

Murder of the psychologist Anna Permanyer: Forced to sign to hand over her apartment

Judicial proceedings from Court No. 15/07, Barcelona Provincial Hearing on the offence of EXTORTION AND MURDER.

Oral trial held in Barcelona between February and March 2008. Room 1 of the Court in the Barcelona Palace of Justice.

Verdict of the Jury: By unanimous vote, Carmen Badía is declared guilty and proven to have obtained the signature of Anna Permanyer under force and duress. It also condemns her accomplice Juan Sesplugues.

Although there have been many cases, especially in Civil law, which recognise grapho-psychological results in holographic testimonials (doubt over the grantor's capacity), incompatibility or problematic personalities in matrimonial cohabitation, and in considerations for the guardianship and custody of children in cases of separation and divorce etc. (see the four works by Francisco Viñals y Mariluz Puente), the case that we will discuss is a historical event within the world of Graphology. For the first time, a Court annulled a contract on considering as an unarguable fact that the signature of the owner was obtained by force and under duress, giving maximum demonstrative value to the graphological result presented and directed by Prof. Francisco Viñals, current chairman of the ADEG. Prof. Viñals demonstrated the state of distress of the signatory, which contrasted extraordinarily with the usual writing and signatures of the victim Anna Permanyer, with a predominate mood and characterological combination of SL/PN(AT) calculated at the percentile of the graphoanalysis of Vels and Viñals & Puente. The chronological study offered a stable evolutionary curve with the predominance of regularity, self-control, constancy, empathy, adaptation, and sociability typical of a cylindrical, firm-soft, curvilinear and constant writing which surprisingly contrasted with the constrictive and inhibited imbalance of the signatures in question (some placed in areas which did not correspond and missing the signatures from the last three pages). In addition, strange elements appeared in some of the signatures in question, especially brusque changes or turns that changed the direction with angles, stop pressure and other alterations of an outside force which exerted not only psychic but also physical pressure on the victim in a coercive manner.

Prompted by this case, which places European Graphoanalysis (Vels and Viñals & Puente) in the highest social consideration, Professor Mariluz Puente has carried out a criminalistic account with a perfect sequential exposition for criminalistics and forensic graphologists.

J. Garcia
Technical Secretary, ICG

The case of Anna Permanyer

-Criminalistic account-

Prof. Mariluz Puente Balsells

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DISAPPEARANCE AND DEATH OF ANNA PERMANYER

Anna Permanyer, aged 53, married with three children, psychologist like her husband and resident in Barcelona, disappeared on the afternoon of the 27th September 2004. She was last seen by the doorman of the Atalaya building in Barcelona, who saw her enter but did not see her leave. The three children and husband of Anna Permanyer ruled out from the very outset a voluntary departure or one due to psychological problems, since she was extremely attached to her family and at the same time had many friendships. She was held in high esteem in the

neighbourhood, as was demonstrated by the more than two thousand people who protested in her name. On the 10th October, she was found dead in a wooded lay-by in Sitges, behind the restaurant Les Bodegues Güell. Some workers called the Guardia Civil, and despite being found in a state of advanced decomposition, they were able to determine that she had suffered traumas due to violence.

BODY AUTOPSY

The corpse showed injuries as a result of blows with a heavy and rounded object. The forensic doctors indicated that at least six blows to the face and head of the victim had been identified, although these blows were not the actual cause of death, rather respiratory failure that was caused by suffocation using plastic.

Regarding the hour of death, the forensics came to the conclusion from the status of digestion traced in the autopsy that the victim died approximately three hours after her last meal. Due to the decomposition of the corpse which had occurred during her disappearance, they determined that the psychologist Anna Permanyer had died on the same afternoon that she disappeared, soon after taking the lift in the Atalaya building where she had gone to see her tenant, Carmen B.

MOTIVE FOR THE CRIME

The motive for the crime is taken to be in this case the acquisition by Carmen B. of an apartment, store room and parking space in the Atalaya building for a price of almost 600,000 euros, since she presented an earnest money contract for an amount greater than 400,000 euros – something rather surprising to the Chief of Police who carried out the investigation, since it is not usual that such a high amount is given as down payment. In addition, the fact that not all the pages were signed, those in which the owner Anna Permanyer appeared were odd and some places she appeared as the buyer rather than the seller, motivated him to continue this line of investigation to verify the facts and the responsibility of the accused in this crime.

RECORD OF THE MAIN ACCUSED, CARMEN B. AND HER ALLEGED ACCOMPLICES

The police operation detained Carmen B.L. as head of the operation and her friends Joan S.B., 79 years of age and resident of Lleida, and Anabel T.P., 42 years of age and resident of Fraga (Huesca) as accomplices.

Carmen B. already had various police records; for example, in 1997 she set fire to her house in Lleida to claim the insurance; she was also jailed for nine months under the pretexts of murdering her second husband, whose family also received various anonymous letters after his death. On the 15th October 2004, having recently discovered the body of the psychologist Anna Permanyer, before the scientific police were able to access the residence on floor 11 of the Atalaya building where the accused had first lived, a fire broke out in precisely this apartment, empty at the time, which is where the police suspect the murder took place. Also, a protected witness discounted the alibi given by Carmen B.

The accomplice Joan S. was incriminated by the hairs found on Anna Permanyer's body and the iron bar or "crowbar" with the victim's hair found by the police in his car which coincides with the heavy object used to strike Anna Permanyer.

In the Anna Permanyer murder case, circumstances pointed directly to the accused, in such a way that the Tenth section of the Barcelona Criminal Court in December 2005 denied the release of the three accused, since the incriminating evidence was “many” and “very varied”. At the same time, it considered that there was an "extremely high" risk of flight or that the accused may attempt to "hide evidence or destroy evidence that had already been found".

In the days following her disappearance, some opportunists extorted the family of Anna Permanyer simulating a kidnapping and demanding a sum of money or otherwise, they would cut her up. It turned out to have had nothing to do with the case, since it was traced to two Paraguayan individuals, Wilson W.B. and G.A.J, who were detained on the same day that the body was found when they went to collect the ransom outside a nightclub in Molins de Rei that they themselves had indicated as a meeting point for a member of the family of the psychologist to bring the money.

RUSES OF THE ACCUSED CARMEN B.L.

In an attempt to divert attention, Carmen B. declared that some strangers had kidnapped her in the shopping centre “L’Illa” in Barcelona and that later they left her in Collserola Park. Since she was followed at all times by two police inspectors, they denied that there had been such a kidnapping, rather that the accused went to Collserola and she had met her friend the accused Juan S. there.

STRUCTURAL FIRE EXPERT’S REPORT

The criminalistic experts of the Fire Force conclusively confirmed in a report that the fire which took place on floor 11 of the Atalaya building (in which Carmen B. had previously lived before moving to the apartment on floor 18 owned by the family of the psychologist Anna Permanyer) had been provoked.

The expert’s report indicated that the fire started in two different locations in the apartment and that both focal points were far apart, confirming that the fire was intentionally started.

BIOLOGIST EXPERT’S REPORT

DNA of the hairs found on the body

Having compared the DNA with saliva taken from the suspect, specialist biologists of the Provincial Scientific Police Brigade of Police Headquarters of Catalonia, assured that the hair found on Anna Permanyer’s body belonged in all probability to the accused Joan S.B.

FORENSIC HANDWRITING AND GRAPHOLOGICAL EXPERT’S REPORT

First forensic handwriting-graphological expert’s report (identification, personality and emotional state)

-The signatures on the earnest money contract were essentially that of psychologist Anna Permanyer, with doubts regarding some strange elements in the signatures

The Police and other experts declared that most of the signatures on the earnest money contract belonged to psychologist Anna Permanyer; even though specialists from the National Police

Force declared that they could not assure that some of the signatures were hers since the signatures were either too simplified or in some parts, incorporated strange elements which were not habitual of the psychologist's writing. Prof. F. Viñals and Prof. J. Vives confirmed that the author was the victim, but they demonstrated using overhead projectors in the court that the alterations observed demonstrated that the signatures had been written in an unusual state of stress.

-Signatures obtained by force, against the will of Anna Permanyer

Despite attempts made by the accused Carmen B.'s defence to convince the court that the alterations shown in the signatures of the psychologist Anna Permanyer were typical of her writing, Prof. Francisco Viñals Carrera demonstrated that this was not the case. Mrs. Anna Permanyer always signed carefully in official and company documents, as with her usual writing. Applying the protocols of European Graphoanalysis, a mood and characterological combination indicated that she was a self-controlled person, showing easy social adaptation and integration, empathy, sociable, conciliating etc. This contrasted with the abnormal, uncompensated emotionality, evasiveness and distressed findings shown in the signatures in the earnest money contract that could not be found in any official or company document provided. For this reason, the only explanation for the grapho-writing alterations already studied by classic criminalists is due to duress or pressure on the victim, since the graphopsychological reflection in this case was of "tormented" writing (typical of someone fearing for their life) and in some cases, presented not only signs of vital distress but certain changing strokes due to a "brusque blow" or elements foreign to her signature that the aforementioned director in this speciality in UAB explained as being moments of extreme stress in which physical force was applied to make her to write.

The argument was given in an exhaustive and convincing manner, and at no time did it contradict the evidence provided by specialists of the National Police Force which also left this possibility on declaring that the signatures showed an abnormal state of alteration. The defence experts for the accused Carmen B. argued that in the documents examined from Mrs. Anna Permanyer there were also alterations, however it turned out that said alterations appeared in agendas or in notes on a Telefónica envelope. Prof. Francisco Viñals disputed the arguments by saying that such notes were perfectly valid for obtaining intrinsic or gesture-type details from the writing, however in order to identify the author, they must be applied with caution in grapho-psychological interpretation since a difference between the quality and circumstances of the samples used to extract mood and characterological predominance is made in the European Graphoanalysis protocol. He insisted that we all may write precipitately when making notes or adding a personal note when beside the telephone or writing something down in a hurry etc. or we may even start to scrawl or trace, something which should not interfere in the taking of valid parameters since they are typical of the standardised writing of a person (for this reason, a maximum amount of graphic material must be collected and if possible, in chronological order), differentiating it from circumstantial notes to written pages.

Second forensic handwriting expert's report (Anonymous)

-Coincidence in the writing of the principle accused Carmen B.L. with the anonymous notes sent to the family of Anna Permanyer

More than forty graphic coincidences came to light in the reports from Prof. Toledano and Prof. Fernandez of the National Police Force and from Prof. Viñals and Prof. Vives also prosecution and individual charge experts. In this case, the defence of the accused Carmen B.L. tried to distort said correspondences, as its evidence (taking into account that the note was anonymous where it is usual for it to be disguised) was determining. The appearance of each one of the intrinsic gestures observed in the journals of the accused overcame any possibility of doubt, showing unquestionable gesture-types.

PSYCHIATRIC EXPERT'S REPORT

Despite the mocking attitude of the accused Carmen B. who jeered the investigators and smiled at the cameras when being transferred to the Court, the experts have confirmed that both Carmen B. and the other two accused do not suffer any mental disorder and were fully conscious of their actions.

The writing of the main accused Carmen B. already showed graphical characteristics that coincided with some traits of the personality outlined by the experts, for example the anti-social tendency (immature letters, with graphic interversion or insertion of upper-case letters instead of lower-case, changes in style, irregular and displaced pressure, crosses on the "t" in ascending diagonal direction). In relation to the possible tendency towards this type of act, when describing the writing of the anonymous notes and comparing it to that of the accused, Dr. Francisco Viñals highlighted the uneven pressure and accelerated calibre which he observed in both the questionable samples and the other samples, especially in "hidden" strokes ("S" was taken towards the lower zone with sharpness arising from a noted and uncompensated calibre) similar to "sickles" or "scythes". Also, a peculiar gesture-type shown in the dots of the "i.i" as a dash (horizontal straight traces in the air, without connection) illustrate exhaustive details.

CONCLUSIONS OF THE TRIAL

The Prosecution increases the sentence to 30 years, as the individual charge

After the conviction of the facts, the Prosecution increased the sentence request to 25 years of prison for Carmen B.L., Anabel T. and Joan S. for the extortion and murder of Barcelona psychologist Anna Permanyer on the 27th September 2004.

The Prosecution maintained that, together with the individual charge, the three accused, in alliance in the action, as well as in the result of obtaining an immediate equity benefit, exercised violence and intimidation on the victim Anna Permanyer in order for her to sign against her will an earnest money contract for the apartment that was property of the psychologist.

In the contract, in which the daughter of Carmen B. appeared as the beneficiary, it indicated that the defendant had paid 429,000 euros as a down payment that Anna Permanyer agreed to return in the case of non-compliance of the contract.

The defendants are considered as being responsible for the blows to the head and neck that the psychologist Anna Permanyer received. Similarly, having obtained her signature by force after stunning her with blows, they suffocated her with plastic bags leading to her death; subsequently they wrapped up the body and abandoned it in Sitges.

The Jury condemns Carmen B. and her accomplice Joan S.

On the 12th March 2008, the Jury gave a verdict of guilty to Carmen Badía and Joan Sesplugues for the murder of the psychologist ANNA PERMANYER, declaring as proven that on the afternoon of the 27th September 2004, Carmen B. and Joan S. **forced "with violence or intimidation" Anna Permanyer to sign a earnest money contract** in which she sold her apartment in the Atalaya building, together with a storage space and garage.