
Psychopathy and Unlawful Confinement: An Examination of Perpetrator and Event Characteristics

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Abstract

Given their particular constellation of interpersonal, affective, lifestyle, and antisocial features, we hypothesized that psychopaths would be more likely than other offenders to unlawfully confine another person. The present archival study investigated victim and offence characteristics, and the prevalence of psychopathy in offenders who perpetrated criminal acts of unlawful confinement. Of federal offenders incarcerated in the Pacific Region of Canada between the late 1960s and 1998, 136 (11.3%) had committed acts of unlawful confinement, 90 of whom had PCL-R assessments on file. Results indicated that 49% of these perpetrators were psychopathic (i.e., PCL-R \geq 30). These perpetrators typically were under the age of 30 years, and were characterized by a lack of formal education, substance abuse problems, psychiatric histories, and previous violence. Most of the offences appeared to be instrumental and involved sexual misconduct and the use of weapons. The majority were perpetrated against females, were of short duration, and rarely resulted in the victim's death. Implications for the criminal justice system are discussed.

Résumé

Compte tenu de la constellation particulière des caractéristiques interpersonnelles, affectives, antisociales et de style de vie, nous avons émis l'hypothèse que les psychopathes séquestretraient plus vraisemblablement une personne que tout autre agresseur. L'étude d'archives actuelle s'est penchée sur les caractéristiques de la victime et de l'infraction et la prévalence de la psychopathie chez les agresseurs qui ont perpétré des actes criminels de séquestration. Des contrevenants incarcérés dans les prisons fédérales de la région du Pacifique du Canada entre la fin des années 1960 et 1998, 136 (11,3 %) avaient commis des actes de séquestration dont 90 avaient en dossier des évaluations PCL-R (échelle de la psychopathie révisée). Les résultats ont indiqué que 49 % de ces agresseurs étaient psychotiques (p. ex., PCL-R \geq 30). Ces agresseurs avaient habituellement moins de 30 ans et étaient caractérisés par un manque d'instruction officielle, des problèmes d'abus d'alcool ou d'autres drogues,

des antécédents psychiatriques et des antécédents violents. La plupart des infractions semblaient être instrumentales et impliquaient une conduite sexuelle et l'utilisation d'armes. La majorité des crimes ont été perpétrés contre des femmes, étaient de courte durée et causaient rarement la mort de la victime. Les conséquences sur le système de justice pénale font l'objet de discussions.

Psychopathy is a pathological condition defined by a unique constellation of affective, interpersonal, lifestyle, and antisocial characteristics, including egocentricity, manipulateness, callousness, impulsivity, shallow emotions, and lack of remorse for repeatedly violating the rights of others (e.g., Cleckley, 1976; Hare, 2003). Although psychopaths make up only about 15-25% of the incarcerated criminal population (see Hare, 2003), they are responsible for a disproportionate amount of crime (Hemphill, Hare, & Wong, 1998), especially of an instrumental and often violent nature (e.g., Cornell et al., 1996; Hemphill et al., 1998; Woodworth & Porter, 2002). In this paper, we report findings from the first investigation of the association between psychopathy and acts of unlawful confinement.

The Act of Unlawful Confinement

Unlawful confinement involves seizing and holding a victim against his/her will for a significant period of time (i.e., forcible confinement, kidnapping, hostage-taking).¹ Although much has been written about this type of crime, the pertinent literature has focused primarily on political (e.g., the exchange of hostages for political refugees or policy changes) or familial (e.g., the abduction of a child by a parent during a custody dispute) crimes (e.g., Friedland &

1 Unlawful confinement represents a class of offences, including abduction, forcible confinement, kidnapping, and hostage-taking.

Merari, 1992; Plass, Finkelhor, & Hotaling, 1996). Little research has been conducted on nonpolitical, nonfamilial cases of unlawful confinement (e.g., abducting a stranger to sexually assault or abducting a child for ransom).

While the motives for hostage-taking are diverse, there may be certain underlying elements that are unique to this type of offence. Unlawful confinement is characterized by coercion, threats, and physical aggression, and the act may persist for hours or days (Miron & Goldstein, 1979). Its outcome can range from the victim(s) identifying with his/her captor(s) (as in the Stockholm syndrome; see Strentz, 1980; Turco, 1987; West & Martin, 1996) to prolonged physical and/or psychological torture that may lead to death (Cremniter, Crocq, Louville, & Batista, 1997; Miron & Goldstein). Further, this violent crime is often instrumental and motivated by personal gain.

Unlawful Confinement: The Perpetrator

Relative to most other offences, the act of unlawful confinement is a "specialty" crime perpetrated by a very small number of offenders: Of all individuals charged with a crime in Canada in 2001, only 0.34% involved acts of unlawful confinement (Canadian Centre for Justice Statistics, 2002). A possible explanation for this low frequency is that such acts may require a perpetrator with a level of callousness and the ability and willingness to use instrumental violence against others (e.g., Lancelo, 1981; Turco, 1987). Although, in theory, the psychopath would not be adverse to perpetrating this type of crime (see Hare, 2003), little relevant empirical research has been conducted. One study found a greater proportion of psychopaths in sex offenders who had assaulted and/or unlawfully confined female prison staff members than in a sample of the general sex offender population (Furr, 1996). A second study with a small sample of offenders found a positive (but nonsignificant) association between psychopathy and acts of hostage taking and/or abduction (Pham, 1998). While these studies suggest a possible link between psychopathy and criminal acts of unlawful confinement, it is clear that further research is needed.

Psychopathy and Unlawful Confinement

As conceptualized by Hare (1991, 2003), psychopathy is a higher-order clinical construct defined by clusters of interpersonal (e.g., grandiosity, deceptiveness), affective (e.g., shallow emotions, lack of empathy), lifestyle (e.g., impulsivity, parasitic), and antisocial (e.g., violation of the rights of others, social norms, and legal expectations) features. Psychopaths are more likely than most offenders to use threats,

intimidation, weapons, and violence to dominate and control others (Hare & McPherson, 1984; Williamson, Hare, & Wong, 1987). Their violence frequently is instrumental, cold-blooded in nature, and used against both intimates and strangers (Cornell et al., 1996; Dutton & Kropp, 2000; Hare & McPherson; Porter et al., 2000; Williamson et al., 1987; Woodworth & Porter, 2002). These features are conducive with the act of unlawful confinement.

The purpose of the present archival study was to examine the relationship between psychopathy and (nonpolitical) acts of unlawful confinement. It was expected that offenders convicted of a crime of unlawful confinement would receive relatively high scores on the Hare Psychopathy Checklist-Revised (PCL-R; Hare, 2003). Another purpose of this study was to describe the acts and victims associated with unlawful confinement.

Method

Participants

The sample was derived from a database of approximately 1,200 adult male inmates who had participated in research conducted in three Canadian federal prisons in British Columbia from the late 1960s to 1998. To be included in the sample, participants had to have been charged and/or convicted of any of the following: unlawful confinement, forcible confinement, kidnapping, hostage-taking, hijacking, forcible seizure, or abduction. This resulted in a sample of 136 offenders. PCL-R scores were not available for 46 offenders, primarily because they had been imprisoned prior to the development and general use of the instrument, leaving a sample of 90 offenders. Their ages at the time of the study ranged from 18 to 60 years ($M = 30.6$, $SD = 8.7$). Most (76.6%) participants were Caucasian, 9.4% were African-American, 7.8% were Canadian Aboriginal, and 6.3% were from other minority groups.

Psychopathy Ratings

When initially recruited for research, participants were assessed with the PCL-R by trained raters using a semi-structured interview and file information. The PCL-R consists of 20 items, scored on a 3-point scale (i.e., 0, 1, 2), that measure the interpersonal, affective, lifestyle, and antisocial features of psychopathy. Individual items are summed to yield a total score that can range from 0 to 40, representing the degree to which an individual resembles the prototypical psychopath (Hare, 2003). Recent analyses based on

² Compared to the original Factor 2 (Hare, 1991), the new Factor 2 (Hare, 2003) includes an additional item: Criminal Versatility.

item response theory (IRT) and confirmatory factor analysis indicate that the superordinate factor (Psychopathy), as measured by the PCL-R, is underpinned by two subordinate factors (Interpersonal/Affective [Factor 1: 8 items] and Behavioural [Factor 2: 10 items]³), and four more specific subordinate facets (Interpersonal [Facet 1: 4 items], Affective [Facet 2: 4 items], Lifestyle [Facet 3: 5 items], and Antisocial [Facet 4: 5 items]).³ Although still in need of validation, the clinical utility of the facet-level model cannot be denied: Knowing where one falls on each of the facets, irrespective of diagnosis, can be quite informative, as in, for example, negotiating a successful resolution to a hostage situation. In cases in which more than one PCL-R rating was available for a given inmate, the scores of the raters were averaged.

We used the PCL-R as both a dimensional and categorical measure of psychopathy. The Spearman-Brown intraclass correlation coefficient of reliability for a single rating and for the average of two independent ratings was 0.88 and 0.94, respectively. The sample was divided into High (H: $n = 44$), Medium (M: $n = 35$), and Low (L: $n = 11$) groups, using the recommended cut-score of 30 for the High group and 20 for the Low group (see Hare, 1991, 2003). The kappa coefficient for consistency in group assignments across raters was 0.91 ($p < .0001$). One-way analyses of variance indicated that there were no group differences in offender age or education ($ps > .05$).

Unlawful Confinement Ratings

A trained research assistant (RA) scored relevant variables from file information. This RA had experience in reviewing and coding files and was blind to the PCL-R assessments. The files contained the following information: criminal records, risk assessments, psychological evaluations, institutional reports, court transcripts, parole reports, and, in some cases, witness impact statements. The choice of variables (see Table 3) was determined by their relevance to acts of unlawful confinement, as discussed above. In addition, only variables that could be coded in an objective manner were selected (i.e., no subjective interpretation was required; e.g., diagnoses were taken from files rather than coded by the RA).

Due to insufficient file information, 24 participants had to be dropped from these analyses, resulting in a sample of 66 offenders (73% of the hostage-takers with PCL-R scores). For those offenders whose

3 PCL-R item scores were not available for 20 offenders, and it was not possible to compute facet scores for them.

records contained more than one episode of unlawful confinement, the most recent (index) offence was defined as the unlawful confinement episode. Approximately 90% of these episodes occurred in the 1980s and 1990s. The mean PCL-R Total, Factor 1, Original Factor 2, Factor 2, Facet 1, Facet 2, Facet 3, and Facet 4 scores in this subsample were 26.90 ($SD = 7.76$), 10.89 ($SD = 3.89$), 12.20 ($SD = 3.82$), 13.44 ($SD = 4.39$), 5.05 ($SD = 2.26$), 5.79 ($SD = 2.14$), 6.62 ($SD = 2.20$), and 6.82 ($SD = 2.70$), respectively.⁴ This subsample did not differ significantly from the parent sample in age, race, and/or PCL-R scores ($ps > .05$ in each case).

Offence Characteristics

The offences were coded on severity of violence in the following manner (see Henderson, 1986):

- (a) verbal/threats only, (b) minor physical harm (i.e., no hospitalization, confinement only, verbal threats), (c) moderate physical harm (i.e., hospitalization/sexual penetration), (d) severe physical harm (i.e., coma/serious permanent disability/disfigurement), (e) death.

Results

Base Rate of Psychopathy

The distribution of PCL-R total scores was negatively skewed (Skewness = -1.31 [0.25]; Kurtosis = 1.81 [0.50]). The mean of the PCL-R Total, Factor, and Facet scores for the sample of 90 offenders are presented in Table 1, along with the PCL-R scores for the comparison sample of North American adult male correctional inmates assessed with the standard procedure (i.e., file review and interview; Hare, 2003). The PCL-R Total, Factor, and Facet scores for the sample of hostage-takers were significantly higher than those found in the comparison sample (in each case, $p < .005$). The mean PCL-R total score for the hostage-takers was at approximately the 72nd percentile relative to the comparison sample. Forty-four (49%) of the hostage-takers had a PCL-R score of at least 30.

The means, standard deviations for PCL-R Total, Factors, and Facet scores for the high, medium, and low psychopathy groups are depicted in Table 2, as is the percentage of offenders in each group. For comparison purposes, PCL-R scores and group percentages for the PCL-R normative sample (Hare, 2003) are also presented in Table 2. As the table indicates group percentages differed significantly across samples, $\chi^2(2) = 54.59$, $p < .001$, with the unlawful confinement sample having a much greater number of

4 PCL-R item scores were not available for nine of these offenders, and it was not possible to compute facet scores for them.

TABLE 1

PCL-R Total, Factor, and Facet Scores for a Sample of Hostage-Takers and for the Comparison Sample (Hare, 2003) of North American Adult Male Correctional Inmates Assessed From Interview Plus File Information (Standard Procedure)

PCL Scores	Hostage-Takers (N = 90)		Comparison Sample (N = 5,408)		z score ¹
	M	SD	M	SD	
Total	27.18	7.00	22.1	7.9	6.10**
Factor 1	10.79	3.57	8.5	3.8	5.65**
Factor 2 ²	12.62	3.60	10.5	4.3	4.63**
Factor 2	13.82	4.18	11.6	4.7	3.96*
Facet 1	5.00	2.22	3.6	2.2	5.37**
Facet 2	5.80	1.96	4.8	2.1	4.00*
Facet 3	6.74	2.13	5.8	2.6	3.05*
Facet 4	7.06	2.60	5.7	2.8	4.07*

Note. Factor 1 = Affective/Interpersonal Features; Factor 2 = Lifestyle/Antisocial Features; Facet 1 = Interpersonal Features; Facet 2 = Affective Features; Facet 3 = Lifestyle Features; and Facet 4 = Antisocial Features.

¹ Directional Test. ² Original Factor 2 (Hare, 1991).

* $p < .01$; ** $p < .001$.

TABLE 2

PCL-R Total, Factor 1, Original Factor 2 (Hare, 1991), Factor 2, Facet 1, Facet 2, Facet 3, and Facet 4 Mean Scores (Standard Deviations) and Group Percentages for High (H), Medium (M), and Low (L) Psychopathy Groups for the Sample of Hostage Takers and for the Normative Sample (Hare, 2003) of North American Adult Male Correctional Inmates Assessed Via Standard Procedures

PCL Scores	Hostage-Takers (N = 90)			Normative Sample (N = 5,408)		
	H (n = 44)	M (n = 35)	L (n = 11)	H (n = 1,084)	M (n = 2,177)	L (n = 2,147)
Total	32.55 (1.85)	24.94 (2.54)	12.87 (5.50)	32.41 (2.14)	24.95 (2.53)	14.08 (4.69)
Factor 1	13.07 (1.82)	9.96 (2.49)	4.45 (2.80)	12.83 (1.75)	9.45 (2.55)	5.37 (2.82)
Factor 2 ¹	14.90 (1.36)	11.87 (2.68)	6.02 (3.03)	15.03 (1.69)	12.02 (2.43)	6.70 (3.36)
Factor 2	16.59 (1.60)	13.0 (2.91)	6.57 (3.58)	16.71 (1.77)	13.47 (2.54)	7.46 (3.76)
Facet 1	6.33 (1.31)	4.65 (1.69)	1.45 (1.67)	5.97 (1.38)	4.02 (1.77)	2.13 (1.61)
Facet 2	6.97 (1.12)	5.37 (1.45)	2.95 (2.11)	6.83 (0.98)	5.41 (1.56)	3.20 (1.84)
Facet 3	8.0 (1.14)	6.51 (1.60)	3.10 (1.49)	8.32 (1.24)	6.76 (1.70)	3.85 (2.18)
Facet 4	8.43 (1.53)	6.49 (2.29)	3.61 (3.00)	8.41 (1.43)	6.70 (1.93)	3.61 (2.39)
Percentage	48.9%	38.9%	12.2%	20.0%	40.3%	39.7%

Note: Factor 1 = Affective/Interpersonal Features; Factor 2 = Lifestyle/Antisocial Features; Facet 1 = Interpersonal Features; Facet 2 = Affective Features; Facet 3 = Lifestyle Features; and Facet 4 = Antisocial Features.

¹ Original Factor 2 (Hare, 1991).

High PCL-R offenders, $\chi^2(1) = 46.79$, $p < .001$, the same number of Medium PCL-R offenders, $\chi^2(1) = 0.07$, $p > .05$, and a much lower number of Low PCL-R offenders, $\chi^2(1) = 28.42$, $p < .001$, than the normative sample.

Offender Characteristics^{5,6}

The average age of the hostage-takers was 26.8

5 Offender and offence characteristics are depicted in Table 3.

years ($SD = 7.06$; range of 15 to 46) when they committed their most recent act of unlawful confinement. Their mean level of formal education was 9.3 years

6 PCL-R scores tended to be positively associated with a previous history of violence (especially stranger violence), previous incidents of unlawful confinement, number of victims, and the use of a weapon (gun), and negatively associated with severity of violence involved in the incident.

TABLE 3
Offender and Offence Characteristics for the Sample of Hostage-Takers

	Sample Size (<i>N</i>)	Mean	Percentage
A. Offender Characteristics			
A. Age at Index Act of Abduction ¹	61	26.79 (7.06)	—
B. Education ²	56	9.25 (2.50)	—
C. Drugs & Alcohol Abuse	61	—	91.8% (<i>n</i> = 56)
i. Polysubstance	—	—	60.7% (<i>n</i> = 37)
ii. Drugs Only	—	—	19.7% (<i>n</i> = 12)
iii. Alcohol Only	—	—	11.5% (<i>n</i> = 7)
D. Psychiatric History			
i. Psychiatric Disorder	41	—	56.1% (<i>n</i> = 23)
1. Paraphilia	—	—	34.1% (<i>n</i> = 14)
2. Mood Disorder	—	—	14.6% (<i>n</i> = 6)
3. Anxiety Disorder	—	—	7.3% (<i>n</i> = 3)
ii. Personality Disorder	32	—	65.6% (<i>n</i> = 21)
1. APD ³	—	—	59.4% (<i>n</i> = 19)
2. Schizoid	—	—	3.1% (<i>n</i> = 1)
3. Histrionic	—	—	3.1% (<i>n</i> = 1)
E. Previous History of Violence (Convictions)	59	—	84.7% (<i>n</i> = 50)
i. Stranger Violence Present	—	—	76.3% (<i>n</i> = 45)
ii. Family Violence Only	—	—	8.5% (<i>n</i> = 5)
F. Previous History of Abducting (Charges/Convictions)	61	—	36.1% (<i>n</i> = 22)
i. One	—	—	23.0% (<i>n</i> = 14)
ii. Two	—	—	8.2% (<i>n</i> = 5)
iii. Three	—	—	3.3% (<i>n</i> = 2)
iv. Twenty	—	—	1.6% (<i>n</i> = 1)
B. Offence Characteristics			
A. Victim Information			
i. Number of Victims	61	—	—
1. One	—	—	80.3% (<i>n</i> = 49)
2. Two	—	—	14.8% (<i>n</i> = 9)
3. Three	—	—	1.6% (<i>n</i> = 1)
4. Eight	—	—	1.6% (<i>n</i> = 1)
5. Twelve	—	—	1.6% (<i>n</i> = 1)
ii. Gender of Victim(s)	59	—	—
1. Female	—	—	64.4% (<i>n</i> = 38)
2. Male	—	—	25.4% (<i>n</i> = 15)
3. Female and Male	—	—	10.2% (<i>n</i> = 6)
iii. Offender-Victim Relationship	62	—	—
1. Unknown	—	—	56.5% (<i>n</i> = 35)
2. Friends/Acquaintances	—	—	30.6% (<i>n</i> = 19)
3. Spouses/Partners	—	—	9.7% (<i>n</i> = 6)
4. Other Family Member	—	—	3.2% (<i>n</i> = 2)
B. Context			
i. Pre-Offence Planning	59	—	57.6% (<i>n</i> = 34)
ii. Criminal Motivation	62	—	—
1. Sexual	—	—	45.2% (<i>n</i> = 28)
2. Material	—	—	37.1% (<i>n</i> = 23)
3. Reactive	—	—	17.7% (<i>n</i> = 11)
iii. Location	60	—	—
1. Vehicle	—	—	31.7% (<i>n</i> = 19)
2. Domestic Setting ⁴	—	—	23.3% (<i>n</i> = 14)
3. Public Building	—	—	26.6% (<i>n</i> = 16)
a. Pub/Club	—	—	8.3% (<i>n</i> = 5)
b. Other	—	—	18.3% (<i>n</i> = 11)
4. Outdoors	—	—	8.3% (<i>n</i> = 11)
iv. Duration ⁵	28	6.69 (14.74)	—

TABLE 3 (continued)

	Sample Size (N)	Mean	Percentage
v. Accomplices	58	—	39.7% (<i>n</i> = 23)
1. One	—	—	15.5% (<i>n</i> = 9)
2. Two	—	—	17.2% (<i>n</i> = 10)
3. Three	—	—	5.2% (<i>n</i> = 3)
4. Four	—	—	1.7% (<i>n</i> = 1)
vi. Resolution	54	—	—
1. Victim Released	—	—	33.3% (<i>n</i> = 18)
2. Police Intervention	—	—	27.8% (<i>n</i> = 15)
3. Victim Escaped	—	—	22.2% (<i>n</i> = 12)
4. Victim Killed	—	—	16.7% (<i>n</i> = 9)
vii. Life Sentence	52	—	17.3% (<i>n</i> = 9)
C. Violence Level			
i. Severity	54	—	—
1. Verbal/Threats	—	—	18.5% (<i>n</i> = 10)
2. Minor Violence	—	—	13.0% (<i>n</i> = 7)
3. Moderate Violence	—	—	42.6% (<i>n</i> = 23)
4. Severe Violence	—	—	9.3% (<i>n</i> = 5)
5. Death	—	—	16.7% (<i>n</i> = 9)
ii. Weapon	59	—	74.6% (<i>n</i> = 44)
1. Blunt Weapon	—	—	13.6% (<i>n</i> = 8)
2. Sharp Weapon	—	—	49.2% (<i>n</i> = 29)
3. Gun	—	—	11.9% (<i>n</i> = 7)
iii. Weapon Use	58	—	—
1. Not Used	—	—	25.9% (<i>n</i> = 15)
2. Possession Only	—	—	3.4% (<i>n</i> = 2)
3. Threaten	—	—	36.2% (<i>n</i> = 21)
4. Use	—	—	34.5% (<i>n</i> = 20)

¹50% and 75% of the sample was less than 26 and 30.5 years old, respectively, at the time of the index act of abduction. ²23.2% had completed high school (i.e., Grade 12) prior to being incarcerated. ³63.2% of offenders with APD diagnoses on file received PCL-R scores of 30 or greater. ⁴Either in the home of the victim or of the perpetrator. ⁵Outlier (21-day episode) removed from calculation.

(*SD* = 2.5), and only 23.2% had completed high school prior to their current incarceration. Most (91.8%) of the sample had a history of drug or alcohol abuse. Previous psychiatric diagnoses (56.1%) and personality disorders (65.6%) were common. Of the 19 offenders with a diagnosis of antisocial personality disorder on file, 12 (63.2%) had a PCL-R score of 30 or more. Most (84.7%) of the offenders had at least one previous conviction for violence. Violent offences against strangers were much more common than were those against family members (76.3% and 8.5%, respectively). However, only a relatively small proportion (36.1%) had a previous charge/conviction for an act of unlawful confinement.

Offence Characteristics: Victim Information⁵

In the majority of cases (80.3%), there had been one person victimized. The victims were female, male, or both in 64.4%, 25.4%, and 10.2% of the cases, respectively. More than half (56.5%) of the victims were unknown to the offender. The remainder were friends/acquaintances (30.6%), spouses/partners

(9.7%), or some other family member (3.2%).

Offence Characteristics: Context⁵

More than half of the offenders (57.6%) had planned the act of unlawful confinement. The greatest proportion (45.2%) of confinement offences were sexual in nature, with the remainder being motivated by material gain (37.1%) or as a result of anger (17.7%). Victims were abducted from vehicles (31.7%), domestic settings (23.3%), public buildings (26.6%), and outdoors (8.3%). The duration of the episodes ranged from 30 minutes to 504 hours, with a mean of 6.69 hours (*SD* = 14.74, with the one 21-day outlier removed). Most offenders (60.3%) had acted alone. A third of these episodes ended with the release of the victim. In the remaining cases, either the police had intervened (27.8%), the victim escaped (22.2%), or the victim was killed (16.7%). Only a minority of these offenders (17.3%) received life sentences for their actions, and most of these life sentences (75%) were given to those offenders who had killed their victims.

Offence Characteristics: Level of Violence⁵

Confinement episodes were generally characterized by at least a moderate amount of violence (68.6%) and the presence of a weapon (74.6%). When a weapon was present, offenders were likely to have employed it to either threaten (48.8%) or hurt (46.5%) the victim.

Discussion

There has been little study of offenders who engage in nonpolitically motivated, non-access dispute acts of unlawful confinement, or about the circumstances surrounding these acts. By examining offender, victim, and offence characteristics associated with unlawful confinement, the present investigation has much applied relevance in understanding and resolving these crimes.

As predicted, the average PCL-R score (as well as individual factor and facet scores) for offenders who engaged in acts of unlawful confinement was significantly higher than those found in representative samples of offenders. Indeed, approximately 75% of the offenders received scores of 23 or greater on the PCL-R, a score usually associated with sample means (Hare, 2003). The degree of psychopathic traits and behaviours in this sample was so high that investigators who deal with similar types of offenders and offences should always consider the possibility that the perpetrator might be a psychopath. In the present sample, about half of the offenders met the criteria for psychopathy, compared with fewer than 20% of the offenders in the normative samples (Hare). Note that the association between psychopathy and the commission of unlawful confinement appears to be asymmetric: While many hostage-takers may be psychopathic, most psychopaths are unlikely to engage in acts of unlawful confinement.

The high proportion of psychopaths found in this sample is consistent with data from samples of violent offenders (Hart et al., 1994; Woodworth & Porter, 2002), especially samples that consist of opportunistic sexual offenders who both molest and rape (see Porter et al., 2000). This is not surprising, given that hostage-taking and opportunistic sex offending are each characterized by the instrumental and dispassionate use of interpersonal violence.

In addition to having many psychopathic features, perpetrators of unlawful confinement shared several other characteristics. The current sample mainly consisted of Caucasian offenders, who were typically 30 years of age or younger, with little education, a history of substance abuse and with a variety of mental health problems, paraphilia, and personality disorder

(especially antisocial personality disorder⁷) being the most common diagnoses. While only one-third of these offenders had been previously convicted of similar acts, most had a history of violence against strangers.

In terms of the circumstances surrounding these events, some important characteristics emerged. Just over half of these offenders had planned the abduction. Motivations were primarily sexual or material in nature, with very few reactive acts of unlawful confinement, a finding that may differentiate these acts from those involving custody disputes. Our findings also suggest that most instances of common criminal confinement were instrumental (i.e., goal driven) in nature. In line with the high rates of paraphilia and sexual motivations, perpetrators tended to abduct single women in isolated locations (e.g., vehicle, domestic setting, or building; very few of these episodes started outdoors), and did so for a relatively short period of time (often less than one hour). To achieve their objective, offenders are likely to abduct someone they can easily overpower, do so in isolation, and for as little time as possible, decreasing their chance of detection/capture. Unlike political or terrorist acts, criminal abductions were found to largely occur without any accomplices. This makes sense, given the egocentric and selfish nature of these crimes, compared to those of political activists, who often have ideological motivations. Perpetrators of criminal confinement were also likely to bring and utilize weapons (usually a blade or sharp object to threaten or injure). Although these crimes were generally characterized by a moderate (or higher) degree of violence, victim death was a relatively rare occurrence. While most victims survived, it is important to note that the offenders only chose to release their victims one-third of the time. We do not know what would have transpired if the police had not intervened or if the victim had not escaped. Finally, few offenders received life sentences for their offence, and most of these had killed their victim.

Knowing the likely personality profile of the perpetrator in a hostage situation can have important practical implications (see Miron & Goldstein, 1979). Hostage negotiators who hypothesize that they are dealing with a psychopath can draw upon an extensive literature when devising a course of action. For example, the interpersonal, emotional, lifestyle, and antisocial features of psychopathy make it unlikely that exhortations to "think what the victim is going

⁷ The majority of offenders with an APD diagnosis on file were in fact psychopaths, once more highlighting the asymmetric association between these two disorders (see Hare, 2003).

through," or appeals to "do the right thing" will have much impact on a psychopathic hostage-taker. It may make more sense to capitalize on his egocentricity and grandiosity. The problem, of course, is that post-hoc diagnoses are of little help to hostage negotiators attempting to understand the person with whom they are dealing. The *Hare P-Scan* (Hare & Hervé, 1999) was designed to help law enforcement develop hypotheses about the likelihood of psychopathy in situations of this type.

Our findings support the theoretical distinction between criminally motivated, politically motivated, and family motivated acts of confinement. While common criminal abductions are often perpetrated against single, unknown individuals, terrorist abductions often involve multiple victims, and familial abductions single, known victims. Future research should investigate the differences and similarities among these various acts of unlawful confinement. It also should attempt to identify the various motivations underlying such acts (e.g., instrumental vs. reactive; sexual vs. financial) and their influence on the course and outcome of such crimes.

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