six hundred cases annually.³⁸ In the 1990s it grew to about one thousand cases each year.³⁹ Kennedy cites numbers about profiling from a 1984 study by Pinizzotto.⁴⁰ In 192 cases using criminal profiling, Pinizzotto found that 88 were solved. Local police reported the profile had been somewhat helpful in 83 percent of the solved cases. However, they also reported that the profile helped to identify the suspect in only fifteen of the cases. Pinizzotto’s findings gave Kennedy “little confidence that profiling works.”⁴¹

Information Access

Depending on the depth of information a researcher is interested in, they may find what they need on the FBI’s website. The site provides publications, webpages, and podcasts on some current programs as well as operation protocols. Some of these provide links or include the public laws that define the FBI’s role. Users can also find brief histories and a variety of key cases used in developing FBI practices for working on serial killer cases.

However, if researchers are interested in how the FBI’s role developed, congressional documents are key resources. Even with these, it can be hard to connect the dots between what occurred to lead to a change. Between the launch of ViCAP in 1985 and the implementation of the Violent Crime Control and Law Enforcement Act of 1994 and CASKU in the mid-1990s, information about serial killers and the FBI’s role is difficult to find. It could be that not much occurred in that time period as little reference is made to any changes in later documents. Information from 1994 to today is also challenging to locate. Most of the congressional documents relating to serial killers in the past twenty years deal with DNA. One reason that documents outside of those about DNA are difficult to find could be because serial killer frequency has decreased. In the 1990s the frequency of serial killers of two or more victims was 669.⁴² In the 2000s it was 371. It may be the opinion of Congress and the FBI that the legislation and regulations from the 1980s and 1990s have been working, so nothing new has been needed.

Finding statistics in the form of digestible tables and charts also takes some digging. Some are built into FBI publications, but much of the more easily locatable data provides a bigger picture of violent crimes such as figures for all murders in a certain year and place instead of focusing on just serial murders. The FBI does publish homicide information it has collected from agencies that participate in the UCR. While these provide murder statistics, they do not specifically provide serial murder statistics.⁴³ The National Incident-Based Reporting System (NIBRS) launched in 1991 and collects more information on each crime reported providing circumstance and context details that UCR doesn’t, but it also doesn’t provide specific information on serial killer crimes.⁴⁴ *Homicide Trends in the United States*, a series from the Bureau of Justice Statistics, provides some information on multiple victims, but it is unclear if the victims were murdered at the same time or different events, which would determine if the murders were serial or not.⁴⁵

What constitutes a serial killer further complicates locating information. In 2008 FBI behavioral analysts defined serial murder the same as they had in 2005, as “the unlawful killing of two or more victims by the same offender(s), in separate events.”⁴⁶ In public law, it is defined as three or more killings.⁴⁷

Researchers interested in information that questions the FBI’s role or tactics in assisting with serial killer cases must look outside of government documents. Serial killers have fascinated people for decades, so there is no shortage of information in popular media. Some well-researched articles provide information and links to in-depth studies that take a critical look at the Bureau’s role, but many have a particular interest in profiling

and don't take a holistic view. These types of studies are also available directly primarily on psychology-focused databases.

Conclusion

While Hollywood provides portrayals of FBI agents, they are not all necessarily accurate.⁴⁸ The FBI is at times shown as an agency that takes over when it comes to assisting with a case. Three former agents told *Business Insider* in 2016 that is not how it is done.⁴⁹ Government documents show that the Bureau's role has grown since it first started investigating serial murderers, but these documents do not show the whole story. It is hard to discern what works and what doesn't for different FBI tactics like criminal profiling or statistically how successful the FBI is when it becomes involved in a serial killer case. Even how often and to what degree the FBI gets involved in serial killer cases is also difficult to determine from government publications. This information should be available for public examination. Aside from the fascination of crime and criminal minds, people have an interest in the politics, methods, accuracy, and success or failure of the FBI's role in these cases. Increasing the availability of this information better informs the public providing a clearer lens through which people view the FBI's role instead of through the lenses of Hollywood cameras.

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