



Review Article

Staged crime scene determination by handling physical and digital evidence: Reports and review of the literature



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ARTICLE INFO

Article history:

Received 3 January 2018

Received in revised form 11 April 2018

Accepted 23 April 2018

Available online 16 May 2018

Keywords:

Digital data

Forensic evidence

Homicide

Social network

Staged crime scene

ABSTRACT

Geberth in 2006 stated that “staging is a conscious criminal action on the part of an offender to thwart an investigation.” In the present paper two crime scenes staged by handling digital evidence are reported. The first case involves a 50-year-old woman who had been living with the offender for three years before he murdered her at the end of their relationship. He staged the scene as a sex-related crime committed by an unknown perpetrator. The second case concerns a young woman who was found dead in Southern Italy in January 2004 with a gunshot on the forehead. The boyfriend, responsible for the murder, had staged the crime scene as a suicide. Three years earlier in Germany, he had also murdered the victim's mother. In both cases, the correlation of physical and digital forensic evidence was crucial in the definition of the manner of death.

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1. Introduction

Crime scene staging consists of the purposeful manipulation of the scene in order to mislead investigators [1–4]. It can be conducted by adding, removing, and changing the position of the evidence (physical staging) or filing a false missing-person report about the victim in order to redirect the investigation (verbal staging) [2,5,6]. It is difficult to gather data about the prevalence of staging. In fact, most of the cases described in the literature are based on personal experiences of the investigators and the authors [6]. In addition, to date few authors have dealt with this topic

trying to estimate the extent of this phenomenon [7]. Analyzing 5224 homicides from the Washington State Attorney General's Homicide Investigation and Tracking System's database on murder between 1981 and 2000, Keppel and Weis [8] described staging in 0.1% of the total cases. In 2014 Schlesinger [5], evaluating 946 homicides, reported staging in 79 cases (8.35%). Different types of staging have been described on the basis of many aspects such as characteristics of the victim and of the offender, victim discovery, method and cause of death, weapons, relationship between the offender and the victim, types of staging, alibi, etc. [7]. A careful collection and a correct evaluation of all the available data are fundamental in order to identify any source of inconsistencies and to understand the real course of the events [2]. In order to gather data that may be useful to identify all the possible characteristics of the different types of staging, the authors of this paper conducted a

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literature review and report the peculiar findings of two cases of staging that were identified by an analysis of physical and digital evidence. In the first case, the offender staged the crime scene by means of a social network (Facebook[®]), while the second one used cell phone text messages. In the latter case, the offender altered the crime scene to avoid prosecution for two different homicides which had occurred three years apart.

2. Case #1

A 50 year-old woman was found unresponsive in her apartment at 10:30 a.m. by her brother who was concerned because she had failed to appear at her workplace. Two friends of the woman testified that she was last seen alive the previous night when they had brought her home from a party between 02:15 and 02:30 a.m. The medical examiner found the victim's body in the bathroom at 1:30 p.m. with her pants and underwear pulled down. She was sitting on the floor close to the bathtub (Photo 1). The body had been placed there to facilitate emergency care by the first responders. The post mortem changes (Table 1) led investigators to believe that the body had been resting with the abdomen on the bathtub border for hours, with the head, trunk and arms immersed in the water (Photo 2). The tub's drain and the plug had been sealed with tape. Three condoms were discovered on the bed (Photo 3), one of those was unwrapped. A small blood-stained wood statue was lying on the floor, close to the main entrance of the apartment. The main entrance door had been found closed and unlocked. The victim's personal computer was missing but there were no other signs of forced entry or burglary. The victim's shoes were in order, close to the main entrance, while her glasses and handbag were on the floor, a few steps away. Autopsy findings included bruises on the dorsal surface of the right hand, petechiae on the conjunctivae, two skin lacerations (one on the lower lip and the other one on the scalp), a patterned finger-bruise on the right side of the neck (Photo 4) with blood infiltration of deep tissues. The upper and the lower respiratory systems were fluid-filled (Photo 5). Toxicological tests were negative. No traces of semen were found on the genital area and on the collected condoms. The medical examiner concluded that the death was related to asphyxia by manual strangulation, followed by drowning. The time of death was estimated to be 7–8 h before the body was found. The preliminary investigation revealed that the following text was posted at 2:35 a.m. on the victim's Facebook[®] profile: "Just back home . . . I met three guys! They'll come here tonight!" The post suggested that unknown men were implicated in the murder. However, this reconstruction was inconsistent with the following evidence: (a) only a person who had lived in the victim's house could have

Table 1
Summary of case #1 postmortem changes.

Postmortem changes	At 01:30 p.m.
Rigor mortis	Intense
Temperature	Rectal 29.3 °C Environment 25.2 °C
Hypostasis	Partly fixed and partly relocated



Photo 2. The victim's post-mortem body position, as supposed by the medical examiner (case #1).

Note: Photographed by the medical examiner.



Photo 3. One of the three condoms found on the woman's bed (case #1).

Note: Photographed by the medical examiner.



Photo 1. The victim's body, as found by the medical examiner (case #1).

Note: Photographed by the medical examiner.

known that it would have been necessary to tape the broken drain plug in order to fill the bathtub; (b) analyzing the Facebook[®] profile of the victim and of her boyfriend, the investigators discovered that the woman, who had decided to end the relationship with him, had communicated the decision to some friends via Facebook[®]. Nevertheless, she did not know that one of those "friends" was a fake account created by her partner who was spying on her. In addition, the analysis of the Facebook[®] log files revealed that, while the victim was at the party, somebody utilized her personal computer to log into her Facebook[®] profile. Moreover, the investigators also pointed out that her boyfriend, who had been living with her for three years, still had the keys of her apartment and the access password of her Facebook[®] profile. For these reasons, he was suspected of the murder. At the end of the investigation, it was determined that the boyfriend had entered in

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