



I6 The Elderly: Two Cases of Rape

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After attending this presentation, attendees will gain information relating to unusual sex crimes committed by the elderly described in the literature.

This presentation will impact the forensic science community by presenting an isolated socio-cultural milieu that seems to have played a fundamental role in these cases.

Many investigations conducted in recent years (UK Home Office, 2003; Fazel & Jacoby, 2002; Uzoaba, 1998; Greenfield, 1997) have confirmed an increase in the number of sentences for sexual offenses committed by elderly subjects. It is also known that unlike other crimes, the impulse to commit rape tends to persist despite advancing age (Alston, 1986).

Moreover, epidemiological studies have long since pointed out a high prevalence of mental disturbances among elderly subjects committing sexual offenses (Essen-Muller, 1956; Kivela et al., 1988), exceeding 50% according to some authors (Fazel & Grann, 2002). In such cases the most common diagnosis is Dementia (Series & Dègano, 2005), often associated with behavior defined as “hypersexuality,” characterized by a poor control of sexual impulses and a marked sexual disinhibition. This can culminate in criminal acts.

However, other authors (Alston, 1986; Eysenck & Gudjonsson, 1989) have pointed out that the elderly are more likely to commit “non violent” sexual crimes (indecent exposure or pedophilia) than sex with violence (rape and murder), that are more commonly perpetrated by younger subjects (Taylor & Parrott 1988). The elderly prefer to commit such acts against minors (Hucker, 1984; Poortinga et al. 2007) because young victims are less able to defend themselves. The crime is generally committed in the elderly rapist's home or that of the young victim (McNamara & Walton, 1998).

By contrast, the elderly are also often the victims of violent acts including rape (Faugno et al., 2010), largely due to their reduced autonomy and isolation within the home.

Two cases of rape committed by elderly subjects were reviewed, as expert consultants for the judge, leading to a more in-depth reflection on this issue.

Methods: The two cases described are unlike those in literature but are both similar, in terms of various factors including: the socio-cultural

context (small highland villages in Southern Italy), the characteristics of the rapist (retired widowers over the age of 70 with a family and adult children, with no mental disturbance or homosexual experience) and of the victim (adult males over 50 years of age, with mental retardation and speech difficulties, unfit for work, and well known in the village), the type of crime (rape episodes continuing for more than one year), the final involvement of the police (after the crime was reported by unrelated inhabitants of the village), the rapist-victim relationship (simple acquaintances), the police investigations (video-recording of meetings); the medico-legal examinations (of the victims) and psychiatric-forensic investigations (of the victims and rapists).

Various points that emerged from a close study of these cases will be described with their common features and peculiarities.

Conclusions: In the two cases report, that are both similar, but different from the usual types of sex crimes committed by the elderly described in the literature, the same isolated socio-cultural milieu seems to have played a fundamental role, not only in terms of the type of crime committed but also of how the authorities finally came to be notified. **Elderly, Rape, Mental Disorder**