



I17 Overkill by Proxy

Alessio Ostuni, MD, Sections of Legal Medicine and Criminology, Bari 70124, ITALY; Giuliana D'anna, University of Bari-Section of Legal Medicine, Bari 70124, ITALY; Federica Mele, MD, Institute of Legal Medicine, Bari, ITALY; Davide Ferorelli, Bari, ITALY; Biagio Solarino, PhD, Università degli Studi di Bari, Bari 70125, ITALY; Roberto Catanesi, MD, Bari 70124, ITALY; Francesco Introna, MD, Dim Sezione Di Medicina Legale, Bari 70124, ITALY*

Learning Overview: After attending this presentation, attendees will better understand an uncommon case of overkill by proxy and its significance from a forensic psychiatric standpoint rather than a forensic pathology standpoint.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by emphasizing the need for a universal definition of overkill and the importance of its possible variant from a criminalistic and juridical point of view.

Murder by proxy is a type of murder in which the murderer commits the act under the orders of another, acting as his or her proxy. There are two common scenarios for proxy murders: (1) a person takes a contract out on another person, and (2) a person manipulates a lover into murdering someone for him or her.

A 27-year-old man was found and extracted from a well. At first glance, a nautical rope tightened around the victim's neck and multiple traumatic injuries were observed. Autopsy findings and histopathological exams allowed the chronological reconstruction of events: a quarrel occurred inside an indoor sports complex causing contusions and defensive lesions. Subsequently, a nautical rope was tightened around the victim's neck. He was then dragged on the street and violently hit on the frontal region with a metal bar, causing skull fractures and brain hemorrhage. Last, a violent contusion with a large stone caused instant death because of a hinge fracture type 1 and the brainstem lesion. The murderer then tried to burn the victim's body, without results, then threw him into a well full of water, where the body was found.

The coexistence of multiple wounds and different modes of action led the forensic pathologist to classify this murder as overkill. A few hours later, the offender was arrested and the victim's partner (ex-wife of the killer) was also investigated. The man perpetrated the crime, but both people organized it, so a forensic psychiatric consultation was conducted on each of them.

The murderer admitted having killed his rival in love, incited by his ex-wife (who had shouted him, "If you want me, kill him."). The murderer's psychiatric evaluation documented an intellectual disability (IQ 41), a personality disorder, and a history of alcohol abuse. The ex-wife witnessed all the stages of the murder, without feeling any remorse toward her new partner. The psychiatric evaluation of the ex-wife documented a severe personality disorder (cluster B, with prevalence of narcissistic and borderline traits).

The crime story originates from a complicated relational linking, a "romantic" love triangle that involved the husband, the ex-wife, and the victim. The woman had a dominant personality, and easily manipulated her ex-husband; the man was a weak person, willing to do whatever to recover his marriage. She wanted to continue the romance with her lover, but when the victim wanted to stop the relationship, she decided to punish him ("If you are not mine, you will not be any other's."), planning the homicide using her ex-husband as a killer without getting her hands dirty.

The case presented is not a crime of impulse but a premeditated murder, fueled by revenge, committed in a rough and superficial manner.

Overkilling is considered a sex-motivated murder, with hatred and a destructive will toward the partner. However, what makes this case interesting is that the victim's partner was not the material author of the murder. So, it can be considered this is a real murder by proxy, but with typical methods of overkilling.

The collaboration between the forensic pathologist and forensic psychiatrist was very useful. The medicolegal analysis helped to direct the investigations toward a passionate crime; the psychiatric-forensic investigations allowed clarification of the dynamics of the murder and provided an explanation to such a cruel crime. The integrated work between forensic pathologist and forensic psychiatrist was fundamental to understand the meaning of such a brutal murder.

Personality Disorders, Overkill, Murder by Proxy