**Explaining Criminal Behavior:
Triggers, Mental States & More**

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## Abstract

This writing aims to help readers interested in crime understand more about criminals' mindsets and explain the concept of *mens rea* by breaking it down into intent and negligence. This essay highlights *mens rea* to indicate its importance not only as a psychological concept but also for criminal justice and law matters; the two sub-categories of *mens rea* (intent and negligence) are explained in detail to enrich the understanding further. The essay's focus shifts to triggers that can contribute to criminal activity. The triggers mentioned in this essay have been divided according to the biopsychosocial model: biologically, psychologically, and socially. The example of Andrea Yates shows how these triggers can be present in a criminal's life from all three perspectives mentioned. After delving into triggers, Yates, and *mens rea*, the concept of insanity is discussed.

What insanity is, how an offender can be found not guilty by reason of insanity, and criminal malingering are all discussed, and the DSM-5 is mentioned as a tool that psychologists use to diagnose offenders. Because of the vital role of DSM-5 in courts, its challenges and limitations are noted. This research neither sympathizes with criminals nor normalizes criminal behavior. It is an attempt to bring light to what can cause criminal behavior and how, as a society, we can help the criminal justice system by learning more about criminal behavior.

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Richard Chase, also known as the "The Vampire of Sacramento" was a serial killer who killed six people and drank his victims' blood.  His second victim was a 22-weeks-pregnant woman, Teresa Wallin, whose violent death caused Robert Ressler from the Federal Bureau of Investigation (FBI) to get involved.  Ressler was an expert on criminal profiling, also called criminal investigative analysis.  The FBI defines profiling as  "...  an analytical method to identify offender characteristics based upon a thorough examination of the crime dynamics and the crime." Profilers have divided offenders into two types: disorganized and organized offenders.  The profile of disorganized murderers provided by the FBI indicates that in a crime scene, they are more likely to leave a "sloppy" crime scene, perform sexual acts with the victim, and leave traces of evidence.  The profile for their characteristics is that they typically have a low IQ, are socially inadequate, may be sexually incompetent, and live in the area of the crime (Morton et al., 2014, p. 4).

Richard Chase fit the criteria of a disorganized killer: Ressler profiled that the unknown subject (UNSUB, referring to the person who committed the crime) would not be smart enough to plan the murder ahead of time nor would he have the mental stability to fit in with society.  Ressler assumed the UNSUB would most probably not have a car, meaning they would live close to the murder scene, and would not be disturbed by walking around with bloody clothes after the murders.

On the other hand, the profile of an organized murderer would indicate that the offender would plan the crime scene, hide the body, and use restraints to make sure the victim could not escape.  An organized killer would have an average or above-average IQ, charisma, and social skills.  One of the most notorious serial killers Ted Bundy was an organized murderer; he stalked his victims before murdering them and used his charisma to lure them in.

Following Ressler's profiling, he found Chase after murdering his latest victims, the Miroth family, as he was walking home while wearing bloodied clothes.  Ressler's profiling of Chase helped guide the FBI to Chase—the "Vampire of Sacramento"—and he was hunted.  After his arrest, Chase was used as a classical case of disorganized killers—but why did he become one? Is any person capable of becoming a murderer, or are there specific triggers that give rise for a person to become a criminal?

**What is Crime?**

To understand criminal behavior, crime must be defined.  Originating from Latin, the sentence *actus non facit reum nisi mens sit rea* has been translated as this: The act itself does not constitute guilt unless done with a guilty mind, and is used in matters of law and punishment.  *Mens rea* is an essential term to define what crime is and whether the person committing the act is a criminal or not.  It could also be explained as the criteria to determine whether an action is a crime or not.  According to the concept of *mens rea*, if both intent and negligence are not present in the action, the action cannot be considered a crime because the person committing the crime would not have a guilty mind while doing it.

Intent is the desire to do the action, and according to that definition, if a crime was not intended, could the person be found guilty? The 19th century provides us with a relevant case: Mrs. Tolson's husband disappeared on a ship, and believing that he was dead, Mrs. Tolson remarried after six years after waiting for his return.  During her second marriage, however, her first husband returned and accused Mrs. Tolson of bigamy.  Mrs. Tolson told the court that she believed her husband was dead and therefore had no intention of bigamy.  Mrs. Tolson was found not guilty; she had no acknowledgment that her first husband was alive and because she

had "unintentionally committed bigamy" she was found not guilty.  Thus, a person can be exonerated after it is proven in a court that that person did not intend to commit the crime.

The second element of *mens rea*, negligence, is the lack of care for the safety of others.  Negligence in terms of crime can also be called criminal negligence or gross negligence.  Examples of criminal negligence include texting and driving, leaving a loaded gun around children, or speeding, etc.  In 2016, Alexandra Mansonet was driving home after work when she received a text message from her sister-in-law asking what she wanted to eat for dinner: "Cuban, American or Mexican.  Pick one." As she was reading the message, she did not notice Yuwen Wang, a pedestrian.  Wang had decided to take a walk after having a long day, troubled by the fact that she and her husband were experiencing fertility issues.  While replying to the text message, Mansonet hit Wang accidentally, killed her, and Mansonet was eventually found guilty of vehicular homicide (Schweber & Tully, 2019).  Although Mansonet did not intentionally mean to hurt Wang, Mansonet was found to be negligent (i.e., showing a lack of care while driving), and the law proved that she had a guilty mind.

## Becoming A Killer Overnight

Intent and negligence are criteria that define what crime is.  A criminal can only be considered a criminal if they either were negligent, which would cause the crime, or had intended to commit it, which was the reason for the crime.  However, there are examples where people have become killers almost suddenly—like something snapped in them.  A person who fits the example is Andrea Yates, born in 1964.  Growing up, she was a valedictorian student and the swimming team captain.  However, behind her success lay suicidal thoughts and an eating disorder during her teenage years.  Andrea eventually married Russell Yates, a Christian like Andrea, and they agreed that they would have as many children as God would let them.  However, Andrea experienced postpartum depression, challenging her mental state, which kept worsening after each pregnancy.  The doctors advised her not to have another child after having four, but Russell and Andrea would not listen.  Andrea got pregnant with their last child, Mary.  After giving birth to Mary, Andrea's condition kept worsening, and she not only developed postpartum depression but also postpartum psychosis.  On June 20, 2001, Russell Yates left for work, calling his mom to come and help with the kids an hour later.  However, it was too late.  Andrea had prepared the bathroom and drowned all of her children: six-month-old Mary, two-year-old Luke, three-year-old Paul, five-year-old John, and seven-year-old Noah.  After placing them all neatly on the bed and covering them with a sheet, she called the police saying "I killed my kids" and waited for them to arrest her.

On the surface, the crime could not be explained: Why would a mother kill her own children? Was Yates that terrible, or was she evil? No, she was not.  Many sources close to them claimed that Andrea loved her kids and would do everything for them.  That, however, does not change the fact that she did kill her kids.  Yates was found not guilty due to insanity and is being facilitated in a mental institution now.  But what caused Yates to commit this crime? According to the biopsychosocial model, behavior can be explained in three parts: biological, psychological, and social.  Biological factors, such as a family history of mental disorders were present in the case of Andrea Yates: Resnick wrote that "...  of her four siblings, two were diagnosed with depression, and a third with bipolar." (Resnick, 2007, p. 2). Moreover, her psychiatrist had prescribed Yates with Haldon, an antipsychotic, typically used to treat schizophrenia patients by regulating and balancing the dopamine levels in the brain.  However, two weeks before the murders Yates quit taking her medication saying that she was now fine.  After Yates stopped taking Haldol, her dopamine levels became imbalanced, and she started to

experience positive symptoms of schizophrenia again, like hallucinations and delusions.  These were another trigger for her to commit murders.

Other than the biological triggers, Yates was also under a significant amount of stress. Her best friend Debbie Holmes, said that marrying Russell Yates changed Andrea completely. Holmes noted that Russell was "controlling, critical, and demanding." As reported by Andrea's psychologist, Earline Wilcott , Russell Yates had told the psychologist that "Wives must submit to their husbands," (Stack, 2002) and Debbie Holmes stated that care for the children would always only be given by their mothers.  He loved his children, but let Andrea take care of their needs.  Russell did not want the children to attend public schools, he believed that they may pick up habits against the laws of Christianity, like sex and drugs.  Andrea home-schooled all of her children, following her husband's wishes.

Although Andrea was an attending mother, she was also a troubled woman with two suicide attempts.  After her daughter Mary's birth in 2001, Yates fell into a state of depression and psychosis.  She had delusions that there were cameras monitoring how good of a mother she was, that her mother-in-law was criticizing her motherhood and that her mother-in-law's glasses had cameras that judged her motherhood.  As her delusions increased, Andrea Yates came to believe that Satan was in her which led to her thinking that her children had been raised incorrectly.  She believed that Luke would be a mute homosexual prostitute, John would be a serial killer, Noah would die a tragic death and Paul would get hit by a truck.  She did not give them the time to prove her wrong.  Her eldest Noah tried to run when he saw his siblings, but it was too late.  According to reports, Noah's last words were "I'm sorry Mommy" (Resnick, 2007, p.  3).

## Biological Triggers

Yates had many biological and social triggers that led to her crimes, which leads to a critical question of psychology: nature vs. nurture.  However, a more helpful question is How does nurture shape one's nature? According to the American Psychological Association, epigenetics is how social experiences and personal relationships alter one's DNA by causing chemical modifications to the DNA.  In Yates's example, her relationship with her husband may have shaped her developing brain to function differently and eventually might have caused further damage to her brain activity.  The damage would then interfere with the development of the prefrontal cortex, which is the brain area responsible for decision-making and impulse control.

Another biological attempt to understand crime comes from the term "the criminal gene." According to Lombroso's biological theory of criminology, crime is inherited, and there are physical indicators to determine whether a person has the criminal gene. Furthermore, he argued that criminals could not be considered guilty because their criminal activity was established through their biology and was not an act of free will. Lombroso's theory could not be proven, but it led to another important factor when considering crime: genetics.
A particular gene called MAOA, "the warrior gene," has been associated with criminal and aggressive behavior.  The MAOA gene is responsible for the production of monoamine oxidase-A.  Monoamine oxidase-A is an enzyme that breaks down the brain's serotonin, dopamine, and noradrenaline neurotransmitters which are neurotransmitters responsible for impulse control and mood regulation.  MAOA causes them to break down and leads to lower levels of them in the brain, leading to more aggressive behavior.  Even though MAOA may have contributed to other criminals' biology, there has been no link between the MAOA gene and

Andrea Yates, most probable because the MAOA gene is not considered a gene that affects women. Yates was also one of the few female offenders known who committed a violent crime. Many researchers have linked testosterone and violence since testosterone has been proven to cause aggression. Even though testosterone is usually linked with males, Yates's case suggested that although women typically do not have as much testosterone as men do, they may also become criminals. Yates's testosterone levels were not checked, and therefore, her case cannot be considered to have a biological link to testosterone levels.

## Social & Psychological Triggers

Mentioning only the biological aspect that can trigger crimes would be insufficient to explain the depth of the criminal psyche. According to the biopsychosocial model, two critical factors remain to discuss: social and psychological. Research done in Sweden by Amir Sariaslan et al. proved that specific triggers increased the amount of criminal behavior exhibited. The trigger was defined as "proximal risk factors, including stressful life events, occurring in the week before the incident of violent offense." Sariaslan et al. used three populations to investigate the matter: people with schizophrenia-like disorders, people with bipolar disorder, and people who have been diagnosed with neither. After investigating those three groups, they found there were stressful life events that could trigger crime: exposure to violence and parental bereavement (Sariaslan et al., 2016, p. 798). Although the triggers were the same for each sample, groups with mental illness had a higher crime rate. The stigma around mental illness typically equates to "madness" is "badness." However, having a mental illness does not make one "mad," nor does being "mad" equate to being a bad person.

Many TV shows and movies have linked particular mental illness with criminal behavior. As mentioned, the stigma around the mentally ill remains even when experiments have shown that there is not a direct connection between being a criminal and having a mental illness. In biological triggers, the importance of the brain's prefrontal cortex, responsible for impulse control, was mentioned. However, the prefrontal cortex is also associated with empathy. In certain neurodevelopmental disorders, the prefrontal cortex may not develop as a neurotypical person's brain would, which could lead to a decreased ability in impulse control and empathy. When a lack of empathy and a low ability to control impulses are combined, it could give rise to criminal activity.

Nonetheless, it would be unfair to only account for people who have a neurodevelopmental disorder because many people without a neurodevelopmental disorder cannot empathize or control impulses. For example, people with antisocial personality disorder, also called psychopathy, cannot feel any empathy toward others, which is why media coverage of psychopaths relies on making them murderers, violent people, and criminals. It is unjust to assume people with mental illnesses to be criminals and murderers without any evidence proving that they committed a crime.

Sture Bergwall (Thomas Quick) was considered to be Sweden's most famous serial killer, confessing to 30 murders. Bergwall was staying at a mental institution because of a personality disorder he had when he admitted to 30 murders. The court found him guilty, and he was found mentally insane, making him continue his life in a criminally insane institute. One day, he felt the need to tell the truth: "I have not committed any of the murders I've been convicted of, and none of the murders I've confessed to, either. That's the way it is." (Heath, 2013). Many did not believe that he was innocent because he knew many details about the murders. To that, Bergwall stated that he looked at the police's body language and was given some details about the murders by them so that they would get a confession. When asked why he confessed to the

crimes he did not commit, he admitted that he did this because he wanted attention, and this was a way to get it.  Although there was not sufficient proof to charge Bergwall, his stay in the mental institution and personality disorder led the court to his arrest even when he had a false confession.  Bergwall also mentioned that he was heavily addicted to benzodiazepines and knew that many drugs would be present in prison.  After his confession, he said: "The benzo made me ruthless and unaware of consequences."(Heath, 2013). Drugs have been proven to have a relationship with crime, and substance abuse can cause criminal behavior.  His substance abuse and addiction have been a factor for him to confess to murders he did not commit; however, the court should be responsible for distinguishing false confessions from real ones.  To conclude the psychological part, personality, and psychological disorders can lead to criminal behavior due to low self-control and empathy, but it would be incorrect to assume that every person who has a mental illness will commit a crime.  For an example like Sture Bergwall's, his psychological disorder must be taken into account when they have admitted to murders, and the court must decide whether that is correct or not.

"The offender of tomorrow is often the vulnerable child of today" (The Root, n.d., p. 3) is a sentence crucial to understanding how a person's childhood can cause criminal behavior.  A child's development is most critical in the first five years, and if they experience significant trauma, it can hinder growth and may lead to psychological illnesses and unhealthy thinking.  Entities have estimated that 80% of incarcerated males have experienced physical or sexual abuse as a child (The Root, n.d., p. 7).  Childhood abuse not only damages the psychological development of a person but can make them feel out of place when out in society.  Feeling unequal to others in society can lead a person to feel anger and hate toward the rest of society, which can lead to crime.  A person experiencing poverty may look at rich people and feel anger toward what they have—wanting one thing but not being able to have it.  Strain theory explains this situation: pressure from social factors can lead an individual to commit a crime.  For example, a person is experiencing poverty but can not find a job to support themselves.  They see rich people and large, luxurious houses, it may cause them to feel angry.  The pressure of seeing others have one thing and being unable to have it causes strain.  The person may rob one of those large houses because it would be an easy way to get more money.  Not only will it lead to theft, but the person may neutralize their guilt using neutralization techniques.  Neutralization techniques are rationales in an attempt to neutralize crime.  For example, the person may deny any harm because the people living in that house would have sufficient money to cover the things they have stolen.  Other factors that can make a person feel inadequate and lead to crime are racism, sexism, lacking a proper education, and not being able to keep a job.

Enter social control theory.  This theory suggests that people with strong social bonds are more likely to conform to social norms rather than deviate.  Four components are essential for social bonds.  First on the list is attachment, which defines how the person's relationship is with others and how attached they are to their social circle.  Second is commitment, which can be explained as how much a person is committed to their lifestyle.  People with more commitments, such as spouses or children, are less likely to deviate from the norm and become criminals because they have more to lose.  The third factor is involvement; spending time working or going to school will leave the person with less time and less opportunity to commit a crime.  Lastly, belief refers to how the person has been raised; if they have been raised knowing that committing a crime is terrible, they are less likely to commit a crime.  These four factors can influence a person's likelihood of committing a crime.  Research proves this further: Savolainen

has found that becoming a parent reduces crime by 15%, getting married by 10%, getting married and having children by 22%, and getting a job by 40%, suggesting that social bonds can decrease crime rates. (Savolainen, 2009, p. 299).

Having close relationships and having a job can make a person feel more controlled because they would have connections.  A person with connections may understand that committing a crime will result in losing those connections, making them less prone to committing crimes.  Despite how beneficial connections are, people may feel out of control if they lose a close connection they once had.  This may be the loss of a loved one or a break-up and can trigger criminal behavior.

### Mental Insanity

There is no category called insanity in the Diagnostic and Statistical Manual of Mental Disorders-5 (DSM-5) because insanity does not refer to a psychological illness but is a term in the criminal justice system.  Ryan Howes has defined insanity as "a legal term pertaining to a defendant's ability to determine right from wrong when a crime is committed." (Howes, 2009).  Although insanity is not a part of the DSM-5, it has a role in determining whether the defendant can be considered guilty or not guilty by reason of insanity.  When a defendant pleads insane, they tell the court that they did not have the mental capacity to have the intent for the crime which they may have committed.  *Mens rea* would not be present for the case, and if the insanity were to be proven, the defendant would be hospitalized instead of incarcerated.

In such a case, the defendant has the burden of proof.  They must have sufficient evidence to prove that they were not mentally capable of having intent during the time of the crime and that they could not be considered because of that.  Psychologists will perform tests, image studies, and assessments to understand whether the insanity plea would be correct for that case.  DSM-5 can be a tool to assess psychological disorders during this process; however, DSM-5 is not a scientific tool.  Thomas Insel, the Director at the National Institute of Mental Health, said, "While DSM has been described as a 'bible' for the field, it is, at best, a dictionary, creating a set of labels and defining each.  The strength of each of the editions of DSM has been 'reliability' – each edition has ensured that clinicians use the same terms in the same ways.  The weakness is its lack of validity." (Lynch, 2018, p. 5).  Insel was correct in saying that the DSM-5 is not scientific but the changes in different manual versions make it unreliable.  Especially in criminal justice matters, the decision can change a person's life and, if not done correctly, can put hundreds in danger.  As mentioned beforehand, the insanity plea of Andrea Yates has been controversial because some psychologists argue that she had the mental capacity to place each child onto the bed.  Still, others do not agree with that comment and instead point to the fact that she had been diagnosed with postpartum psychosis and depression beforehand, plus having had suicide attempts.

Although diagnosis may be crucial when pleading insane, only getting a diagnosis will not be sufficient for most cases.  Mental disorders can prove that there are behavioral problems, cognitive impairments, and social dysfunctions, but only one diagnosis of mental disorder is enough to be considered insane: intellectual disability.  DSM-5 has defined intellectual disability as "impairments of general mental abilities that impact adaptive functioning in three domains, or areas."  According to the DSM-5, the three domains are the conceptual domain (language, reading, writing, math, reasoning, knowledge, and memory), the social domain (empathy, social judgment, communication skills, and the ability to make and retain friendships), and the practical domain (personal care, job responsibilities, money management, recreation, organizing school and work tasks).(Intellectual Disability, n.d.).  Any other mental disorder would not be adequate

because it cannot be proven, only by a diagnosis, that the defendant did not have the mental capacity to understand the wrongness of their actions.

## Proving Insanity

Although there are tests and assessments to help the court understand whether the person is faking the illness or not, there is still a possibility that criminals may put on an act to avoid going to prison. Faking a mental illness to prevent a prison charge or the death penalty is called criminal malingering. An example of a criminal who faked insanity is James Lindsay, who killed and raped fifteen-year-old Emma Thomson. While waiting for his trial, he wrote a letter to his friend saying, "I have a cunning plan to get into Carstairs Hospital and be released after eight years. If I go to prison for murder, I will get life." (Montague, 2019). He claimed to have paranoid schizophrenia disorder and told the court that the devil wanted him to kill a red-haired woman, but his ruse was revealed when the court learned about the plan. Lindsay was charged with life in prison.

On the other hand, Andrea Yates was first sentenced to life in prison with the possibility of parole after 40 years but was found not guilty by reason of insanity. Although there are controversies surrounding how insanity can be proven, improvements have been made to understand the defendant's truthfulness, such as the Structured Interview of Reported Symptoms (SIRS), a test to understand whether a defendant is malingering. Although SIRS can help detect whether the defendant is malingering or not, the role of the psychologists must not be underestimated.

## DSM-5

Psychologists often refer to the DSM-5 to help classify the symptoms of patients and, if it can be done, to diagnose them with a fitting mental disorder. Therefore, the DSM-5 is another essential element, not only in the criminal justice system but for people who will get the corresponding treatment according to their diagnoses. If the DSM-5 cannot guide psychologists to the right path, the manual will not be reliable. As mentioned, the validity of the DSM-5 is often questioned because of its lack of scientific foundations. There are other challenges to the DSM-5: it lists the symptoms superficially, has inconsistencies, and takes social norms into account. For example, being homosexual was considered to be a mental disorder until 1973, before there was research to prove otherwise. This shows that lacking scientific background may cause false diagnoses that can further damage a patient's psyche.

Casey et al. said, "A DSM-informed psychiatric diagnosis is based mainly on self-reports of feelings and experiences by patients with diverse backgrounds and on clinicians' understanding of psychiatric terms or observation of behavior. Such subjective impressions of complex phenomena can lead to diagnostic inconsistencies across patients and practitioners." (Casey et al., 2013, p. 2). This suggests that there may be inconsistencies depending on the psychologist in court settings. Although psychologists may be as responsible if there has been a misdiagnosis, the DSM-5 must also be considered as accountable as the psychologists because it is incapable of giving the psychologists a good foundation to work on, which would be without bias or subjectivity.

Although there are challenges regarding the DSM-5, it is currently the most advanced manual to help psychologists diagnose patients to get the appropriate treatment or to get the proper charge in court. The DSM-5 must improve further with the help of more scientific studies around psychology. However, it offers a start to diagnoses, which, when treated accordingly, can reduce crime rates and improve the life quality of people suffering from mental illness.

## Conclusion

FBI uses a technique called criminal investigative analysis, also called criminal profiling, to help detect criminals.  Richard Chase, also known as "The Vampire of Sacramento" was a serial killer who was found with the help of this technique from the FBI.  *Mens rea*, translated to guilty mind, can be explained as a legal term that explains criminal behavior.  If the action was not done with *mens rea*, guilty conscious, it can not be considered a crime.  *Mens rea* has two subcategories: intent and negligence.  Intent is the desire to commit the crime and negligence is the lack of care for the safety of others that cause the crime to occur.

Andrea Yates is a female murderer who killed her five children and made people question how a mother could kill all of her children in cold blood.  Many biological, social, and psychological triggers may cause crime and Andrea Yates's case was analyzed within these three trigger categories.  This model of using three categories to examine behavior is called the biopsychosocial model.

The biological triggers that were discussed are the MAOA gene, also called "the warrior gene", testosterone, and the brain's prefrontal cortex.  For the social triggers, the strain theory and the social control theory are mentioned and explained with some additional triggers mentioned briefly.  For the psychological triggers, a lack of empathy that may arise from psychological disorders such as antisocial personality disorder is discussed as well as the significance of childhood trauma that later contributes to criminal behavior.  A study that shows how schizophrenia and bipolar disorder may affect criminal behavior is used.

The concept of mental insanity is used in criminal justice systems to determine whether the offender had a guilty mind.  If the offender was not in a mental state to distinguish wrong from right, they wouldn't have *mens rea* or a guilty mind.  The process of being found not guilty with reason of insanity must be established with the appropriate proof, a process called the "burden of proof."  Psychologists may use assessment and have interviews with the offender to distinguish their mental state.  During this process, psychologists may refer to the DSM-5 and build a diagnosis based on the manual.  If the DSM-5 is not a sufficient manual the criminal justice system has a risk of being flawed.  Many believe that the DSM-5 is not reliable, not valid, and lacks scientific foundations.  Although there is truth behind these points, the DSM-5 is a good start to understand the human psyche and help those who need a diagnosis to get treated for their psychological disorder.  Not only that but the DSM-5 is used in criminal justice settings to distinguish criminals from offenders who do not have the mental capacity to understand their actions and therefore must not be punished.

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