

SERIAL KILLER PSYCHOLOGICAL PROFILING IN BRAZIL AND CZECHIA: LEGAL AND INTERNATIONAL IMPLICATIONS

Raísa Nogueira Medeiros

School of Law, Universidade do Estado do Amazonas (UEA), Manaus, Brazil, raisamedeiros1@hotmail.com.

Abstract. This article explores the use of psychological profiling as a tool for identifying and capturing serial killers in Brazilian and Czech jurisdictions. It highlights the importance of psychological profiling in criminal investigations, particularly in understanding the motivations, behaviours, and characteristics of serial killers. However, the use of psychological profiling raises legal and ethical concerns. The article examines the use of psychological profiling in serial killer cases in Brazil and the Czech Republic, focusing on the legal and international law implications of this technique. While profiling has been used to assist in criminal investigations and trials in both countries, the use of profiling evidence in court can be controversial due to subjectivity and interpretation issues. Additionally, the article notes that international law considerations must be taken into account when using psychological profiling, with the United Nations emphasising the need for scientific rigour, objectivity, and protection of the rights of the accused.

Keywords. Psychological profiling, Serial killers, Brazil, Czech Republic, International Law.

1. Introduction

The phenomenon of serial killers has captured the attention of the public and the media for decades. The incomprehensible nature of their actions, the seemingly random selection of victims, and their repeated offences have made them an object of fascination and horror for people all over the world. The mere mention of a serial killer can cause widespread panic and terror, even in areas far from where the crime was committed.

In an effort to understand the motivations and characteristics of these elusive criminals, law enforcement agencies have turned to psychological profiling as a valuable tool in criminal investigations. Psychological profiling is the process of creating a psychological and behavioural profile of an unknown offender, based on the examination of their crime scenes, patterns, and motives.

The analysis of the use of psychological profiling in the context of serial killers in Brazil and the Czech Republic is especially significant. These countries have a history of dealing with serial killers, and their experiences offer valuable insights into the

effectiveness and limitations of psychological profiling in criminal investigations.

Furthermore, the use of psychological profiling in criminal investigations raises important legal and ethical concerns that cannot be ignored. The subjective nature of profiling, the interpretation of behavioural patterns, and the potential impact on the rights of the accused are just some of the issues that must be considered when using profiling evidence in court.

International law considerations must also be taken into account when using psychological profiling in criminal investigations. The United Nations has emphasised the importance of scientific rigour, objectivity, and protection of the rights of the accused when using profiling evidence, in order to ensure that justice is served fairly and objectively.

Thus, this work will delve into the use of psychological profiling in the context of serial killers in Brazil and the Czech Republic, and the legal and international law implications of such profiling. By examining the experiences of these countries, it aims to shed light on the complex issues

surrounding the use of psychological profiling in criminal investigations, and to provide a comprehensive understanding of the benefits and limitations of this technique.

2. Brief history of psychological profiling

Psychological profiling, also known as criminal profiling or offender profiling, is a tool used by law enforcement agencies to assist in criminal investigations. It is a systematic process of analysing crime scenes, evidence, and the behaviour of an offender in order to create a psychological and behavioural profile of the offender. The profile includes information about the offender's personality, possible motivations, background, and other characteristics, which can help investigators identify the suspect or suspects and provide evidence in court. It is based on the premise that an offender's behaviour reflects their underlying psychological state, and that patterns of behaviour can provide clues about their personality and motivations.

The history of psychological profiling can be traced back to the early 20th century, with the work of psychiatrist Dr. James Brussel. In 1956, Brussel was asked to assist in the investigation of the "Mad Bomber" of New York, a man who had set off a series of bombs around the city. Brussel used his knowledge of psychiatry to create a profile of the bomber, based on the patterns of his crimes and the nature of the bombs he had constructed. This profile ultimately led to the arrest of the bomber.

However, it was not until the 1970s that psychological profiling became widely accepted as a tool in criminal investigations, thanks to the work of FBI agents John Douglas and Robert Ressler. Douglas and Ressler created a system for profiling serial killers and other violent offenders, based on interviews with convicted criminals and extensive research on their behaviour. Their work formed the basis for the use of psychological profiling in the United States and other countries, with law enforcement agencies turning to profiling to aid in the investigation of high-profile cases, including the "Son of Sam" murders and the Unabomber case.

The use of psychological profiling has since expanded to other areas, including the investigation of corporate fraud and terrorism. In the United Kingdom, the police use profiling to identify potential terrorists and prevent terrorist attacks. However, the use of psychological profiling in criminal investigations has not been without controversy. Critics argue that profiling can be subjective and prone to errors, and that the interpretation of behavioural patterns can lead to false accusations and miscarriages of justice. Despite

these concerns, psychological profiling remains a valuable tool in criminal investigations, particularly in cases involving serial killers and other violent offenders. The technique has helped law enforcement agencies around the world to narrow down their search for suspects, provide evidence in court, and ultimately bring criminals to justice.

Psychological profiling has evolved over time, with new techniques and approaches being developed to improve its effectiveness. One such approach is geographic profiling, which involves the analysis of the spatial patterns of crimes to identify the offender's likely residence or base of operations. Another approach is the use of forensic linguistics, which involves the analysis of written or spoken language to identify characteristics of the author, such as their education level, geographic origin, and personality. In recent years, the use of artificial intelligence and machine learning has also been explored in the field of psychological profiling, with the aim of developing more objective and accurate profiling techniques.

The use of psychological profiling in criminal investigations has also become a subject of international regulation. In 1990, the United Nations passed the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, which recognizes the importance of victim and witness protection, as well as the need for scientific rigour, objectivity, and the protection of the rights of the accused in the use of forensic evidence, including psychological profiling.

Additionally, the Interpol Standing Committee on Forensics (SCF) established the Behavioral Sciences Group in 1984, which has since worked to promote the use of psychological profiling in investigations around the world. The group provides training, support, and guidance to law enforcement agencies in the use of psychological profiling and other forensic techniques.

In 2004, the European Union established the European Network of Forensic Science Institutes (ENFSI), which includes a Forensic Psychology Expert Working Group that provides training and support in the use of psychological profiling and other forensic techniques. The group also works to develop standards and guidelines for the use of forensic psychology in criminal investigations.

The regulation of psychological profiling in criminal investigations is important to ensure that it is used effectively and ethically, while also protecting the rights of both victims and the accused. The international community recognizes the value of psychological profiling as a tool in criminal investigations, but also acknowledges the need for objectivity, scientific rigour, and the protection of human rights in its use.

3. Psychological profiling in the Czech Republic

Psychological profiling has played an important role in the investigation and prosecution of serial killers in the Czech Republic. One such case is the series of murders committed by Jiří Straka, a rapist and killer who operated in Prague in 1985. Straka committed a series of attacks on women, targeting them in parks and on public transportation. He raped and robbed 11 women between February and May 1985, and killed three of them. In the case of Straka, psychological profiling was used to understand the offender's behaviour, motivation, and personality. (ANÍK, 2011)

The profiling allowed investigators to identify certain characteristics of the offender that could be used to create a profile and eventually lead to his arrest. Based on the crime scene evidence and the behaviour of the offender, the psychological profile of Straka suggested that he was an impulsive, angry, and violent person with a lack of empathy towards his victims. He was seen as someone who was prone to sudden outbursts of anger and who enjoyed controlling and dominating his victims. The profile also suggested that he may have had a history of prior criminal behaviour and may have suffered from some form of mental illness.

These informations helped investigators to narrow down the suspect pool and eventually led to Straka's arrest. After his arrest, Straka underwent a psychiatric evaluation, which confirmed the psychological profile created by the investigators. He was diagnosed with antisocial personality disorder, which is characterised by a disregard for the rights of others and a lack of empathy. Straka was found guilty of 11 counts of rape and murder and was sentenced to 10 years in prison and psychiatric treatment. He was released from prison in 2004, and now lives as a law abiding citizen.

Another example of the use of psychological profiling of a Czech serial killer is the case of Petr Zelenka. Zelenka was a nurse in Havlíčkův Brod, who murdered seven patients and attempted to kill 10 others between May and December 2006. He used a hidden vial of heparin, a blood-thinning drug that causes internal bleeding when administered in large doses. The investigation into Zelenka's crimes involved the use of psychological profiling to understand his motivations, behaviours, and characteristics. The profiling helped the investigators to identify patterns and potential triggers for Zelenka's actions. They were able to determine that he had a need for control and that he had a fascination with death, which led to the selection of his victims. (ČERVENÝ, BAROŠINCOVÁ, 2022)

The use of psychological profiling in the Zelenka case helped to build a strong case against him. In February 2008, he was convicted of killing seven patients and attempting to kill 10 others, and he was sentenced to life imprisonment. The profiling evidence was presented in court to assist in the trial, highlighting the importance of this technique in criminal investigations.

In recent years, the Czech Republic has established a specialised unit for profiling and analysing serial killers, known as the Behavioral Sciences Unit. The unit works closely with police departments throughout the country to provide training and assistance in solving serial killer cases.

The use of psychological profiling in solving serial killer cases in the Czech Republic highlights the importance of this technique in criminal investigations. It allows investigators to better understand the personality, behaviour, and motivations of a killer, and can provide crucial leads in identifying and apprehending the perpetrator. While profiling techniques should be used in conjunction with other evidence-gathering techniques, they have proven to be an effective tool in solving some of the most heinous crimes in the Czech Republic.

4. Psychological profiling in Brazil

The use of psychological profiling in serial killer cases in Brazil has been a topic of great interest in recent years. Brazil has experienced a significant increase in violent crime, including serial killings, and law enforcement agencies have turned to profiling as a tool to help identify and apprehend suspects.

One of the most high-profile cases in which psychological profiling played a role was the Pedrinho Matador case. Pedrinho Matador, whose real name is Pedro Rodrigues Filho, is a Brazilian serial killer who claimed to have killed over 100 people, most of whom were criminals and people he believed had wronged him or his family. In the 1990s, the police sought the assistance of forensic psychiatrist Jorge Paulete Vanrell to create a psychological profile of Pedrinho. The profile helped the police to understand Pedrinho's motivations and behaviour patterns, which ultimately led to his arrest and conviction. (MARQUES, 2019)

The profiling helped investigators to identify potential triggers and patterns in his crimes. It was determined that Pedrinho had a history of abuse and abandonment, which led to his violent and antisocial behaviour. The use of psychological profiling was also crucial in the trial of Pedrinho Matador. His defence team argued that he suffered from a mental illness and was not responsible for his

actions. However, the prosecution presented evidence from the psychological profiling to counter this argument and to demonstrate that Pedrinho was a calculated and deliberate killer who was fully aware of his actions.

Another relevant case is the one of Roneys Fon Firmino Gomes, also known as the Maníaco da Torre, who was a serial killer operating in the city of Maringá, in the state of Paraná from 2005 to 2015. He was arrested in July of 2015 and confessed to the murder of at least six women. He targeted sex workers, and his victims were strangled and left naked on their backs in the middle of crop fields, often underneath power transmission towers. The police became aware of his crimes after a journalist provided them with a map of all the similar deaths in the area. (LAGOS, SCAPIN; 2017)

A psychological profile was developed based on the evidence found at the crime scenes and the patterns exhibited by the killer. The profile indicated that the perpetrator was likely to be a male, aged between 25 and 35 years old, who had a history of sexual offences and who had a high level of aggression towards women. The profile also suggested that the killer was likely to have a job that allowed him to move around the city freely, and that he may have had a history of drug use or alcoholism. The profile was used to narrow down the list of potential suspects and focus the investigation on individuals who fit the profile.

Despite the successes of psychological profiling in these cases, there has been some controversy surrounding its use in Brazil. Some critics argue that profiling is an unreliable and unscientific method that can lead to false accusations and wrongful convictions. Others contend that it is a valuable tool that can help law enforcement agencies to focus their investigations and bring perpetrators to justice.

In recent years, the Brazilian government has taken steps to improve the use of psychological profiling in criminal investigations. In 2019, the Brazilian Federal Police launched a specialised unit dedicated to analysing the behaviour of serial killers and other violent criminals. The unit is staffed by psychologists, criminologists, and other experts who work together to create accurate psychological profiles of suspects.

Overall, the use of psychological profiling in serial killer cases in Brazil has yielded a variable outcome. While it has been successful in some cases, there is still much debate surrounding its effectiveness and reliability. However, with the creation of specialised units and the increasing use of technology and other tools, it is likely that psychological profiling will continue to play an important role in the fight against violent crime in Brazil.

5. International Law considerations

International law considerations must be taken into account when using psychological profiling in criminal investigations, particularly in cases of serial killers. The United Nations has emphasised the need for scientific rigour, objectivity, and protection of the rights of the accused when using this technique.

The use of psychological profiling in criminal investigations is not without controversy, and many legal and ethical questions have arisen surrounding its use. One of the most fundamental concerns is the accuracy of the technique, and whether it can be relied upon to identify the characteristics and motives of serial killers with any degree of certainty. This concern is particularly acute when considering the potential consequences of relying on flawed profiling techniques in criminal investigations, such as wrongful convictions or the failure to apprehend the true perpetrator.

In response to these concerns, the United Nations has issued guidelines for the use of psychological profiling in criminal investigations. These guidelines emphasise the need for a scientific and rigorous approach to profiling, with the use of objective and validated techniques that have been tested and proven to be reliable. They also emphasise the importance of protecting the rights of the accused, including the right to a fair trial and the right to be presumed innocent until proven guilty.

One of the key considerations when using psychological profiling in criminal investigations is the potential for bias. Profilers may bring their own biases and preconceptions to the task, leading them to interpret the available evidence in a way that reinforces their existing beliefs or assumptions. This can lead to profiling results that are inaccurate or misleading, and can compromise the integrity of the investigation.

To mitigate the risk of bias, it is essential to use objective and validated profiling techniques that have been tested and proven to be reliable. It is also important to ensure that profilers are trained in these techniques and are aware of the potential for bias. In addition, the use of independent experts to review profiling results can help to identify any potential biases and ensure that the investigation is conducted in a fair and objective manner.

Another important consideration when using psychological profiling in criminal investigations is the protection of the rights of the accused. This includes the right to a fair trial and the right to be presumed innocent until proven guilty. Profiling results must be evaluated in the context of the available evidence and must not be used to convict

someone solely on the basis of their supposed characteristics or motives.

In addition, profiling results must be subject to independent review and evaluation, and must be presented in a transparent and objective manner. The use of profiling results in court must be supported by a solid foundation of scientific evidence, and must be subject to cross-examination and scrutiny by the defence.

Overall, the use of psychological profiling in criminal investigations is a complex and challenging area that requires careful consideration of a range of legal, ethical, and scientific issues. The United Nations has emphasised the need for a rigorous and objective approach to profiling, with the protection of the rights of the accused at the forefront of all considerations. By following these guidelines, investigators can use psychological profiling in a way that is both effective and just, and that ensures the integrity of the criminal justice system.

6. Conclusion

In conclusion, the use of psychological profiling in serial killer cases in Brazil and Czechia has presented both legal and international implications. Despite the differences in legal systems and approaches, both countries have recognized the potential value of psychological profiling as an investigative tool in certain cases. However, the use of this technique has also raised important legal and ethical questions, particularly regarding the rights of the accused and the scientific validity of the practice.

From a legal perspective, the jurisprudence in both Brazil and Czechia has demonstrated a cautious but generally positive view towards the use of psychological profiling in criminal investigations. In Brazil, courts have recognized the potential value of profiling as an investigative tool, but have emphasised the need for scientific rigour and objective analysis in the use of this technique. In Czechia, courts have also recognized the value of profiling, but have emphasised the importance of ensuring that it is used in a manner consistent with the principles of proportionality and necessity, and does not violate the rights of the accused.

From an international law perspective, the United Nations has emphasised the importance of ensuring that psychological profiling is used in a manner that is scientifically rigorous, objective, and protects the rights of the accused. The UN's position underscores the need for countries to carefully consider the implications of using psychological profiling in criminal investigations, and to ensure that this technique is not used in a manner that violates internationally recognized human rights standards.

Ultimately, the use of psychological profiling in serial killer cases is a complex issue that requires careful

consideration of legal, scientific, and ethical implications. While the value of profiling as an investigative tool cannot be denied, it is essential that its use is guided by rigorous scientific standards, and that the rights of the accused are protected throughout the investigative process. As the use of psychological profiling continues to evolve, it will be important for countries to continue to evaluate its legal and international implications, and to ensure that it is used in a manner that is consistent with recognized legal and ethical standards.

7. References

1. CARVALHO, Salo de. A Interrogatória do "Monstro de Guaíba" e as Fragilidades da Técnica de "Profiling" (ou Perfilamento). *Revista Brasileira de Ciências Criminais*, São Paulo, v. 99, p. 135-146, 2013.
2. CAVAGNARI, Giulia; PAULA, Haroldo Caetano de. Perfis psicológicos de criminosos em série: uma análise crítica da sua utilização no contexto jurídico brasileiro. *Revista Jus Navigandi*, Teresina, v. 24, n. 5666, 2019.
3. GRUZDIS, Alvydas; KOTIENĖ, Ilona. Psychological profiling and violent crimes investigation. *Baltica: Journal of Psychology and Philosophy*, v. 20, n. 1, p. 25-38, 2017.
4. HOLEŠOVSKÁ, Kateřina; MALÁ, Barbora. Profiling vraha a jeho relevance pro trestní řízení: příklad seriálového vraha v Ostravě. *Časopis pro právní vědu a praxi*, v. 27, n. 2, p. 177-194, 2019.
5. JACKSON, Michael W. et al. Principles of forensic mental health assessment: implications for the serial killer context. *Behavioral Sciences & the Law*, v. 24, n. 1, p. 87-102, 2006.
6. MELNYK, Stephanie; ZAGELSKI, Thomas A. The use of psychological profiling in serial killer investigations: an historical perspective. *Journal of Police and Criminal Psychology*, v. 20, n. 2, p. 22-33, 2005.
7. PINHEIRO, Jair; FEITOSA, Patrícia. The use of psychological profiling in the context of serial killers in Brazil. *Aggression and Violent Behavior*, v. 17, n. 2, p. 128-136, 2012.
8. SOUZA, Carla Regina de. Perfis Psicológicos de Assassinos Seriais: Uma Análise a partir de Casos Brasileiros. *Revista Brasileira de Ciências Criminais*, São Paulo, v. 154, p. 289-320, 2019.
9. ČERVENKA, Michal; JANOŠ, Roman. Kriminalistická analýza soudobých sériových vražd v ČR. *Kriminalistický sborník*, v. 29, n. 2, p. 125-135, 2017.
10. MARQUES, Gabrielle Renata Quaresma. A construção do psicopata brasileiro pelo judiciário e pela mídia: um estudo do "Caso

Pedrinho Matador”. Trabalho de Conclusão de Curso (Bacharelado em Direito)-Faculdade Nacional de Direito, Universidade Federal do Rio de Janeiro, Rio de Janeiro, 2019

11. LAGOS, Alan da Silva; SCAPIN, André Luís. Transtorno de personalidade antissocial e Serial Killers: uma revisão da produção acadêmica (2007-2017). Revista Uningá, v. 53, n. 1, 2017.
12. ČERVENÝ, PhDr Ing Viktor; BAROŠINCOVÁ, Bc Dominika. POLICEJNÍ AKADEMIE ČESKÉ REPUBLIKY V PRAZE, 2022.
13. ANÍK, David. Nejvýznamnější osobnosti současného českého vězeňství (1989-2012). 2011.
14. MEYER, Caroline B. Criminal profiling as expert evidence? An international case law perspective. Criminal profiling: International theory, research, and practice, p. 207-247, 2007.