

E57 Men Who Hate Women: The New Italian Stalking Law and Femicide Cases Review in Foggia Territory

*Francesca Maglietta, MD**, University of Foggia - Forensic Pathology, Foggia 71122, ITALY; *Michela Ferrara, MD**, Department of Forensic Pathology, Foggia 71122, ITALY; *Giuseppe Bertozzi, MD**, Department of Forensic Pathology, Foggia 71121, ITALY; *Stefania De Simone, MD**, Department of Forensic Pathology, Foggia, Foggia 71122, ITALY; *Francesco Sessa, MS, PhD*, University of Foggia, Forensic Pathology, Foggia 71100, ITALY; *Santina Cantatore, Foggia 71100, ITALY*; *Luigi Cipolloni, MD, PhD*, Department of Clinical and Experimental Medicine, Foggia 71100, ITALY

Learning Overview: The goal of this presentation is to increase the understanding of the evolution of the Italian scenario of femicide after the enactment of a new Italian law on stalking.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by presenting information about the introduction of the new Italian legislation and its effects on the reduction of cases of femicide, as reported by the Italian Ministry of the Interior. However, in Foggia, an increase of femicides was observed, resulting in discordance with the data of the Italian Ministry of the Interior.

In 2009, the crime of persecutory-stalking was introduced; these crimes include any violent acts or persecutory attitude that force the victim to change their way of life. This law was updated with law no. 69/2019 on the protection of victims of domestic and gender-based violence. This law introduces the so-called “Red Code,” which provides for the establishment of a privileged lane for investigations, with more severe penalties for crimes committed in the family or cohabitation, as well as for crimes of sexual violence and stalking.

Law no. 69/19 consists of 21 articles, including those of abuse of family members or cohabitants (Article. 572, Penal Code); sexual violence (Articles 609 *bis*, *ter*, and *octies*, Penal Code); sexual acts with minors (Article 609 quarter, Penal Code); fraud of minors (Article 609 *quinquies*, Penal Code); persecutory acts (Article 612 *bis*, Penal Code); revenge-porn (Article 612 *ter*, Penal Code); deformation of the appearance of a person through permanent injuries to the face (Articles 582, 583 *quinquies*, Penal Code). In terms of substantive criminal law, the Red Code provides for the exacerbation of penalties for those offenses listed above.

This new law has once again shed light on cases of femicide, defined as an extreme act of violence against a woman perpetrated by a man that often occurs within a relationship or cohabitation. About 150 cases of femicide were recorded every year in Italy (157 in 2012, 179 in 2013, 152 in 2014, 141 in 2015, and 145 in 2016), for a total of about 750 homicides in these five years. A survey of murder sentences of women issued between 2012 and 2016, highlights that out of 417 judgments examined, 355 are classifiable as femicide, which represents 85% of cases. The analysis of the sentences shows that in 87.9% of cases, the relationship between perpetrator and victim is one to one; 9.1% of cases highlighted a murderer with more victims (very often, they are minor children), while 12.1% concern episodes with several murderers versus one or more victims. Men are the perpetrators in 98% of cases. In 55.8% of cases between the murderer; in 15.1%, they are friends; in only 2.2% of the cases are the murderer and victim colleagues or employers; while in 9.4% of cases, the victim and the killer do not know each other (cases of prostitutes or elderly ladies living alone). The weapon mainly used is the knife. In almost half of the cases examined, it was the perpetrator of the femicide himself who gave the alarm and notified the police.

In this scenario, the Department of Forensic Pathology of the University of Foggia conducted a review of all cases of femicide in the territory of Foggia. The autopsies performed, from 2001 to 2020, were analyzed with the goal of selecting which and how many of these were murders that had female victims, evaluating the mechanism of death, and the history of the sentimental relationship between the victim and the offender. This evaluation indicated that 27 femicides were committed by the husband (8), intimate partner (6), ex-husband (1), son (2), father (2), family member (3), a friend (1), and unknown people (3). Of the 27 femicides, 3 presented blunt injuries, 5 stab wounds (1 with decapitation), 12 gunshot wounds, 5 asphyxial mechanism (one with drowning, two by suffocation, and 2 by strangulation), and 1 due to a fall during beatings.

Femicide, Italian Data, Stalking Law