

Double Parricide: Forensic Analysis and Psycholegal Implications*

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ABSTRACT: In a retrospective study, eleven adult parricidal forensic cases from Southern California are presented. Each case involves the murder of both parents and was referred for forensic evaluation. Common characteristics among the eleven cases are presented. Two case examples illustrate features of recognized adult parricidal subtypes. The findings are compared with studies involving parricide, double-parricide, and extant case law.

KEYWORDS: forensic science, parricide, double parricide, murder, intrafamilial violence

Parricide, the killing of one's parent by a child, is a rare variant of murder and intrafamilial violence that only occurs in bizarre and isolated instances. Governmental crime data (1,2) indicate that parricide accounts for approximately 2% of all homicide cases with approximately 75% of the cases involving a perpetrator over the age of 18. Because of the unique victim-offender relationship involved in the act, this form of homicide is distinctly different from other homicides and should be examined separately.

Parricides usually fall into three categories: cases of mentally ill children, criminal cases involving fiduciary abuse or relationship discord, and finally cases involving the "exotic defense," where the child is described as "abused or mistreated." Further, all three categories may be divided into single and double parricides. The vast majority of cases are single parricides. However, double parricides merit special attention.

Mental illness and antisocial behavior have been the only two primary explanations for adults who carry out double parricides. Double parricide studies (3,4) involve psychotic individuals harboring delusions or hallucinations about their parents that inevitably lead to the act as well as individuals with an antisocial motive. In contrast, media reports dwell on a history of childhood abuse as the central ingredient leading to the crime. A well-known double-parricide case example is *People v. Menendez* (5). To date,

there has been no published data indicating that childhood abuse is an explanation for double parricide. The use of a justified homicide defense, analogous to self-defense claims found in battered women cases, has been presented as a complete defense or used for mitigating factors.

In the legal system, the defense of a double parricide offender can be a difficult one. The self-defense strategy has displayed a poor rate of success (6) apart from sentencing guidelines. The use of self-defense as a legal strategy in double parricides has only been successful when used in mitigation to reduce the conviction charge or to allow the defendant to plead guilty to a lesser charge. In *Whipple v. State* (7), a strict use of the traditional self-defense doctrine was attempted. In *Whipple*, a 17-year-old male killed his mother and father with an ax and was subsequently charged with two counts of murder. In trial, evidence of physical and emotional abuse inflicted by the parents was presented. The trial judge rejected the self-defense claim because there was no evidence of imminent danger at the time of instant offense. *Whipple* was found guilty on the two counts and was sentenced to two concurrent terms of 40 and 30 years for the murder of the mother and father, respectively. Upon appeal, the courts also rejected the self-defense claim and affirmed the lower court's ruling that imminent danger was not present at the time of the instant offense. A similar ruling was made in the criminal trial of the Menendez brothers (5), where the judge instructed the jury not to consider the self-defense claim because the parents did not present an imminent danger to the brothers. Both brothers were found guilty of two counts of first degree murder and sentenced to life without parole.

Defense attorneys deal with not just defending the perpetrator for two murders but are also forced to put the family on trial to ferret out unique domestic variables and environmental circumstances that influenced the adult child to commit the act. Legal officials are often confused by the double homicide where the overriding motivation was to kill only one. The defendant may have had psychotic delusions for killing the first parent but killed the second parent to evade detection or apprehension. No study to date has examined this temporal issue.

In an archival study by Weisman and Sharma (8), 64 cases of parricide, attempted parricide, and double parricide were illustrated. A large database, including family background, crime scene data, and legal outcomes, was presented. This was the first large-scale study of adjudicated parricide cases that highlighted the judicial process. Of the 64 cases, there was a 43% insanity success rate. The self-defense strategy was never successful in bringing about an acquittal.

The developmental themes posited to explain parricide include progressive deterioration in mental functioning, coupled with a hostile-dependent relationship with the parent or parents. Most

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cases suggest a criminal motivation for killing their parents, which includes robbery, revenge, interpersonal discord, or fiduciary abuse. The psychiatric literature weighs heavily on similar developmental themes, but the resulting motivation to kill is based upon a severe mental illness.

This paper provides an in-depth analysis of eleven adult double-parricide cases from the Southern California region. The current study extends previous research focusing on double parricide cases. The archival design provides premorbid, crime scene, and psycholegal data from which to understand such rare cases. From this sample, two cases are presented illustrating the mentally ill and criminal subtypes of adult double parricide.

Methods

Design

The present archival study is based on eleven adult double parricide cases between the years of 1978 and 1999 (in one parricidal case, both parents were severely stabbed by the subject but only the father survived). Cases were drawn from Southern California where the examiners were members of the Superior Court psychiatry and psychology expert witness panels. Descriptive information concerning various backgrounds and crime scene features was extracted from forensic evaluation case files. This was followed by an examination of court files for additional evaluations and dispositional information. The protocol for data collection was developed by the senior author based upon extant studies on parricidal behavior. Double parricide is defined as the willful killing of both parents.

Results

A total of eleven, American-born, adult males were examined in this study. All cases occurred at the victims' home. Table 1 provides the demographic and preoffense characteristics of the sample based upon their ultimate disposition. Regarding the racial information, ten were Caucasian and one was Mexican-American. The mean average age was 25.18 (SD = 5.53, range of 18–35). Of the 22 victims, the mean age of mothers was 53.73 (SD = 8.81, range 40–68) and fathers was 56.73 (SD = 12.32, range 41–82). One 40-year-old mother was nonbiological but married to the biological father at the time of the offense. Table 2 illustrates the legal process characteristics for the sample based upon the ultimate disposition. One case was determined to be unrestorable to competency and resides in a psychiatric hospital. In this article we present a case example of an insanity acquittee and a first-degree murder convict. These two examples illustrated the mentally ill and criminal subtypes.

Double Parricide, Insanity Defense

Mr. A

Mr. A was a 31-year-old single man. He was the second oldest of five children, born into a Catholic family from the eastern United States. His family moved to California when he was 16. He had earned a college degree in geography at a local state university.

Mr. A's psychiatric history began at age 18, while attending college. Between the ages of 18 and 28, he had received formal psychiatric treatment, including four months as an inpatient. He carried a diagnosis of schizophrenia. He used alcohol in moderation. He had never been arrested and was living in his parents' home. His work was limited to water safety instruction and a brief sales job. He was unemployed at the time of the instant offense.

TABLE 1—Subject variables.

	Psychiatric Hospital <i>n</i> = 4 Number (%)	Prison <i>n</i> = 7 Number (%)
Race		
Caucasian	3 (75)	7 (100)
Hispanic	1 (25)	...
Marital Status		
Single	4 (100)	6 (86)
Previous marriage	...	1 (14)
Family intactness		
Both parents raised defendant	3 (75)	5 (71)
Early divorce/separation	1 (25)	1 (14)
Family Psychiatric History	3 (75)	4 (57)
Family Criminal History	1 (25)	1 (14)
Family Drug History	3 (75)	1 (14)
Education		
High school dropout	2 (50)	...
High school graduate	...	2 (28)
College or trade school experience	2 (50)	4 (57)
Military Experience	Army (1)	Navy (1)
Psychiatric Outpatient Experience	3 (75)	6 (86)
Psychiatric Inpatient Experience		
Never	...	5 (71)
Once	2 (50)	1 (14)
2–3 times	...	1 (14)
4–6 times	2 (50)	...
Preoffense DSM-IV Axis I Diagnosis		
Schizophrenia	4 (100)	1 (14)
Substance use disorder	...	2 (28)
None	...	4 (57)
Preoffense DSM-IV Axis II Diagnosis		
Cluster A (schizoid, schizotypal, paranoid)	1 (25)	1 (14)
Cluster B (borderline, narcissistic, antisocial)	...	5 (71)
None	3 (75)	1 (14)
Adult Violent Crime History*	1 (25)	3 (43)
Longest Prior Sentence		
Jail	2 (50)	2 (28)
Prison	...	2 (28)
Living Situation		
With at least one of the victims	3 (43)	3 (75)
Peer	...	2 (28)
Alone	1 (25)	...
Girlfriend	...	1 (14)
Siblings	...	1 (14)
Employment History		
None	...	2 (28)
Unskilled laborer	3 (75)	4 (57)
Skilled	1 (9)	...
Employed at time of crime	...	3 (27)
Prior Threat to victims	3 (75)	4 (57)
Prior Assault on victims	3 (75)	2 (28)

* In no case was there a history of juvenile violence. Fifty percent of each group had been detained for vandalism, theft, or drug offenses.

Mr. A murdered his 82-year-old father and 67-year-old mother at their home by stabbing them. He told the forensic examiners that he heard the voice of a renowned senator and deceased president who ordered him to kill his parents and sister. He added that he believed his parents had prevented him from becoming married to an unknown female. Following the murders, he stood at the crime scene and did not flee. He was subsequently arrested where he made a clear admission of responsibility, blaming no one and not attempt-

TABLE 2—Crime scene and legal process.

	Psychiatric Hospital <i>n</i> = 4 Number (%)	Prison <i>n</i> = 7 Number (%)
Witnesses		
Directly present	...	3 (43)
In vicinity	1 (25)	2 (28.5)
Absent	3 (75)	2 (28.5)
Predominant Method Type		
Firearms	2 (50)	4 (57)
Stabbing	1 (25)	3 (43)
Strangling	1 (25)	...
Alcohol Intoxication (Defendant/Police Observation)	...	1 (14)
Concurrent Psychiatric Medication Use	1 (25)	...
Predominant Motive		
Quarrel	...	4 (57)
Robbery	...	1 (14)
Relationship discord	...	2 (29)
Delusions	4 (100)	...
Response		
Nothing; Stood around	2 (50)	3 (43)
Fled	1 (25)	4 (57)
Suicidal	1 (25)	...
Confession to Authorities		
Unresistant	2 (50)	2 (28)
Resistant	1 (25)	5 (72)
Blaming Others	1 (25)	1 (14)
Concealing Guilt	1 (25)	4 (57)
Trial Format		
Bench	2 (50)	1 (14)
Jury	2 (50)	6 (86)
Defense Counsel		
Public defender	4 (100)	4 (57)
Private attorney	...	3 (43)
Competency Raised	4 (100)	2 (29)
Incompetent to stand trial	3 (75)	...
Forensic Expert Diagnostic Impression		
Psychotic Disorder	4 (100)	2 (28.5)
Mood Disorder	...	2 (28.5)
Personality Disorder (Cluster B)	...	3 (43)
Guilt Verdict		
Guilty	...	7 (100)
Not guilty by reason of insanity	3 (75)	...
Guilt Charges*		
First-degree murder (three counts)	...	1 (14)
First-degree(1 count) and second-degree murder (2 counts)	...	1 (14)
First-degree murder (two counts)	1 (33)	4 (57)
Second-degree murder/voluntary manslaughter	2 (67)	...
Voluntary manslaughter/attempted murder	...	1 (14)
Terms Length		
9 years	1 (33)	...
12 years-to-life	...	1 (14)
30-years-to-life	2 (67)	...
Life without parole	...	3 (43)
Death Penalty	...	2 (28)

* One defendant was never restored to competency and placed on civil conservatorship.

ing to conceal his culpability. At that time, he was prescribed trifluoperazine, a phenothiazine antipsychotic medication.

Mr. A was charged with two counts of murder. He was initially found incompetent to stand trial. He was hospitalized for 24 months to restore competency. Following restoration, an insanity

plea was entered. He waived a jury trial. Forensic examiners achieved consensus with their diagnostic and forensic impressions. Diagnoses included schizophrenia and schizoaffective disorder. All the forensic examiners opined that the subject met the insanity standard. He was found not guilty by reason of insanity and sentenced to a psychiatric hospital for treatment. He was eventually released to a residential psychiatric center.

Double Parricide, First Degree Murder

Mr. B

Mr. B was a 22-year-old single male. He was the eldest of two sons. There was a positive family psychiatric history, with his paternal grandmother institutionalized multiple times after losing an infant at birth. There was a strong history of sibling rivalry with his younger brother, including periodic physical fights. His brother had struck the subject with a bat, breaking his ribs. He also stuck a pencil through his hand and thrust him through a glass door. As children, they were both evaluated because of hyperactive behavior, but prescribed no medications.

Mr. B had a history of amateur boxing, soccer, and martial arts training. During his teen years, he affiliated with a Korean gang for social support. At age 16, after being beaten unconscious by a rival gang, the subject began carrying a gun to school. He completed high school but dropped out of local colleges on two occasions. He worked at a local automobile repair shop until the instant offense.

Mr. B had a series of girlfriends on whom he became financially dependent. He was manipulative with his girlfriends' families to obtain money. He spent a great deal of money on his last girlfriend. Arguments with his brother and family involved "wasting" his money on the woman. Mr. B had taken money using his parents' ATM card, without their permission, to fund her needs.

The relationship with the girlfriend started three months before the offense. Within three weeks they moved in together and continued to live together until one month before the offense. Mr. B and his girlfriend had frequent arguments. On occasion, his anger led to physical abuse. Mr. B's relationship with the girlfriend was rejected by his family. The relationship ended after three and a half months. The girlfriend openly voiced interest in killing Mr. B's parents as well as her own mother.

On the night before the instant offense, the girlfriend told Mr. B that she was pregnant and was leaving him for her former boyfriend. Mr. B then allegedly ingested amphetamines. Mr. B then forcibly struck his 19-year-old brother with a wrench, on the forehead and back. He placed him in the trunk of the car. Immediately thereafter he beat his 55-year-old father with a hammer and choked his 47-year-old mother. He placed each of them in the car. He spent much of the night cleaning up the crime scene. The following night, Mr. B drove the car to a local high school parking lot and set the car on fire with gasoline and model airplane fuel. When police questioned Mr. B he denied involvement in the murders. Investigators later learned of Mr. B's plot to kill his grandfather to establish an alibi.

Mr. B was charged with three counts of murder with special circumstance, indicating the possibility of a death penalty. Defense counsel considered a diminished actuality defense that was unsuccessful. In the penalty phase, mitigating factors were raised to counter the possibility of a death penalty. Forensic evaluation results suggested some brain damage from the defendant's past boxing history. A battery of projective and objective personality tests indicated elements of hysteria, narcissism, dependency, paranoia, and hypomania. A forensic psychologist offered a diagnosis of in-

termittent explosive disorder with episodic aggressive outbursts. The psychologists opined that the neurological insults reduced his ability to inhibit his behavior, leading to the homicides.

The forensic psychiatrist stated that Mr. B's mental condition decompensated in the period before the offense. It was observed that Mr. B's obsession to maintain the relationship with his girlfriend combined with his perception that his family had treated him unfairly drove him to kill his family. The three days of sleeplessness and alleged amphetamine use induced his homicidal behavior. A weakness of the defense expert's testimony was the admission that there was a concerted effort to conceal evidence and avoid apprehension.

In the trial, Mr. B was found guilty of three counts of first-degree murder. In the penalty phase, the jury initially voted 11 to 1 in favor of the death penalty instead of life imprisonment without the possibility of parole. This resulted in a hung jury, necessitating a second penalty phase proceeding in which the jury voted unanimously for the death penalty. However, jury misconduct led to a third attempt at the penalty phase, which resulted in a hung jury with an 11 to 1 vote in favor of the death penalty. In the fourth attempt, the jury unanimously voted for the death penalty and the judge affirmed this decision.

Discussion

This study examined a nonrandom sample of 11 adult males who committed double parricide. Consistent with the previous study (8), there was a marked absence of childhood abuse. The sample featured differing degrees of mental illness, criminality, or the combination of both. Sixty-four percent had positive family psychiatric histories, and 45% percent carried a major psychiatric diagnosis (schizophrenia) before the offense. Thirty-six percent had violent criminal histories, including convictions for assaults or robbery. Eighteen percent of the subjects had a premonitory history of substance abuse or dependence. In examining this unique subgroup, the subjects were all male: 91% were American-born Caucasians and 91% were single, with the remaining subject previously married.

Characteristics that are often found in homicide cases (drug use, juvenile violence history, family criminal backgrounds) were not found to be relevant in the double parricide cases. However, prior threats (64%) and assaults (45%) upon the victims were found in a majority of cases. Sixty-four percent had unskilled work histories with only one subject having a skilled work history, and two had no history of employment at all. The absence of stable employment may have been a function of mental illness, substance abuse, or enmeshed family dynamics.

Fifty-four percent of the double-parricides occurred because of a long-standing relationship discord or quarrel. One involved a robbery. The remaining four were primarily delusional. An equal number of five offenders either fled or remained at the scene. About 54% were open to admit culpability and 45% actively tried to conceal their guilt for the crime. Only one defendant was intoxicated on alcohol. There was no single motive for the double parricides, indicating that double parricide is committed because of a combination of mental illness, criminality, and intrafamilial conflict. What we can confidently conclude is that there was no archival evidence of prior child abuse prompting the violent crime.

Regarding principal weapons used in the double parricide, 55% of offenders used handguns. The others used stabbing, strangulation, or a combination thereof. Of the five subjects hospitalized, one used firearms and the remaining used physical force. Although

inconclusive from the limited number of subjects, it appears that the choice of weapon may be linked to a degree of premeditation in the crime. The use of a firearm may imply that defendants needed a weapon powerful enough to kill both victims at the same time. In contrast, individuals who use knives or physical force appear to be more impulsive in the commission of the offense.

Pertaining to the legal defense of a double parricide offender, one factor that was found in an earlier study was the reaction of the defendant after the offense. Among the four offenders that were ultimately hospitalized, three remained at the crime scene and did not conceal evidence of their culpability. One conclusion that may be drawn is that those offenders who were mentally ill remained at the scene of the crime and did not attempt to cover up their culpability because they were unaware of the wrongfulness of their actions.

What surfaced from case examples presented in this study was that insanity was the only legal trial defense that successfully led to acquittal or mitigation in legal disposition. The case of Mr. A exemplified a classic insanity defense that was accepted by the court with little prosecutorial challenge. An exception to the mitigation strategy was observed in the case of Mr. B. Mitigating factors were used in both the guilt and sentencing phases of the trial. Those mitigating factors were the hostile and dependent relationship with Mr. B's parents and girlfriend as well as a prior head injury and drug use. Aggravating factors introduced, including the method of homicide, the number of victims, concealment of guilt, and active subversion of the legal process, overwhelmed any mitigating factors brought forth during the sentencing phase.

This study represents the largest study sample of double parricides to be analyzed. This sample provides additional evidence that double parricide may be conceptualized as involving primarily mental illness or premeditated criminality without evidence for a predisposing history of abuse or mistreatment. Double parricide is primarily a male act; there are no known female perpetrators of such an act where the female acted alone. Cases involving a female included male associates assisting in the commission of the crime.

Limitation of the Study

There are several limitations to this study. The sample was limited to Southern California cases; therefore, no epidemiological inferences can be made. The data used in the study were originally gathered for legal purposes, and diagnoses offered by experts may have been simplified to limit judicial scrutiny. However, the study only began with the experts' reports and expanded to other nonlegal sources. The retrospective nature of the study has its inherent limitations. The small number of subjects precludes any conclusive opinions regarding double-parricide cases.

Conclusions

This marks the largest study to date that has provided preoffense, crime scene, and legal procedural data of double-parricide cases. The FBI does not maintain any epidemiological data on double-parricide cases apart from high-profile cases. Thus, this study may be used as a comparison sample for similar future studies and in developing a national database. Further studies are planned including female matricide, elder parricide, and adolescent parricide.

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References

1. Federal Bureau of Investigation (FBI). Crime in the United States: Uniform crime reports (1985–1996). Washington DC: Government Printing Office.
2. Federal Bureau of Investigation (FBI). Uniform crime reports [United States]: Supplementary homicide reports, 1996. Washington DC: Government Printing Office.
3. Raizen K. A Case of matricide-patricide. *Br J Delinquency* 1960;10: 120–295.
4. Mass RL, Prakash R, Hollender MH, Regan WM. Double parricide-matricide and patricide: a comparison with other schizophrenic murders. *Psychiatr Q* 1984;56:286–290.
5. *People v. Erik Galen Menendez, Joseph Lyle Menendez*. Los Angeles Superior Court No. SA 002728.
6. Goodwin MR. Parricide. States are beginning to recognize that abused children who kill their parents should be afforded the right to assert a claim of self-defense. *Southwestern Law Rev* 1996;25(2):429–60.
7. *Whipple v. State*, 523 N.E. 2nd 1363. 136501366 (Indiana 1988); *Whipple v. Duckworth*, 957 F.2nd 418 (7th Circuit), 113 S. Ct. 218 (1992).
8. Weisman AM, Sharma KK. Forensic analysis and psycholegal implications of parricide and attempted parricide. *J Forensic Sci* 1997;42(6): 1107–13.

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