

# CRIMINAL INVESTIGATION

T W E L F T H  
E D I T I O N



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# Preface

Welcome to *Criminal Investigation*, Twelfth Edition. Designed to be one of the most practical, hands-on, reliable textbooks you will ever read, *Criminal Investigation* presents the procedures, techniques, and applications of private and public investigation. The book seamlessly integrates coverage of modern investigative tools alongside discussion of established investigation procedures and techniques. The Twelfth Edition features updated, enhanced coverage of such important topics as terrorism and homeland security, cybercrime, forensics and physical evidence, federal law enforcement investigations, report writing, crimes against children, investigative photography and sketching, preparing and presenting cases in court, identity theft, and white-collar crime.

Forensics and crime scene investigation are increasingly popular components of criminal investigation courses today and are correspondingly emphasized in this text, which features complete coverage of digital fingerprinting, DNA evidence and databases, ballistics, body-fluid collection and examination, contamination of evidence, exhibiting evidence in court, and new technologies that are changing the way crime scenes are documented through photography, sketching, and so on.

Opportunities in investigations have altered since the terrorist attacks of September 11, 2001. New careers have opened up in federal law enforcement, and interest in working with federal agencies has grown among job seekers. This new edition increases its focus on federal investigations. It also delves more deeply into the fight against terrorism and the ways in which law enforcement—whether federal, state, or local—must be involved and must work collaboratively with other agencies to be effective.

*Criminal Investigation* can serve as an overview of the entire field or as a solid foundation for specialized coursework. Although the content of each chapter could easily be expanded into an entire book or course, this text provides the basic concepts of each area of investigation and will prove to be an invaluable reference long after students move on from the classroom.

## ORGANIZATION OF THE TEXT

In Section 1, the student is introduced to the broad field of criminal investigation; to the elements of an effective, efficient investigation; and to the equipment, technology, and procedures that facilitate investigation (Chapter 1). Important court cases and decisions are cited and explained throughout the text.

Section 2 is designed to acquaint readers with various investigative responsibilities: documenting the scene by note taking, photographing, and sketching (Chapter 2); writing reports (Chapter 3); searching crime scenes and suspects (Chapter 4); identifying and collecting physical evidence for forensic examination (Chapter 5); obtaining information and intelligence (Chapter 6); and identifying and arresting suspects (Chapter 7).

Sections 3, 4, and 5 illustrate how these responsibilities are carried out in specific types of investigations. Section 3 discusses the basics in investigating violent crimes: death investigations (Chapter 8); assault, domestic violence, stalking, and elder abuse (Chapter 9); sex offenses (Chapter 10); crimes against children (Chapter 11); and robbery (Chapter 12). Section 4 discusses investigation of crimes against property: burglary (Chapter 13); larceny/theft, fraud, and white-collar crime (Chapter 14); motor vehicle theft (Chapter 15); and arson, bombs, and explosives (Chapter 16). Section 5 discusses other investigative challenges: computer crimes and their evolution into cybercrimes and the collection and analysis of digital evidence (Chapter 17); the dual threats of drug-related crime and organized crime (Chapter 18); the illegal activities of gangs and other dangerous groups, such as hate groups and cults (Chapter 19); terrorism, extremism, and homeland security (Chapter 20); and the culmination of investigations: preparing for and presenting cases in court (Chapter 21).

## NEW TO THIS EDITION

The Twelfth Edition of *Criminal Investigation* has been completely updated with hundreds of new references.

We've also converted the Do You Know questions into more concrete learning objectives for each chapter. These statements will help instructors and students alike understand the outcomes they can expect from the chapter. Through the use of color, we capture the details of technical photographs and other instructional images, facilitating a more complete student understanding of the material. In addition to the inclusion in every chapter of a *Myth versus Fact* feature, which aims to dispel some of the common misperceptions surrounding the various topics discussed in the text, and a Technology Innovations feature to highlight some of the technological advances impacting the field of criminal investigation, the Twelfth Edition features the following chapter-by-chapter enhancements:

- **Chapter 1: Criminal Investigation: An Overview—** This chapter includes updated statistics throughout; a new discussion of the results of several studies involving recidivism, victimization numbers and rates, and forensic crime log backlogs; and a brief discussion of how the National Institute of Justice differentiates the different types of crime lab backlogs, as well as NIJ programs to reduce backlogs and increase efficiency.
- **Chapter 2: Documenting the Crime Scene: Note Taking, Photographing, and Sketching—** This chapter includes an updated Technology Innovation feature about 3-D crime scene mapping technology; new content from the FBI's Handbook of Forensic Services regarding aerial photography; and new content about technology used to produce electronic, computer-generated lineups. In addition, we converted a section of text discussing the different types of photographic equipment into a new table (Table 2.1).
- **Chapter 3: Writing Effective Reports—** This chapter was thoroughly reviewed to ensure the best-practices in report writing were presented.
- **Chapter 4: Searches—** The section on "Searches without a Warrant" was reorganized slightly to facilitate the flow of the discussion. The chapter includes two new terms (*attenuation doctrine*, *independent source doctrine*); many new cases—*Byrd v. U.S.*, 2018 (consent search), *U.S. v. Camou*, 2014 (warrantless search of cell phones), *U.S. v. Johnson*, 2019 (search incident to arrest: order is irrelevant), *U.S. v. Torres*, 2016 (inventory searches of vehicles), *U.S. v. Iwai*, 2019 (exigent circumstance searches), *Collins v. Virginia*, 2018 (warrantless searches of vehicles within the curtilage), *Arizona v. Evans*, 1995 (exclusionary rule exception involving clerical errors), *Bailey v. U.S.*, 2013 (detaining a person who has left the immediate vicinity where a search warrant is being executed), *U.S. v. Whitaker*, 2016 (dog sniffs), *Murray v. U.S.*, 1988 (independent source doctrine), *Utah v. Strieff*, 2016 (attenuation doctrine), *Carpenter v. U.S.*, 2018 (warrantless search and seizure of cell phone records), *In re Search of a Residence in Oakland, California*, 2019 (challenge of technology and privacy rights), *U.S. v. Williams*, 2015 (using LRP to justify a *Terry* stop)—and an expanded discussion of the exclusionary rule, adding two new B-level headings: independent source doctrine and attenuation doctrine.
- **Chapter 5: Forensics and Physical Evidence—** This chapter includes a new photo of documentary evidence; several new Technology Innovations (portable forensic light source [Crime-lite XL to replace TracER], mobile fingerprint readers, DNA phenotyping); added three new terms (*digital evidence*, *primary transfer* [concerning DNA evidence], *secondary transfer* [concerning DNA evidence]); new content about voiceprints; an expanded section on collection of DNA evidence; a new section on individual skin-associated chemical signature evidence; additional coverage of the new forensic footwear database; an expanded discussion of the "Bite Mark" section to include teeth and lip prints, as well as consideration of the current legal challenges facing forensic bite mark analysis; a new discussion of the new drug analyzing technology called TruNarc; and a brief mention of protecting against infection from COVID-19. Additionally, Table 17.1 has been moved to this chapter (now Table 5.4) in the discussion of digital evidence that may be found when investigating various crimes.
- **Chapter 6: Obtaining Information and Intelligence—** The chapter includes several new terms (*implicit bias*, *microaggression*); an expanded "Knock and Talk" section to include the cases of *Florida v. Jardines* (2013), *State v. Huddy* (2017), *Kentucky v. King* (2011), *Michigan v. Frederick* (2019); new content from the HIG (High-Value Detainee Interrogation Group) regarding cross-cultural communication with victims, witnesses, and suspects; new content on implicit bias as a barrier to communication; new content regarding several interview and interrogation techniques (Reid, PEACE); a new Technology Innovation (VALT police interview recording software); a discussion of the case of *People v. Thomas* (2014), dealing with police use of coercive deception to gain a confession; updated information on false confessions; new content on voice stress analysis technology to detect deception; and a



discussion of how NIEM is replacing GJXDM as platform to share information.

■ **Chapter 7: Identifying and Arresting Suspects—**

This chapter contains new information on show-up identification; an updated discussion of the FBI's National Center for the Analysis of Violent Crime (NCAVC); five new Technology Innovations (Integrated Biometrics Five-0 fingerprint biometric scanners, CrimeStat crime mapping software, TWS, ShotSpotter Flex, BolaWrap); new content on racial profiling and the use of gait analysis in developing and identifying suspects; a brief discussion of using single confirmatory photos in suspect identification; new content about photo arrays and DOJ procedures for conducting them; a discussion of the case of *United States v. Yang* (2020), which dealt with the constitutionality of using ALPR without a warrant to locate and identify suspects, and the use of social media in undercover investigations; a new mention that state laws vary regarding stop-and-identify; updated statistics and studies on police use of force; a new discussion of decision making models as options to replace use-of-force continuums; a discussion of the case of *Armstrong v. Village of Pinehurst* (2016), which set stricter guidelines in how police can deploy CEDs; and updated content regarding excited delirium.

- **Chapter 8: Death Investigations—**This chapter includes updated all UCR statistics; a new term (*cold case*); a new discussion of the differentiation between manner, cause, and mechanism of death; new content on excited delirium and sudden in-custody deaths; a new figure on Homicide Process Mapping and tasks to perform during the critical 48 hours after a homicide is reported to police; new content on forensic entomology and estimating time of death; a new case (*Mitchell v. Wisconsin*, 2019) that dealt with the legality of a warrantless blood draw from an unconscious individual suspected of drunk driving; updated the content on homicide clearances; and an updated section on cold cases.

- **Chapter 9: Assault, Domestic Violence, Stalking, and Elder Abuse—**This chapter, with crucial information for future law enforcement professionals who continue to be called on to respond to domestic and family violence calls, includes updated statistics throughout and new content on investigating domestic violence, as well as discussion of the evidence shown to increase criminal convictions rates; expanded content regarding investigating stalking; a new term (*cybersuicide*); and a restructured section

with updated content on investigating elder abuse. We also converted text discussing the types of intimate partner violence (IPV) into a table (Table 9.1).

- **Chapter 10: Sex Offenses—**This chapter includes updated statistics and two new terms (*sextortion*, *trauma bond*); discussion of a new case (*Karsjens v. Piper*, 2018) dealing with the civil commitment of sex offenders; and an updated date rape drug section, including the addition of GHB and Ecstasy. We heavily revised the section on human trafficking, updating statistics and adding new subsections on indicators of trafficking, recognizing traffickers, overlap with other crimes, gaining victim and witness cooperation, and questioning survivors of trafficking. Much of the “trafficking vs. smuggling” text was converted into a table.
- **Chapter 11: Crimes against Children—**This chapter includes updated statistics on child abuse and neglect; new content regarding how best to use anatomical dolls during forensic interviews of child abuse victims; mention of the amendment of CAPTA by the Victims of Child Abuse Reauthorization Act of 2018; and a list of different protocols for interviewing child victims of sexual assault. The discussion of the commercial sexual exploitation of children (CSEC) was reorganized, with a section added on sextortion and the live-streaming of child sexual abuse. We added content about the AMBER Alert Secondary Distribution (AASD) Program and a new Technology Innovation (Bark).
- **Chapter 12: Robbery—**This chapter includes updated crime statistics on robbery.
- **Chapter 13: Burglary—**This chapter includes updated statistics on burglary and a small addition on using rational choice theory to prevent burglary.
- **Chapter 14: Larceny/Theft, Fraud, and White-Collar Crime—**All crime statistics have been updated, and the chapter includes new content regarding wildlife theft and trafficking; new content on how to differentiate identity theft from identity fraud; new examples of recently investigated identity theft cases; and updates of the cases pertaining to environmental crimes. Two terms related to telephone scams (*jamming*, *sliding*) were deleted as they are no longer major problems with cell phones and free long distance, and one term was added (*identity fraud*).
- **Chapter 15: Motor Vehicle Theft—**This chapter includes updated statistics on the most common stolen vehicles and the most commonly cloned vehicles.



- **Chapter 16: Arson, Bombs, and Explosives**—The chapter contains updated statistics on arson and has been completely revised to reflect evolving fire science, including the most recent edition of *NFPA 921* (2021 Edition). It includes an expanded discussion regarding arsonist behavior; a restructured motivation section that better aligns with the current *NFPA 921* guidelines; a mention of the ATF's Fire Research Lab (FRL); new content regarding responding to a fire scene; and three new terms (*mass arson*, *serial arson*, *spree arson*).
- **Chapter 17: Computer Crime and Digital Evidence**—The chapter title was modified to include “Digital Evidence.” In addition to updated statistics, new terminology (*dark web*, *deep web*, *ransomware*, *surface web*), and expanded content regarding IC3 and the types of complaints they handle, the chapter has a new section differentiating the layers of the web (surface, deep, and dark), new content regarding IPv6, a discussion of ransomware attacks, and content about the CLOUD Act. Two new tables are presented: 2019 Crime Types by Victim Count and Victim Loss (from the IC3 annual cybercrime report). Several new cases are discussed: *U.S. v. Microsoft*, 2018 (obtaining digital evidence from the cloud), *Van Buren v. U.S.*, 2020 (expansion of the CFAA), *U.S. v. Stanley*, 2014 (mooching another's IP address to commit cybercrime). The chapter also includes a mention of the USA FREEDOM Act and a new Technology Innovation feature about new tools to expedite digital evidence acquisition and analysis.
- **Chapter 18: A Dual Threat: Drug-Related Crime and Organized Crime**—This chapter includes updated crime statistics and a new term (*transnational organized crime*). The section titled “Classification of Controlled Drugs” was completely reorganized to group specific drugs into the same class (e.g., narcotics, stimulants). The chapter also contains a new section on fentanyl; new content on designer drugs (bath salts, synthetic opioids); a discussion of the use of Naloxone, a new paragraph about “drug-induced homicide” or “death by distribution” laws; updated content on transnational organized crime (TOC) and the IOC-2, and a new Technology Innovation feature about ACE-ID spectrographic drug identification. Table 18.2 was modified to include fentanyl, GHB, Rohypnol, Khat, methamphetamine, MDMA, and ketamine.
- **Chapter 19: Criminal Gangs and Other Dangerous Groups**—This chapter includes updated statistics regarding gangs and hate crimes; a new term (*security threat group*); a new section on “Gangs and Technology”; and new content on gang violence and gang-related homicides. It also differentiates hate crime from terrorism and extremism, and introduces a new Technology Innovation—the Gang Graffiti Automatic Recognition and Interpretation (GARI) App.
- **Chapter 20: Terrorism, Extremism, and Homeland Security**—Terrorism and homeland security are increasingly hot topics for law enforcement, and this chapter has been thoroughly updated, including the most recently available statistics and survey results regarding terrorism. “Extremism” now forms part of the chapter title to emphasize how radical ideology fits into the broader discussion of terrorism. Content pertaining to two Islamist terror groups (HAMAS, Al-Aqsa Martyrs Brigades) has been deleted due to their relative insignificance as direct threats to the homeland but there is a new paragraph on the Taliban. The discussion of domestic extremism and terrorism has been restructured and expanded, as that is currently the biggest threat to the United States, and it includes the reorganization of ideological categories (e.g., far-right, far-left, religious) to better align with those used by CSIS, START, and other entities that track, study, and respond to terrorism. Within the Domestic Terrorism section, the chapter includes expanded content regarding far-right extremism, including the Oath Keepers, Three Percenters, Proud Boys, and QAnon, and new content about Antifa in the section discussing far-left extremism. In addition to a new section on the USA FREEDOM Act, which replaced the USA PATRIOT Act in 2015, and new content pertaining to planning and preparing for a terrorist attack, several terms were deleted (*Islamic State of Iraq and the Levant [ISIL]*, *technological terrorism*) and several terms were added (*boogaloo*, *extremism*, *targeted violence*, *terrorism*).
- **Chapter 21: Preparing for and Presenting Cases in Court**—This key chapter has been reviewed to be sure it helps prepare future investigators to defend their cases in a court of law, and a new term was added (*deposition*).

## HOW TO USE THIS TEXT

*Criminal Investigation* is a carefully structured learning experience. The more actively you participate in it, the more you will learn. You will learn and remember more if you first familiarize yourself with the total scope of

the subject. Read and think about the table of contents, which provides an outline of the many facets of criminal investigation.

Then follow these steps for *quadruple-strength learning* as you study each chapter.

1. Read the learning objectives (LOs) at the beginning of the chapter. These are designed to help you anticipate the key content of the chapter and to prompt a self-assessment of your current knowledge of the subject. Also, look at the key terms listed and watch for them when they are used.
2. Read the chapter while underlining, highlighting, or taking notes—whatever is your preferred study method. Pay special attention to information in the blue boxes or words that appear in boldface type. The former represent the chapter-opening LOs, and the latter comprise the key terms identified at the beginning of the chapter.
3. When you have finished reading the chapter, read the Summary—your third exposure to the chapter's key information. Then return to the beginning of the chapter and quiz yourself. Can you respond knowledgeably to the learning objectives? Can you define the key terms?
4. Finally, in Sections 3, 4, and 5, complete the Application exercises at the end of each chapter. These exercises ask you to apply the chapter concepts in actual or hypothetical cases.

By following these steps, you will learn more information, understand it more fully, and remember it longer.

**Note:** The material selected to highlight using the quadruple-strength learning instructional design includes only the chapter's key concepts. Although this information is certainly important in that it provides a structural foundation for understanding the topic(s) discussed, you cannot simply glance over the highlighted boxes that correspond to each learning objective and summary and expect to master the chapter. You are also responsible for reading and understanding the material that surrounds these boxed features.

## ANCILLARIES

### For the Instructor

**Online Instructor's Manual** The manual includes learning objectives, key terms, a detailed chapter outlines, student activities, and media tools. The learning objectives

are correlated with the discussion topics, student activities, and media tools. The manual is available for download on the password-protected website and can also be obtained by emailing your local Cengage Learning representative.

**Online Test Bank** Each chapter of the test bank contains questions in multiple-choice, true/false, completion, and essay formats, with a full answer key. The test bank is coded to the learning objectives that appear in the main text, the section in the main text where the answers can be found, and Bloom's taxonomy. Finally, each question in the test bank has been carefully reviewed by experienced criminal justice instructors for quality, accuracy, and content coverage. The test bank is available for download on the password-protected website and can also be obtained by emailing your local Cengage Learning representative.

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This assessment software is a flexible online system that allows you to import, edit, and manipulate test bank content from the *Criminal Investigation* test bank or elsewhere, including your own favorite test questions; create multiple test versions in an instant; and deliver tests from your LMS, your classroom, or wherever you want.

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individually and compared to the highest performers in class. MindTap eliminates the guesswork, focusing on what’s most important with a learning path designed specifically by your instructor and for your Criminal Investigation course. Master the most important information with built-in study tools such as visual chapter summaries and integrated learning objectives that will help you stay organized and use your time efficiently.



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# CRIMINAL INVESTIGATION

# SECTION 1

# Introduction

## 1 | Criminal Investigation: An Overview

### Welcome to criminal investigation. What are you in for? Here's a glimpse . . .

New to law enforcement, rookie Police Detective Asha Mohammed responded to a homicide call and found herself standing over the body of a high school student. The 15-year-old girl had been brutally raped and murdered. Mohammed's world perspective that night would change forever. The 26-year-old detective had entered the police academy directly after completing her four-year college degree, and had graduated from the academy at the top of her class. She had finished her initial field training period on patrol and had just rotated into the investigative unit, the final step in probation that she needed to complete before being released on her own with her new partner.

Naive and inexperienced, Mohammed played a primary role in the pursuit, arrest, and conviction of the murder suspect. During the next five years with a metropolitan police department, Mohammed was involved in a variety of cases, including several undercover assignments. Her youthful appearance and cultural background allowed her access into a secretive Somali gang drug ring, and it didn't take her long to gain the trust of high-level dealers. During one investigation, Mohammed found herself in a hotel room with her informant, two dealers, and several gang members passing around a meth pipe. The leader of the gang asked Mohammed why she wasn't participating, and for the first time, she found herself in a position of fear, nearly overcome with the urge to flee.

Without any weapons or backup and nowhere to go, Mohammed had little choice but to try the drug, as the risk of





blowing her cover would have been deadly. Shortly afterwards she had to report the usage to her immediate supervisor and attend a mandatory detox and rehabilitation before being cleared to return to work. Through these experiences the young detective learned to rely on not only her communication skills, her intuition, street smarts, and attention to detail but also her survival instincts.

Over time, Mohammed came to understand that conducting tedious research for cases and sifting through filthy drug house trash cans were far more common elements of investigation than the excitement or intrigue shown on *NCIS* or *New York Undercover*. For an investigator, the ability to interview and write reports is vastly more important than how accurately they can shoot at the range or how skilled they are at tactical driving.

After several more years, Mohammed was eventually promoted to sergeant, supervising the general Investigations Unit. That same year, Mohammed led the investigation of a fellow police officer killed in the line of duty. This was her most difficult case, as the murder victim was not only an academy classmate of hers but also a close, personal friend. This made the case especially traumatic.

Several more years passed, and 15 years into her career, Sergeant Mohammed was promoted to captain. After getting her bars pinned on, Mohammed was assigned to command the entire investigative division, which included general investigations, homicide, gangs, drugs, sex crimes, property crimes, and white-collar crimes. In her second year as a captain, Mohammed led a highly publicized case that stunned everyone

in the community. A young teenage boy was brutally beaten to death in an affluent neighborhood. There was overwhelming evidence against a neighbor who had a prior criminal history of violence, and no one in the community doubted his guilt, yet he remained un-charged, and the investigation stayed open. The community was outraged. Over the next three years, Mohammed and her team actively pursued and investigated the case, only to discover they had the wrong suspect.

This thumbnail sketch of one detective's career offers a glimpse into the world of the criminal investigator. Criminal investigation is a complex, sophisticated field, each aspect of which could constitute a book. This text includes the most basic aspects of criminal investigation. Section 1 presents an overview of criminal investigation and general guidelines to follow or adapt in specific circumstances, as well as basic considerations in the preliminary investigation, the most critical phase in the majority of investigations.

Investigators must be thoroughly familiar with crimes and their elements, modus operandi information, the major goals of investigation, the basic functions of investigating officers, and the investigators' relationships with other individuals and agencies.

Investigators do not operate in a vacuum but must relate to constitutional safeguards. They must also understand how case law determines the parameters within which they perform the investigative process. How these constitutional safeguards and case law specifically affect investigations is emphasized throughout the text.

# Chapter 1

## Criminal Investigation: An Overview

### Chapter Outline

A Brief History of Criminal Investigation	The Follow-Up Investigation
Definitions Pertinent to Criminal Investigation	Computer-Aided Investigation
Primary Goals of Criminal Investigations	A Brief Word about Problem-Oriented Policing
Basic Investigative Functions: The Responsibility of All Police Personnel	Investigative Liaisons within a Community Policing Paradigm
Characteristics of an Effective Investigator	Major-Case Task Forces
An Overview of the Investigative Process	Law Enforcement Resources
The Initial Investigation and Police Contact	Clearing a Case and the Remainder of the Investigative Process
Incident Review and Solvability Factors: A Critical Step in Managing Criminal Investigations	A Word about Investigative Productivity
	Avoiding Civil Liability

### Learning Objectives

- L01 Summarize the primary goals of the criminal investigation.
- L02 Describe the basic functions performed by investigators.
- L03 Understand the intellectual, psychological, and physical characteristics possessed by an effective investigator.
- L04 Describe the key aspects of the initial investigation.
- L05 Explain how investigators decide whether or not to pursue a criminal investigation and what information they consider in this process.
- L06 Identify the various individuals and entities with whom successful investigators interrelate.
- L07 Describe some of the ways investigators can protect against civil lawsuits.





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## Introduction

On a cold January day in 2010, Livonia, Louisiana, police officer John Thibodeaux was patrolling the roads of Pointe Coupee Parish when he saw a car swerving between lanes. Officer Thibodeaux stopped the car and arrested the driver, 45-year-old Kevin Edison Smith, for drug possession. Under Louisiana law, police are authorized to take DNA samples during drug arrests, and Smith's DNA was entered into the national database. Little did Thibodeaux realize at the time that his stop would provide the missing piece to a murder mystery that had dodged Texas police for nearly 15 years.

On March 5, 1996, 13-year-old Krystal Jean Baker was last seen leaving a convenience store in Texas City, Texas. Krystal—who incidentally was the great-niece of Norma Jean Baker, aka Marilyn Monroe—was reportedly walking to a friend's house after a family spat at her grandmother's home. Her body was found later that day under

a bridge in Chambers County. She had been sexually assaulted and strangled. DNA swabs were taken but led nowhere.

Several months after Smith's arrest in Louisiana, police in Texas City discovered the needle in the haystack they had been searching for—a DNA hit to match the sample gathered from the child victim. According to authorities, had Smith been pulled over in Texas for his offense, the case may never have been solved, because under Texas law, DNA can be taken only after an individual is convicted of certain sex offenses. In Louisiana, however, state law allowed DNA samples to be collected from suspects, not just convicted felons.

Some would say that the traffic stop and subsequent arrest were just plain luck. However, experience and alertness often play significant roles in investigation, and an observant police officer can initiate an important criminal investigation, sometimes without realizing it at first. Criminal investigation combines art and science

and requires extraordinary preparation and training. And in today's high-tech society, where information flows faster than ever and citizens expect results more quickly, investigators need to step up their technology and teamwork skills—they need an edge.

Because no two crimes are identical, even if committed by the same person, each investigation is unique. The great range of variables in individual crimes makes it impossible to establish fixed rules for conducting an investigation. Nevertheless, some general guidelines help to ensure a thorough, effective investigation. Investigators modify and adapt these guidelines to fit each case.

Investigators need not have superhuman reasoning ability. They must, however, proceed in an orderly, systematic way, gathering facts to analyze and evaluate. This chapter introduces decisions to be made and the actions to be taken. Subsequent chapters explain each step of the preliminary and follow-up investigations more fully.

## A Brief History of Criminal Investigation

Contemporary criminal investigation owes its genesis to several notable individuals and events, the first significant one being the 1748 appointment of Henry Fielding as Magistrate of England's Bow Street. In 1750, as a response to widespread crime and disorder throughout his jurisdiction, Fielding formed the Bow Street Runners, which became the first paid detective unit.

Another noteworthy individual in the evolution of criminal investigation was Eugène François Vidocq, a former criminal turned crime fighter who is considered the father of modern criminology. In 1811, Vidocq organized a plainclothed civilian detective unit called

the Brigade de la Sûreté (Security Brigade), and in 1812, when the police realized the value of this unit, it was officially converted to the National Police Force, with Vidocq appointed head of the unit.

In 1833, Vidocq created Le Bureau des Renseignements (Office of Information), which combined private police and private investigation into what is considered the first private detective agency. Interestingly, most of the agents were ex-criminals. As head of the unit, Vidocq is often recognized as the first private detective in history. Vidocq is credited with introducing undercover work, ballistics, and criminology. He made the first plaster casts of shoe impressions and created indelible ink and unalterable bond paper. The exclusive Vidocq Society—a fraternal organization founded in 1990 whose members are both

law enforcement professionals and nonprofessionals and meet monthly in a social setting to evaluate and discuss unsolved crimes, often homicides, officially brought to them by other law enforcement agencies—is named after him. Admission into this elite society is selective, with just over 150 individuals currently allowed to wear the distinctive red, white, and blue Vidocq rosette representing membership.

Also around this time, in 1842, England's Scotland Yard created an investigative branch.

Meanwhile, in the United States, the first municipal detective divisions were beginning to take shape. Allan Pinkerton, who immigrated from Scotland to the United States in 1842, played a significant historical role in modern police investigations. He was appointed the first detective in Chicago in 1849 and was a cofounder of the Northwestern police agency, which later became the Pinkerton National Detective Agency, whose symbol was a watchful eye and whose motto was "We never sleep." Pinkerton's agents were the forerunners for the U.S. Secret Service, and his agency was employed at the federal level for many famous cases, including protecting Abraham Lincoln in his presidency. Pinkerton developed several investigative techniques still used in law enforcement that include stings and undercover work, as well as the surveillance methods of shadowing and following targets or suspects. He was also known for working on a centralized database of criminal identification records that is now maintained by the Federal Bureau of Investigation (FBI).

Investigative units also began cropping up in other police agencies after Chicago's lead, with Detroit establishing a detective bureau in 1866, followed by New York in 1882 and Cincinnati in 1886.

The use of biometrics and identification systems in criminal investigation began in 1882, when French police officer Alphonse Bertillon, now considered the father of personal identification, unveiled a system known as anthropometry, in which offenders were identified by their unique physical measurements, as well as personality characteristics and individual markings, such as tattoos and scars. In 1884, Bertillon used his technique to identify 241 multiple offenders, demonstrating that the Bertillon system could successfully distinguish first-time offenders from recidivists. The system was quickly adopted by American and British police forces and remained a primary method of identifying suspects for more than three decades, when fingerprint analysis replaced it as more accurate means of identification.

Bertillon also standardized the criminal mug shot, advocated that crime scene pictures be taken before the scene was disturbed in any way, and developed "metric

photography" to reconstruct the dimensions of a particular space and the placement of objects in it. Other forensic techniques credited to Bertillon include forensic document examination, ballistics, the use of molding compounds to preserve footprints, and the use of the dynamometer to determine the degree of force used in breaking and entering.

The field of criminalistics and forensics began taking shape in 1910, when Edmond Locard, a French criminologist, set forth his "exchange principle" stating that a criminal always removes something from a crime scene or leaves incriminating evidence behind. Under police leaders such as August Vollmer and J. Edgar Hoover, who is credited with molding the FBI into a credible national law enforcement entity, law enforcement and investigators in the United States began adopting Locard's exchange principle in 1932.

August "Gus" Vollmer, known as the father of modern policing, pioneered the movement to professionalize police by starting the first school in which officers could learn the laws of evidence. In 1905 he was elected town marshal of Berkeley, California, and in 1909 he became its first police chief. However, before officially becoming the chief, Vollmer was bringing innovation to criminal investigation. In 1907 he became the first American officer to implement the use of blood, fiber, and soil analysis in criminal investigations. In 1920 he was the first chief to have his department use the lie detector, an instrument developed by the University of California during a criminal investigation.

These early developments, as shown in Table 1.1, set the stage for a rapidly evolving field of criminal investigation in the United States. But what, exactly, *is* criminal investigation?

## Definitions Pertinent to Criminal Investigation

An investigation is a patient, step-by-step inquiry or observation; a careful examination; a recording of evidence; or a legal inquiry. The word **investigate** is derived from the Latin word *vestigare*, meaning "to track" or "trace," a derivation easily related to police investigation. A **criminal investigation** is the process of discovering, collecting, preparing, identifying, and presenting evidence to determine what happened, whether a crime was committed, and who is responsible.

Criminal investigation is a reconstructive process that uses **deductive reasoning**, a logical process in which a conclusion follows from specific facts. Based on specific pieces of evidence, investigators establish



proof that a suspect is guilty of an offense. For example, finding the suspect's watch at the scene of a burglary is one piece of evidence that supports the premise that the suspect was at the scene. An issue that might arise is whether the watch could have been planted there. Investigators need to anticipate what issues might arise and what evidence is needed to support the prosecutor's case. All issues in dispute must be supported by evidence. The more evidence an investigation yields, the stronger the proof of guilt. Equally important, however, is evidence establishing innocence.

**Criminalistics** refers to specialists trained in recording, identifying, and interpreting the minutiae (minute details) of physical evidence. A **criminalist** (aka crime scene technician, examiner, or investigator) searches for, collects, and preserves physical evidence in investigations of crime and suspected criminals. Criminalistics is a branch of **forensic science**, a broader field that encompasses the application of myriad scientific processes to the law, including legal inquiries conducted within the context of the criminal justice system (Fantino, 2007). The U.S. Department of Justice lists the following as the most common forensic science laboratory disciplines (2019):

- Molecular biology
- Chemistry
- Trace evidence examination (hairs and fibers, paints and polymers, glass, soil, etc.)
- Latent fingerprint examination
- Firearms and toolmarks examination
- Handwriting analysis
- Fire and explosives examination
- Toxicology
- Digital evidence

Other disciplines that may have a forensic applications include odontology, anthropology, serology, and photography. Practitioners involved in the disciplines of forensic pathology, forensic nursing, forensic psychology, forensic entomology, and forensic engineering are most often found in medical examiner or coroner offices, in universities, or in private practices (USDOJ, 2019).

The first determination in a criminal investigation is whether a crime has, in fact, been committed. Although everyone has a notion of what crime is, investigators must have a very precise understanding of what it means. Specific definitions of such terms as *crime*, *felony*, *misdemeanor*, *criminal statute*, and *ordinance* are found in case law.

A **crime** is an act or omission (of an act) that is forbidden by law and considered an offense against the state. In contrast to a tort, which is a private harm, a crime is a violation of a public right to which a government-sanctioned penalty is attached. The broader use of the term *crime* includes both felonies and misdemeanors, two general categories whose parameters are set based on the severity of an act and its recommended punishment. The more serious society considers a crime, the more severe the penalty. A **felony** is a serious crime, graver than a misdemeanor; it is generally punishable by death or imprisonment of more than one year in a penitentiary. A **misdemeanor** is a crime or offense that is less serious than a felony and is punishable by a fine or imprisonment of as long as one year in an institution other than a penitentiary. Misdemeanors are sometimes further subdivided into gross and petty misdemeanors, based on the value of the property involved and/or the severity of the offense.

A crime can be defined at the state or federal level through a **criminal statute**, a legislative act relating to prohibited conduct and attaching a penalty or punishment to that conduct. A crime can also be defined by an **ordinance**, an act of the legislative body of a municipality or county relating to all the rules governing the municipality or county, including misdemeanors. Statutes and ordinances list specific conditions, called the **elements of the crime**, that must occur for an act to be called a specific kind of crime. For example, a state statute might define burglary as occurring when (1) an accused enters a building (2) without the consent of the rightful owner (3) with the intent to commit a crime. An investigation must prove each element, even if the suspect has confessed. Sections 3 and 4 of this text discuss the elements of major crimes. Knowing these specific elements is essential to gathering evidence to prove a crime has been committed. Definitions of crimes and their penalties vary considerably depending on whether they occur at the municipal, county, state, or federal level. Consequently, investigators must be familiar with their area's criminal statutes and ordinances. For example, in some states, shoplifting is a felony regardless of the value of the property taken. In other states, however, the value of the shoplifted property determines whether the crime is a misdemeanor or a felony.

Because crimes and their penalties are established and defined by state and federal statutes and local ordinances, an act that is not declared a crime by statute or ordinance is not a chargeable offense, no matter how wrong it may seem. Designated crimes and their punishments change as society's attitudes change. In the past, for example, behavior associated with alcoholism was considered criminal, but

TABLE 1.1 Major Advances in Criminal Investigation

1750	First paid detective unit is formed in England—Fielding's Bow Street Runners.
1833	First private detective agency is formed in France by Vidocq.
1849	Pinkerton becomes the first American detective (in Chicago). Other municipalities across the country soon establish detective positions.
1868	DNA discovered.
1882	Alphonse Bertillon uses anthropometrics as a means of identification.
1893	First major book on investigation, <i>Criminal Investigation</i> by Austrian Hans Gross, is published.
1896	Edward Henry develops a fingerprinting system, which is adopted throughout England in 1900.
1908	Federal Bureau of Investigation (FBI) is established.
1909	Dr. Karl Landsteiner discovers the different human blood types and classifies them into A, B, AB, and O groups.
1910	Dr. Edmond Locard sets forth his "exchange principle."
1913	Professor Victor Balthazard publishes his classic article on firearms identification.
1920s	Calvin Goddard raises firearms identification to a science and perfects the bullet comparison microscope.
1923	August Vollmer establishes the first full forensic laboratory, in Los Angeles.
Early 1950s	James Watson and Francis Crick identify the structure of DNA.
1967	FBI creates the National Crime Information Center (NCIC), which has been called the lifeline of law enforcement. NCIC is a collective database that includes stolen items, identity of terrorists, and missing persons; runs 24 hours a day, 365 days a year; and is available to all American as well as international law enforcement.
1970s	FBI implements the Behavioral Science Unit, more commonly known as "criminal profiling." This criminal investigation technique seeks to understand the psychological characteristics of an individual as a way to predict future crimes as well as narrow down a profile of a likely suspect in a case.
1979	Herman Goldstein's Problem-Oriented Policing is published.
1985	Alec Jeffreys discovers the parts of the DNA structure that are unique in each person, making positive identification possible.
1986	First use of DNA typing in a criminal case, in England: DNA is used to clear a suspect in a murder. (A detective in the East Midlands read of the case and sought Jeffreys's help in solving the vicious murder and rape of two British schoolgirls. The police held a prime suspect in the case, a kitchen porter at an insane asylum who had confessed to one of the murders. They brought to Jeffreys semen samples from the murder scenes and a blood sample from the suspect. Jeffreys confirmed that the same person committed both crimes, but it was not the suspect the police held. On November 21, 1986, the kitchen porter became the first person in the world to have his innocence proven by DNA testing.)
1988	First use of DNA typing in a criminal case, in the United States, in which a criminal is identified by DNA ( <i>Andrews v. State</i> , 1988). (Lifecodes Corporation [Stamford, Connecticut] performed the tests in the first case in the United States in which a criminal was identified by DNA. The trial of accused rapist Tommie Lee Andrews began in Orlando, Florida, on November 3, 1987. A scientist from Lifecodes and an MIT biologist testified that semen from the victim matched Andrews's DNA and that Andrews's print would be found in only 1 in 10 billion individuals. On November 6, 1987, the jury returned a guilty verdict, and Andrews was subsequently sentenced to 22 years in prison.)
1991	FBI forms CART (Computer Analysis and Response Teams) to investigate suspects' computers.
1994	CompStat (COMPUter STATistics) is developed in New York to reduce crime and manage personnel.
1997	Idea of "Touch DNA" is developed.
1998	FBI launches the Combined DNA Index System (CODIS), a database that stores DNA profiles submitted by law enforcement and private laboratories and is used to identify criminal suspects.
1999	FBI launches the Integrated Automated Fingerprint Identification System (IAFIS), a database that retains fingerprints taken from law enforcement and is used to identify suspects.
2011	FBI launches Next Generation Identification (NGI), a system upgrade to replace IAFIS that integrates a fingerprint database and incorporates other biometric identification methods, such as voice, facial recognition, iris recognition, fingerprint, and palm print.
2013	U.S. Supreme Court rules that DNA can be taken from persons under arrest. No conviction is required.
2017	Rapid DNA Act passes allowing DNA testing to be implemented when booking a suspect into jail.
2018	Clarifying Lawful Overseas Use of Data (CLOUD) Act established to speed access to electronic information held by U.S.-based global providers that is critical to our foreign partners' investigations of serious crime.

today many states regard alcoholism as an illness. However, driving while intoxicated is now considered a much more serious offense than it was previously. Additionally, our society has designated as crimes certain acts, such as computer fraud, that were unknown in earlier times.

## Primary Goals of Criminal Investigations

The goal of criminal investigation would seem to be to solve cases. In reality, the goals of criminal investigation are not quite so simple. Investigators must first determine whether a crime has, in fact, been committed and then, if it has, systematically seek evidence to identify the individual or individuals who committed the crime, locate the individual or individuals, and obtain sufficient evidence to prove in court that each suspect is guilty beyond a reasonable doubt. If the investigation is of a property crime, an additional goal is to locate and recover the property that was taken. Procedures to accomplish these goals are the focus of the remainder of this text. However, it must always be remembered that determining the truth is more important than obtaining a conviction or closing a case.

### L01 Summarize the primary goals of the criminal investigation.

The primary goals of criminal investigation are to:

- Determine whether a crime has been committed.
- Legally obtain information and evidence to identify the responsible person.
- Arrest the suspect.
- Recover stolen property.
- Present the best possible case to the prosecutor.

As discussed, a criminal investigation is unwarranted if no crime has been committed. A legal arrest cannot be made for an act that is not defined by statute or ordinance as a crime. Thus, the first goal of an investigator is to assess whether the evidence corroborates a specific offense. Determining whether a crime has been committed involves knowing the elements of each major offense and the type of evidence that supports the offenses and ascertaining whether that evidence is present.

In addition to proving that a crime has been committed, investigators must determine when the crime occurred and who committed it. Determining when the

event occurred is critical for checking alibis and reconstructing the **modus operandi (MO)**—the preferred method a criminal uses when committing his or her crimes. If the crime was committed by a repeat offender, recognizing an MO can help the investigator identify the responsible party or parties. For example, it was relatively easy to recognize the “work” of Jack the Ripper or the Washington, DC–area snipers. The peculiarities of each crime scene may be entered into an MO file and matched with characteristics of known perpetrators of previous crimes. However, investigators must always be vigilant for the potential for “copycat” offenders, and suspects should never be eliminated simply because their known MO does not fit the crime being investigated.

While committing crimes, people may make mistakes. They almost always leave some type of evidence. They may overlook tangible evidence such as a jacket, pen, purse, piece of paper, or card that connects them with a crime scene. Such evidence may be left for any number of reasons: carelessness, panic, underestimation of police capabilities, emotional or mental instability, or the influence of drugs or alcohol. More often, however, criminals leave trace evidence, less visible evidence such as fingerprints, small particles of glass or dirt, a faint footprint, body hairs, or clothing fibers. Investigators search for evidence using methods discussed fully in Chapter 4.

Sometimes, however, little or no evidence exists. Thus, not all crimes are solvable. For example, a theft committed by a transient who enters a house through an open door, takes food (larceny), eats it, and then leaves the area unseen is a crime not likely to be solved. A burglary committed by a person wearing gloves and whose footprints are washed away by a hard rain before police arrive will be more difficult to solve than if it had not rained. Often fingerprints are found but cannot be matched with any prints on file. Many cases have insufficient evidence, no witnesses, and no informants to provide leads. Solvability factors will be discussed later in this chapter.

Investigators learn to recognize when a case is unsolvable, but only after all **leads** (avenues bearing clues or potential sources of information relevant to solving the crime) have been exhausted. An FBI agent once remarked, “Any average person with training can pursue ‘hot’ leads. It is the investigator who can develop leads when the trail grows cold who is the superior investigator.” A successful investigation is one in which

- A logical sequence is followed.
- All physical evidence is legally obtained and analyzed.
- All witnesses are effectively interviewed.



- All suspects are legally and effectively interrogated.
- All leads are thoroughly developed.
- All details of the case are accurately and completely recorded and reported.

## Basic Investigative Functions: The Responsibility of All Police Personnel

Early police organizations were one-unit/one-purpose departments, with everyone performing generalized functions, including criminal investigations. However, over time, departments perceived a need for specialization because of

- The need to know about criminals and their MOs
- The amount of training necessary for learning and developing investigative techniques
- The frequency with which investigators had to leave their assigned shifts and areas during an investigation
- Patrol forces' heavy workloads
- A general administrative philosophy that supported specialization as a means of increasing efficiency and therefore solving more crimes

In larger police departments, specialization developed first in investigative functions and only later in other areas such as traffic, crime prevention, juveniles, and community relations. In most of these departments, the investigative division remains a separate unit under its own command and supervisory personnel. The officer in charge reports directly to the chief of police or a chief of operations. Department policy specifies the roles of and the relationships among the administrative, uniformed patrol, and investigative divisions. When these roles are clearly defined, the department can better achieve its common goals, with the investigative division fulfilling its assigned responsibilities in coordination with all other departments.

It is important to recognize that even in agencies where “investigations” are a separate division, they still exist within an integrated whole, with all levels of police administration and operations contributing to the success of criminal investigations. Administrative decisions affect the selection and assignment of personnel as well as the policies regulating their performance. According to the U.S. Bureau of Labor Statistics, detectives and criminal investigators comprised approximately 14% of all sworn law enforcement personnel in 2018 (n.d.).

Today, researchers are studying the extent to which specialization should remain, its effectiveness, the number of personnel who should be assigned to specialized investigative functions, and the selection and training required for such specialization. Several specific factors appear to support the training of *all* officers to perform investigative duties:

- Increasing competition for tax monies
- Possession of highly sophisticated equipment by some criminals
- More criminals using multiple MOs
- “Withdrawal syndrome” within the general public (i.e., the desire to remain uninvolved necessitates specialized training in interviewing techniques)
- Overwhelming workload of cases assigned to investigative personnel
- More intelligent, better-educated police recruits
- More police training available

The reality is that the majority of policing in the United States today occurs not in large, urban law enforcement organizations but in small agencies, serving relatively small jurisdictions, where departments do not have the “luxury” of a dedicated division of detectives. As such, the ultimate responsibility for criminal investigation lies with all police personnel, regardless of rank or title.

Uniformed patrol has traditionally been considered the backbone of the police department and has been responsible for the initial response to a crime. As first responders, patrol officers are required to perform at least preliminary investigations and are, in fact, in an ideal position to see an investigation through to its disposition. Experiments have shown that initial investigations by patrol officers can be as effective as those conducted by specialists. Involving frontline officers in the entire investigative process creates interest in crime prevention as well as investigation. In addition, giving patrol officers increased responsibility for investigating crimes frees detectives, in those agencies with such specialists, to concentrate on offenses that require more detailed investigations as well as on cases that require them to leave the community to conduct special interviews or to pursue leads. The result is a better investigation by the patrol officer of the more frequent, less severe crimes.

The trend toward having all officers assume a more active role in investigating crimes allows patrol officers more responsibility when responding to a call and

enables them to conduct as much of the follow-up investigation as their shift and assigned areas of patrol permit. The importance of the patrol officer's investigative role cannot be overemphasized.

Regardless of whether departments have specialists or generalists, their goal is the same: solving crimes. Similarly, the investigative functions are the same, whether executed by a uniformed patrol officer or a detective in a suit and tie.

## L02 Describe the basic functions performed by investigators.

Investigators perform the following functions:

- Provide emergency assistance.
- Secure the crime scene.
- Photograph, videotape, and sketch.
- Take notes and write reports.
- Draft legal documents such as search warrants and subpoenas.
- Search for, obtain, and process physical and digital evidence.
- Obtain information from witnesses and suspects.
- Conduct photographic and in-person lineups.
- Identify suspects.
- Conduct raids, surveillances, stakeouts, and undercover assignments.
- Testify in court.

Most of these basic functions are discussed in detail in Section 2. What is important at this point is to realize the complexity of and interrelationships among the various functions performed by investigators and the skills they must develop.

Before looking at the characteristics of an effective investigator, it is prudent to briefly mention here the function of the crime scene investigator, or CSI, a specialist in the organized scientific collection and processing of evidence. CSIs not only develop, process, and package all physical evidence found at the crime scene and transport it to the lab for forensic evaluation, but they also attend and document autopsies, write reports, and testify in court about the evidence. And while CSIs are investigators, their role is limited to dealing with physical evidence and few, if any, of the other functions performed by a “generalist” criminal investigator. As such, further discussion about CSIs and the phenomenon known as the CSI effect is presented in Chapter 5.

## Characteristics of an Effective Investigator

Although criminal investigation has become increasingly scientific over the past two centuries, investigators are frequently required to practice the “art” of investigation, that is, to rely on skill acquired by experience, study, and observation rather than on scientific principles. Investigators must develop the ability to see relationships between and among apparently unrelated facts and to question the apparently unquestionable. Effective criminal investigations require great attention to detail, an exceptionally suspicious nature at the appropriate time, considerable training in the classroom and the field, an unusual ability to obtain information from diverse types of personalities under adverse circumstances, and endless patience and perseverance. In short, a good investigator is knowledgeable, creative, patient, and persistent. Regardless of title, pay, or rank, investigative officers are more effective when they possess specific intellectual, psychological, and physical characteristics.

### Intellectual Characteristics

Investigators must absorb training and apply it to their work. They must know the elements of the crime, understand and be able to apply investigative techniques, and be able to work with many different types of people. Exceptional intelligence is not a requisite trait of an effective investigator; objectivity, logic, and common sense are more important.

## L03 Understand the intellectual, psychological, and physical characteristics possessed by an effective investigator.

Effective investigators obtain and retain information, apply technical knowledge, and remain open-minded, objective, and logical. They are well-organized and able to prioritize and manage cases effectively. They are also **culturally adroit**, that is, skilled in interacting across gender, ethnic, generational, social, and political group lines.

Investigators meet and talk with people from all walks of life—blue-collar workers and professionals, males and females, adults and juveniles—and must adjust their approach to each. In addition, each crime scene must be absorbed and recalled, sometimes months or years later. Thus, accurate, complete, and well-organized reports and records are essential.

Investigators also develop knowledge of and skill in investigative techniques such as interviewing and interrogating, photographing and sketching, searching, note taking, and numerous other areas discussed in Section 2. Such knowledge and skill are acquired through continuous training and experience, including academic classroom experiences, personal experiences, street learning, and learning from others in the field.

The abilities to obtain and retain information and to use investigative techniques effectively are worth little without the ability to reason through a case. The mental process involved in investigation is extremely complex. Logic is indispensable and often involves reverse thinking—that is, working the case backward. Why did an event happen? When? How? Who is culpable? Investigators must examine all possible cause-and-effect relations, find links, and draw conclusions—but only after they thoroughly explore all alternatives.

Decision making is continual and, to be effective, must be based on facts. When investigators review information and evidence, they concentrate on what is known (facts) rather than on what is only probable (inferences), and they eliminate personal opinions as much as possible. With sufficient facts, investigators can make valid inferences, from which they can logically draw definite conclusions.

A *fact* is an action, an event, a circumstance, or an actual thing done. In contrast, an *inference* is a process of reasoning by which a fact may be deduced (deductive reasoning). An *opinion* is a personal belief. For example, an investigator called to the scene of a shooting finds a dead man with a revolver in his hand (fact) and a suicide note on the table (fact). The officer might infer that the man committed suicide. The investigator might also hold the opinion that people who commit suicide are cowards. This opinion is irrelevant to the investigation. The inference, however, is critical. If the officer formulates a theory about the death based on suicide and sets out to prove the theory correct, much information and evidence may be overlooked or ignored. This is known as **inductive reasoning**, going from the generalization and establishing it by gathering specific facts. (Recall that criminal investigation is a reconstructive process that uses deductive reasoning.) Often both types of reasoning are required in an investigation.

Although investigators must draw inferences and form theories, they must also remain open-minded and willing to consider alternatives. Effective investigators guard against the tendency to become sold on a suspect or theory early in an investigation because such a mind-set creates an investigative myopia or shortsightedness, fostering the subconscious shaping of evidence or interpreting information to support their premature theory. Preconceived

ideas hinder good investigation; objectivity is essential. Whenever an inference is drawn, its validity should be tested by examining the facts on which it is based.

The investigator seeks the truth, not simply proof of the suspect's guilt. Article 10 of the *Canons of Police Ethics* (International Association of Chiefs of Police [IACP]) states, "The law enforcement officer shall be concerned equally in the prosecution of the wrongdoer and the defense of the innocent. He shall ascertain what constitutes evidence and shall present such evidence impartially and without malice" (IACP, 1957).

## Psychological Characteristics

Certain psychological characteristics are indispensable to effective investigation.

**L03** Understand the intellectual, psychological, and physical characteristics possessed by an effective investigator.

Effective investigators are emotionally well-balanced, detached, inquisitive, suspecting, discerning, self-disciplined, conscientious, and persevering.

Investigation is highly stressful and involves many decisions. Therefore, it requires emotional stability. Overly defensive or overly sensitive officers may fall victim to stress. Investigators must also absorb abuse and at the same time show kindness and empathy. Further, they must remain detached and uninvolved; otherwise, the problems of those with whom they are in contact will decrease their objectivity. Personal involvement with individuals associated with an investigation hinders the investigation and poses a direct threat to the investigator's emotional well-being.

Although remaining detached and objective, effective investigators are intimately involved with every aspect of the case. They do not accept things at face value; rather, they question what they hear and see. They use their knowledge of human nature to determine the truth of what is said. People often lie or tell half-truths, but this does not necessarily mean they are criminals. With experience, investigators develop a sense for who is telling the truth, who has important information, and who is acting suspiciously. The ability to distinguish the ordinary from the extraordinary and the normal from the suspicious is a hallmark of an effective investigator.

In addition, investigators must be self-disciplined and able to organize their time. Closely related to

self-discipline is the willingness to persevere, to “stick with it” as long as is reasonable. Investigation often involves hours, days, or months of waiting and watching, of performing tedious, boring assignments that may or may not yield information or evidence helpful to the case. Thus, patience and perseverance are often the key to successful investigation. And although perseverance is desirable, it should not be confused with a stubborn refusal to admit a case is not likely to be solved. An investigator’s ability to prioritize and manage cases, so as to devote more resources to those cases with a higher likelihood of being cleared, increases their effectiveness.

Investigators often experience cases in which facts, reason, and logic seem to lead nowhere. Yet, just when the case is about to be closed, an obscure newspaper item, an anonymous phone tip, an overheard remark at a social function, or even a series of events having no apparent connection with the case may provide leads for further investigation. Many cases are solved when investigators develop leads and pursue both relevant and seemingly irrelevant information. This is where the art of investigation supersedes the science of investigation.

Perseverance, coupled with inquisitiveness and intuition, is indispensable in difficult cases. Scores of experienced investigators attest to the value of **intuition**, a “sudden knowing” without conscious reasoning or apparent logic. Based on knowledge and experience, intuition is commonly referred to as *street sense*. It is the urge to proceed with no apparent valid reason, a “gut feeling” developed through experience.

## Physical Characteristics

Age, height, and weight, unless they are extreme, are not important characteristics for investigators. However, some physical characteristics are important.

**L03** Understand the intellectual, psychological, and physical characteristics possessed by an effective investigator.

Effective investigators are physically fit and have good vision and hearing. Undercover investigators must also “look the part.”

Good health and a high energy level are beneficial because the hours spent performing investigative duties can be long and demanding. In addition to being physically fit, investigators are aided by keen vision and hearing. Investigators may have to listen to words during sobbing, moans, and hysteria; hear a very weak voice from a

seriously wounded or dying person; listen to more than one person talking at a time; or conduct an interview while a plane is flying overhead, machinery is operating, or heavy traffic is passing by.

Finally, investigators who are working undercover are often allowed a more “lenient” standard of physical appearance than are regular patrol officers, such as having piercings, tattoos, and copious facial hair, as a way of blending into the group they are investigating.

## An Overview of the Investigative Process

A criminal investigation is usually initiated following either the personal observation of a crime by a police officer or the receipt of information from a citizen. Such information is received at police headquarters or central dispatch by phone, fax, email, text, radio, or direct report when a person steps up to make a complaint or report a crime. Crime information may also be called in or texted anonymously to a tip line. A police dispatcher relays the information to a patrol officer by radio, phone, or mobile computer in the officer’s squad car, and the officer responds. Regardless of how the incident becomes known to police, this awareness of or reporting of a crime sets the investigative wheels in motion and is the first stage in a criminal investigation. The various stages of the investigative process, as well as the personnel involved, the official reports generated, and the victim’s, complainant’s, and suspect’s roles are described in Table 1.2. It is important for the student to recognize that reports are involved in every stage of the investigative process and report writing consumes a substantial amount of an investigator’s time.

## The Initial Investigation and Police Contact

Most initial investigations, also referred to as preliminary investigations, begin the same way, and the same basic procedures are followed regardless of whether the first officer at the scene is a patrol officer, an investigator, or the chief of police.

## The Initial Response

The first officer who responds, also known as the primary officer, is in charge until relieved by another officer. Department policy defines who is to respond as well as the duties of these individuals.



**L04** Describe the key aspects of the initial investigation.

The initial response is usually by a patrol officer assigned to the area where a crime has occurred.

The initial response is crucial to the success of an investigation. Although it is popularly believed that cases are won or lost in court, more cases actually are lost during the first hour of an investigation—the initial response period—than in court.

After notification, either through direct observation or departmental communications, the officer goes to the scene as rapidly and safely as circumstances permit. A crime-response survey conducted by the Law Enforcement Assistance Administration (LEAA) revealed that a response time of one minute or less is necessary to increase the probability of arrest at the scene. Most police departments, however, cannot assure their citizens of such a short response time, even for emergencies. To provide a one-minute response time, police agencies would need much smaller patrol areas, much larger staffs, computer-dispatched vehicles and personnel, and, thus, much larger budgets.

It is important to arrive at a crime scene rapidly because

- The suspect may still be at or near the scene.
- Injured persons may need emergency care.
- Witnesses may still be at the scene.
- A dying person may have a confession or other pertinent information to give.
- Weather conditions may change or destroy evidence.
- The integrity of the crime scene and evidence must be preserved.

The responding officers proceed to the scene as quickly as safety allows. Officers who injure themselves or someone else on the way to a call may create more serious problems than exist at the crime scene. They may, in fact, open themselves, their department, and even their city to civil and criminal liability. Many departments are developing necessary guidelines for rapid responses, replacing the assumption that all calls for service should be responded to as rapidly as possible.

The seriousness of a crime and whether it is in progress are important factors in driving speed and the

TABLE 1.2 A Brief Summary of the Investigative Process

Stage of Investigation	Police Role	Stage of Reports	Victim's/Complainant's Role	Suspect's Role
Initial Report	Dispatched to call for service	Recording of initial call/report	Reports the incident, requests police response	Sometimes interferes with the call
Initial Investigation/Police Contact	Arrive on scene and acquire information; may collect evidence	Incident reports and all applicable forms	Provides interviews and information about the incident and suspect; may provide evidence	Provides interviews and information about the incident; may provide evidence
Incident Review/Case Screening	Determine if further investigation is required after a review of the case	Police supervisor reviews the case for approval	Sometimes informed of case status	None
Follow-Up Investigations	Gather remaining information and evidence required for the case	Additional reports, additional interviews and evidence	Verifies and confirms information	Additional interviews and interrogations if cooperative and warranted
Case Preparation and Approval	Review the reports, coordinate the case with prosecution	Ready to submit for formal charging or court processing	None	None
Prosecution and Charging of Crime	Be available for court and testimony	Prosecution and court reports	Be available for court and testimony	In custody or present for court; if not present, have legal representation
Conclusion	Clear reports, release or purge evidence; close case with a disposition	File all complete reports into records	Retrieve any property used as evidence in the case	None

Source: Cho, H. L. Cho Research & Consulting, LLC. Copyright 2011.



rapidity of response. The use of emergency lights and siren may depend on the information furnished or may be dictated by department policy or state laws. A siren speeds arrival, but it also prompts the criminal to flee the scene. On the other hand, in a violent crime against a person, a siren alerting the offender may prevent further violence. Sometimes the victim, to avoid attracting attention, requests that no sirens and red lights be used. Some agencies and states, however, have policies or laws that require a responding officer to use both lights and siren together. Officers must know the specific laws governing their jurisdiction and whether they are allowed discretion in using lights and siren.

The route taken is also an important consideration. Officers should know which streets are under construction in their areas and avoid them. They must also choose between the fastest route and the route the suspect might use to leave the scene. When approaching a scene, officers should observe people leaving the scene and make mental notes of their descriptions. If two officers are in the patrol vehicle, one may write descriptions of people and vehicles observed leaving the scene. Many officers use in-squad video or digital recorders for such observations, permitting a single officer to record information while proceeding to the scene.

While driving to the scene, officers formulate a plan of action based on the type of crime and its location. An immediate response may be crucial because, even if no immediate arrest is made, the amount of information that can be obtained is directly related to the speed of response. Moreover, initial information is often the most important and accurate.

Many departments have found that sending several vehicles to a crime scene may not be the most effective approach. Instead, they implement a “bull’s-eye,” or target, approach, dispatching only a few vehicles directly to the crime scene (the bull’s-eye). Other units are sent to observe traffic at major intersections radiating away from the crime scene in an attempt to intercept fleeing suspects. Success depends on broadcasting the suspects’ descriptions rapidly and getting to the major intersections quickly. In many cases, such a response is more effective in catching the suspects than focusing all resources directly on the crime scene itself.

## The Point of Arrival

When the first officers arrive, the scene may be either utter chaos or deserted. Regardless of the situation, the officers must take charge immediately and form a plan for proceeding based on the information they have at hand, which might not be much. The actions the first responders take at a crime scene can determine the value of the evidence for investigators and prosecutors.

People at a crime scene may be excited, apprehensive, or perplexed. They may be cooperative or uncooperative, confused or lucid. Therefore, officers must be flexible and understanding. Discretion and good judgment are essential because the greatest potential for solving the case lies with those present at the scene, even though many details of the crime may not be known at this stage. More decisions are made in less time at the point of arrival than at any other stage in the investigation, and this is when officers obtain most leads for subsequent action.



The initial response is a crucial stage in an investigation. The responding officer should obtain as much information from dispatch as possible before arriving on the scene.

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## Setting Priorities

Circumstances at the scene often dictate what is done first.

### L04 Describe the key aspects of the initial investigation.

The priorities when arriving on scene are as follows:

- Handle emergencies first to achieve scene safety.
- Secure the scene to protect the integrity of the investigation.
- Investigate.

The following guidelines can be adapted to fit specific circumstances.

## Handling Emergency Situations

Sometimes emergencies dictate procedure. An emergency may include a dangerous suspect at or near the scene, a gravely injured person, or an environmental hazard such as downed power lines or chemical spills. Any of these emergencies can present a life-threatening situation for the officer and others, and their handling takes priority over other actions and situations. For example, if you arrive at a crime scene and the suspect begins to shoot at you, apprehending the suspect obviously becomes your first priority. In other instances, a person may be so seriously injured that without immediate aid, death is probable. Such an emergency takes precedence over all other procedures, unless officer safety or other public safety concerns preclude it. Then the scene must be secured before an officer administers aid.

Good judgment and the number of available officers dictate what should occur first if more than one emergency exists. Sometimes the decision is difficult. For example, if a victim is drowning, a suspect is running away, and only one officer is at the scene, the officer must make a split-second decision. Usually, saving life takes precedence. However, if the officer can do nothing to save the victim, the best alternative is to pursue the suspect. Apprehending the suspect may save other victims.

Responding to emergency situations causes the adrenaline to flow. At the same time, officers must plan their approach and remain extremely vigilant regarding the inherent danger associated with in-progress crimes. Officers should be preparing mentally for what they might encounter and continue to communicate with dispatch and other responding officers as new details arise.

One of the most important details to communicate is whether the suspect has fled the scene and could be, or is known for a fact to be, armed with a dangerous weapon.

Officers should also attempt to think like the suspect. They should decide which escape routes are probable and block them. Available information about the situation helps officers decide whether using lights and siren is advantageous to them or to the suspect. Officers should think about what they would do if they were the suspect and were cornered at the crime scene. If it is daytime, officers may be visible and the suspect not. If it is nighttime, officers may be able to take advantage of a darker area for their approach.

Flexibility is essential. The situation must be carefully assessed because each incident is different and requires different approaches and techniques. Officers should be cognizant that more than one suspect may be present.

Maintaining some physical distance can facilitate observation and give officers time to make decisions that will enhance their safety. In addition, reporting information as it becomes available helps backup know what they are coming into and offers other responding officers ideas on where they may need to go to secure a perimeter.

**A Suspect at or near the Scene.** If a call is made rapidly enough and officers can respond quickly, they may observe the crime in progress and arrest the suspect at the scene.

### L04 Describe the key aspects of the initial investigation.

Any suspect at the scene should be detained, questioned, and then released or arrested, depending on circumstances.

Departmental policy determines whether the first officer at the scene thoroughly interrogates a suspect. Before any in-custody interrogation, an officer must read the *Miranda* warning to the suspect (a legality discussed in Chapter 6). Even if the policy is that officers do not interrogate suspects, officers often use discretion. For example, they may have to take a dying declaration or a suspect's spontaneous confession. If this occurs, a statement is taken immediately because the suspect may refuse, or be unable, to cooperate later. A more formal interrogation and written confession can be obtained later at the police department.

The suspect is removed from the scene as soon as possible to minimize the destruction of evidence and to facilitate questioning. The sooner suspects are removed, the less they can observe of the crime scene and possible evidence against them.

**If the Suspect Has Recently Fled.** If the suspect has just left the scene, immediate action is required. If the information is provided early enough, other units en route to the scene may make an arrest.

#### L04 Describe the key aspects of the initial investigation.

If a suspect has recently left the scene, officers obtain descriptions of the suspect, any vehicles, direction of travel, and any items taken, and then dispatch the information immediately.

As soon as practical, officers obtain more detailed information about the suspect's possible whereabouts, friends, descriptions of stolen items, and other relevant information regarding past criminal records and MOs. Such information can provide insight into where a suspect might go after committing a crime. For example, is the suspect a gambler or a heavy drinker? Could they be headed to a favorite bar? Do they have family living nearby? If a video from a responding squad car has captured the suspect vehicle's license plate, who is the registered owner, and where do they live?

**If a Person Is Seriously Injured.** Emergency first aid to victims, witnesses, and suspects is often a top priority of arriving officers. Officers should call for medical assistance and then do whatever possible until help arrives. They should observe and record the injured person's condition. When medical help arrives, officers should assist and instruct medical personnel during the care and removal of those injured to diminish the risk of contaminating the scene and losing evidence.

If a person is injured so severely that he or she must be removed from the scene, attending medical personnel should be instructed to listen to any statements or utterances the victim makes and to save all clothing for evidence. If the injured person is a suspect, a police officer almost always accompanies the suspect to the hospital. The humanitarian priority of administering first aid may have to become second priority if a dangerous suspect is still at or near the scene because others may be injured or killed.

**If a Dead Body Is at the Scene.** A body at the crime scene may immediately become the center of attention, and even a suspect may be overlooked. If the victim is obviously dead, the body should be left just as it was found but it and its surroundings protected. Identifying the body is not an immediate concern. Preserving the scene is more important because it may later yield clues about the dead

person's identity, the cause of death, and the individual responsible, as discussed in Chapter 8.

**Environmental Hazards.** Life-threatening emergency situations may also be present if a chemical spill has occurred, power lines have been downed, or any type of explosive device has detonated. Specific steps to take under these various scenarios is beyond the scope of this text, but common sense dictates that responders always be aware of the scene surroundings and potential hazards, stay upwind or outside the perimeter of possible contamination, and be ready to contact additional resources to help achieve scene safety. Utility companies may need to be summoned or hazmat teams deployed before a scene is truly safe to occupy. It is now common for first responders to undergo basic hazardous materials response training, and the Federal Emergency Management Agency (FEMA) offers numerous online courses for officers and agencies.

## Protecting the Crime Scene

Securing the crime scene is a major responsibility of the first officers to arrive. Everything of a nonemergency nature is delayed until the scene is protected. The critical importance of securing the crime scene is better understood when one considers **Locard's principle of exchange**, a basic forensic theory that postulates that when objects come in contact with each other, there is always a transfer of material, however minute, between them. This evidence can easily be lost if the crime scene goes unprotected. At outdoor scenes, weather conditions such as heat, wind, rain, snow, or sleet can alter or destroy physical evidence. In addition, people may accidentally or intentionally disturb the scene. Additions to the scene can be as disconcerting to later investigation as the removal of evidence is.

Officers should explain to bystanders that protecting the crime scene is critical and that the public must be excluded. Bystanders should be treated courteously but firmly. A delicate part of public relations is dealing with the family of someone who has been killed. Officers should explain what they are doing and why and help family members understand that certain steps must be taken to discover what happened and who is responsible.

Crime scene protection can be as simple as locking a door to a room or building, or it can involve roping off a large area outdoors. Within a room, chairs or boxes can be used to cordon off an area. Many officers carry rope in their vehicle for this purpose and attach a sign that says "CRIME SCENE—DO NOT ENTER."

Officers setting up a crime scene perimeter should allow a wide enough area where they are confident most of the evidence will be, keeping in mind that a crime



scene can always be made smaller; however, expanding it often proves more difficult. *Only* those officers directly involved in processing the crime scene should be allowed inside the crime scene perimeter. A buffer area should then be established around the crime scene area, where other officers and administrators, or other public officials, can be. Outside of that the buffer area is where the public and media may be allowed.

Sometimes other officers arriving at the scene can cause problems by ignoring posted warnings and barriers. *Ironically, police officers with no assigned responsibilities at a scene are often the worst offenders.* Arriving officers and everyone present at the scene should be told what has happened and what they need to do. Other officers can be asked to help preserve the scene, interview witnesses, or search for evidence. Officers not involved in processing the scene must be made aware that if they enter the actual crime scene they must complete a full report, a step that serves the dual purposes of maintaining the integrity of the scene and deterring unnecessary intruders.

A guard should be stationed to maintain security. If all officers are busy with emergency matters, a citizen may be asked to help protect the area temporarily. In such cases, the citizen's name, address, and phone number should be recorded. The citizen should be given specific instructions and minimal duties. The citizen's main duty is to protect the crime scene by barring entrance and to keep passersby moving along. He or she should not let any person into the area except police who identify themselves with a badge. The citizen should be relieved from guard duty as soon as possible and thanked for the assistance.

#### L04 Describe the key aspects of the initial investigation.

All necessary measures to secure the crime scene must be taken—including locking, roping, barricading, and guarding—until the preliminary investigation is completed.

Evidence should be protected from destruction or alteration from the elements by being covered until photographing and measuring can be done. Sometimes investigators must move evidence before they can examine it. For example, a vehicle covered with snow, dust, or other materials can be moved into a garage. In one case, a car used in a kidnapping was found four days later in a parking lot. Snow that had fallen since the kidnapping covered the car. To process the car's exterior for fingerprints, investigators took the car to a garage to let the snow melt and the surface dry. Evidence is discussed in depth in Chapter 5.

## Conducting the Preliminary Investigation

After all emergency matters have been handled and the crime scene has been secured, the actual preliminary investigation can begin. This includes several steps whose order depends on the specific crime and the types of evidence and witnesses available.

#### L04 Describe the key aspects of the initial investigation.

Responsibilities during the preliminary investigation include

- Questioning victims, witnesses, and suspects
- Conducting a neighborhood canvass
- Measuring, photographing, videotaping, and sketching the scene
- Searching for evidence
- Identifying, collecting, examining, and processing physical evidence
- Recording all statements and observations in notes

Each of these procedures is explained in greater detail in Section 2. At this point, what is important is the total picture, the overview. In simple cases, one officer may perform all these procedures; in complex cases, responsibilities may be divided among several officers. Everything that occurs at a crime scene is recorded with photographs, videotapes, sketches, and complete, accurate notes. This record is the basis of future reports and is vital for future investigation and prosecution of the case.

Information may be volunteered by victims, witnesses, or suspects at or very near to the time of the criminal actions. Unplanned, spontaneous statements about what happened by people present at the scene are called *res gestae* (“things done”) statements. **Res gestae statements** are unrehearsed statements made at the time of a crime concerning and closely related to actions involved in the crime. They are often considered more reliable and truthful than later, planned responses. *Res gestae* statements are generally an exception to the hearsay rule because they are usually very closely related to facts and are therefore admissible in court. *Res gestae* statements should be recorded in the field notes, and the person making the statements should sign or initial them so that there is no question of misunderstanding or of the person later denying having made the statement.

In addition to receiving and recording voluntary statements by victims and witnesses, investigators must go looking for information by conducting a neighborhood canvass as discussed in Chapter 6.

**Determining Whether a Crime Has Been Committed and, If So, What Type.** As early as is feasible during the preliminary investigation, it is necessary to determine whether a crime has, in fact, been committed. Officers should observe the condition of the scene and talk to the complainant as soon as possible. After discussing the offense with the victim or complainant, the officers should determine whether a specific crime has been committed. If no crime has been committed—for example, the matter is a civil rather than a criminal situation—the victim should be told how to obtain assistance. If it is determined that a crime did occur, officers need to assess what type of crime or crimes were committed.

It is common for crime victims to misclassify what has occurred. For example, a citizen who comes home to find their back door kicked in and their new flat screen TV gone might report in their 9-1-1 call that they have been robbed. However, the responding officer determines that the crime was actually a burglary, not a robbery. As a general rule, burglary involves property being stolen from something tangible, such as a dwelling, whereas robbery involves property being stolen from a person by force or threat of force. The technical differences between some crimes are often unclear to laypersons, and thus the call an officer is responding to may actually turn out to involve a different crime entirely. In addition, state statutes differ in their definitions of the elements of certain crimes. For example, in some states, entering a motor vehicle with intent to steal is larceny; in other states, it is burglary.

**Field Tests.** Investigators often want to know whether evidence discovered is what they think it is—for example, a bloodstain or an illegal substance. Field-test kits help in this determination. Field tests save investigators' time by identifying evidence that may have little chance of yielding positive results in the laboratory, and field tests are less expensive than full lab examinations. However, they are used on only a small number of specific items of evidence located at crime scenes. If a field test is affirmative, the evidence is submitted to a laboratory for a more detailed, expert examination whose results can then be presented in court.

Investigators can use field tests to develop and lift fingerprints; discover flammable substances through vapor and fluid examination; detect drugs, explosive substances on hands or clothing, imprints of firearms on hands, or bullet-hole residue; and conduct many other tests. Local, state, and federal police laboratories can

furnish information on currently available field-test kits and may provide training in their use.

**Establishing a Command Center.** In complex cases involving many officers, a command center may be set up where information about the crime is gathered and reviewed. This center receives summaries of communications, police reports, autopsy results, laboratory reports, results of interviews, updates on discovered evidence, and tips. Personnel at the center keep files of news releases and news articles and prepare an orderly, chronological progress report of the case for police command, staff, and field personnel. If the investigation becomes lengthy, the command center can be moved to police headquarters.

**Dealing with the News Media.** A close, almost symbiotic relationship exists between the police and the news media. And while they depend upon each other, they are often seen as being at odds. Despite the need for cooperation, complaints from both sides are prevalent. Reporters complain that police withhold information and are uncooperative. The police complain that reporters interfere with cases and often sensationalize. It is important that the media and the police understand and respect each other's roles and responsibilities. Neither police nor media should regard the other as the enemy.

At any major crime scene or during any major criminal investigation, the media will be seeking all of the human-interest stories they can find. The media serve the public's right to know within legal and reasonable standards, a right protected by the First Amendment. The public is always hungry for news about crime. The police, on the other hand, are responsible for upholding the Sixth and Fourteenth Amendment guarantees of the right to a fair trial, the protection of a suspect's rights, and an individual's right to privacy. This often necessitates confidentiality. Further, making some information public could impair or even destroy many investigations. On the other hand, the police rely on the media to disseminate news about wanted suspects, to seek witnesses from the community, or to convey important information quickly to the public. Many cases are solved because of information from citizens.

In their quest for information, the media may target victims and witnesses. In some instances, victims are taken by surprise when the media shows up and safeguards have not yet been put in place to protect the victims' identities. And in some cases, victims or witnesses inadvertently reveal information that is being withheld from the media by law enforcement, as the police attempt to preserve the integrity of an investigation. A tool used by some police departments to protect both the privacy of victims and



witnesses and the integrity of an investigation is a card telling these citizens how to deal with the media (Figure 1.1). The back of the card lists telephone numbers for the public information office and the victim services section.

Some departments use public information officers (PIOs) to interface with the media. Other departments assign the highest-ranking officer at the time of an incident or use written information releases. Still others allow virtually any officer involved in a case to address the media. Department policy commonly governs what information can be disseminated and who can release it. Officers must be aware of such policies and make sure to follow them. Officers who are not identified or trained as media liaisons should defer questions to a supervisor or speak with their supervisor prior to providing any information to the media. There might be facts or circumstances an officer is unaware of that may compromise the investigation or violate the data privacy act.

Media access to police information is neither comprehensive nor absolute. In general, the media have no right to enter any area to which the public does not have access, and all rules at cordoned-off crime scenes are as applicable to the media as they are to the general public.

Sometimes the media are directed to a certain area and advised of a time for a debriefing or an official press

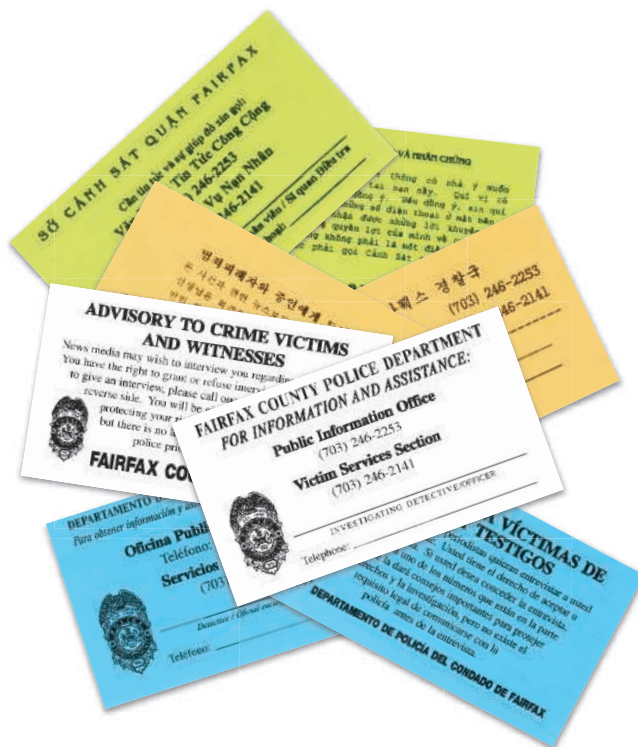
release. This protocol allows officers to process the crime scene without disruption, protects witnesses and victims from media pressure, and assures that all media are given current and accurate information. Such plans should be arranged as soon as possible during a preliminary investigation, as media often listen to scanners and can be quick to arrive on the scene.

Most members of the media understand the restrictions at a crime scene and cooperate. It is necessary to exercise firmness with those who do not follow instructions and even to exclude them if they jeopardize the investigation. Only facts—not opinions—should be given to reporters. The name of someone who has been killed should be given only after a careful identity check and notification of relatives. No information on the cause of death should be released; the medical examiner determines this. Likewise, no legal opinions about the specific crime or the suspect should be released. If officers do not know certain information, they can simply state that they do not know. The phrase “no comment” should be avoided because it implies you are hiding something. The benefit of a healthy relationship with the media is clear: “A good rapport with the media fosters a positive relationship with the general public. If you have a good partnership with the media, you generally have a good relationship with the public, because that’s how the public gets information” (Garrett, 2007, p. 24).

Suggestions for dealing with the media include these: confirm the situation and verify information before giving any statement; position yourself with a provision for an easy exit; give a brief initial statement (5–10 seconds) with no questions answered and indicate police concern for the safety of those involved; establish your intent to return with additional information; and set the time for the return (Paris, 2007).

Additional advice for dealing with the media involves presenting a positive image, including marked patrol cars in the background and uniformed personnel actively engaged in the crime scene. Negative views to be avoided include body bags, yellow crime scene tape, hysterical victims and relatives, identifiable items such as addresses, evidence that needs to be kept confidential, and officers just standing around (Donlon-Cotton, 2007).

It is also imperative to recognize that in today’s digital environment, data often flow instantaneously and in real time. If the media are unable to get information from the police, they may seek it from other sources, including witnesses who are willing to share statements and cell phone recordings, livestreaming social media feeds, or other social media posts. It is important that police keep a positive relationship with the media in the event that investigators need help accessing these sources.



**Figure 1.1**  
Media advisory for crime victims and witnesses.

Source: Used by permission of the Fairfax County Police Department.



Providing an appropriate response to media questions can help an investigation, whereas poorly planned responses may actually hinder progress on a case.

Tom Carter/Alamy Stock Photo

## A Final Consideration about Initiating Investigations

Although an investigations section may handle complex cases and those extending beyond the ability of patrol, patrol officers should handle a case from beginning to end whenever possible, including presenting it to the prosecutor, even if it means taking a case beyond the end of the shift (Stockton, 2006). Important benefits of this follow-through include

1. Patrol officers' effectiveness and expertise increase significantly.
2. Initial effort increases because officers know who is working on the follow-up.
3. Follow-up is timelier, resulting in more reliable witness interviews.
4. Job satisfaction increases.

When patrol officers know how to conduct an investigation, a department has investigators working around the clock.

## Incident Review and Solvability Factors: A Critical Step in Managing Criminal Investigations

After the preliminary investigation has concluded, a review of the incident is conducted to determine

whether the information gleaned thus far warrants further investigation. This screening process eliminates from the investigative workload those cases with a low potential for being solved or those that are determined to be unfounded. Police departments use case screening as a way to “maximize the effectiveness of their investigative and uniformed personnel, a critical need in the light of the fiscal constraints most municipalities face” (Cawley et al., 1977, p. 37). It is interesting to note that even four decades ago, law enforcement agencies were seeking ways to better utilize their limited resources in an effort to enhance productivity and effectiveness under tightening budgets, a situation that certainly continues to burden police managers today.

Many police departments screen investigations with a form that asks specific questions. If the answers to these questions are negative, the department either gives the case low priority for assignment or does not assign it at all. Factors that are considered when deciding whether to keep open or pursue an investigation further are called **solvability factors**, elements of information relating to a crime that are known to increase the likelihood of that crime being solved. For the purposes of this discussion, a case can be considered “solved” when a prosecutor is satisfied that sufficient evidence exists to charge a person with the crime (Coupe, Ariel, & Mueller-Johnson, 2019).

Among the most important solvability factors are the existence of one or more witnesses and whether a suspect can be named or at least described and located.

Other solvability factors include whether a vehicle can be identified; if stolen property is traceable through identification marks, unique characteristics, or serial numbers; if physical evidence is present; if there is a distinguishable MO; and whether crime analysis can help identify a suspect. The gravity of the offense and the possibility that the suspect may present a continued serious threat to others also factor into whether a case proceeds for investigation.

**L05** Explain how investigators decide whether or not to pursue a criminal investigation and what information they consider in this process.

Case screening involves the systematic evaluation of solvability factors, such as the existence of witnesses and physical evidence, to determine which cases have the greatest likelihood of being solved and, thus, should be assigned for further investigation.

Even if a suspect is known or has confessed, an investigator must prove the elements of the crime and establish evidence connecting the suspect with the criminal act. Some cases require that suspects be developed, located, identified, and then arrested. Others begin with an arrest and proceed to identification. No set sequence exists, as the process is case dependent.

Whatever path the case investigation takes, an investigator must maintain accurate, thorough, up-to-date documentation of every step, from the initial report of or response to a crime, through the various stages of investigation, to the final disposition of the case. While many departments still use the manila file folder method of case management, technology is increasingly streamlining the process.

## The Follow-Up Investigation

Preliminary investigations that satisfy all the investigative criteria do not necessarily yield enough information to prosecute a case. Despite a thorough preliminary investigation, many cases require a follow-up investigation. A need for a follow-up investigation does not necessarily reflect poorly on those who conducted the preliminary investigation. Often factors exist that are beyond the officers' control. For example, weather can destroy evidence before officers arrive at a scene, witnesses can be uncooperative, and evidence may be weak or nonexistent, even after a very thorough

## Technology Innovations

### Case Management Software

As with many aspects of law enforcement, computer software is enhancing the ability of investigators to track and prioritize tips and leads, develop an analytical time line, and manage the scheduling of tasks related to the investigation, such as follow-up interviews and evidence handling and analysis. Case Closed™, i-Sight®, EHS Insight, Trackops, and Perspective are only a few examples of software developers and providers of digital tools to help investigators manage their cases more effectively. While the specific capabilities of the different products vary, common features include programs that enable investigators to track cases, court status, evidence, and incoming tips; record incidents and manage leads; create and maintain a database of suspects, victims, witnesses, and informants involved in a particular case; identify crime trends; and generate reports. Many provide a mobile app that allows investigators to access software and databases from the field and create in situ audio and video files crucial to an investigation. In addition, some programs allow investigators from one agency or department to interface and collaborate with personnel from other organizations.

preliminary investigation. Other times, new information or evidence may come to light at a later time and require some follow-up.

The follow-up phase builds on what was learned during the preliminary investigation and can be conducted by the officers who responded to the original call or by detectives or investigators, depending on the seriousness and complexity of the crime and the size of the department. If investigators take over a case begun by patrol officers, coordination is essential.

Investigative leads that may need to be pursued include checking the victim's background; talking to informants; following up on leads provided by the public; determining who would benefit from the crime and who had sufficient knowledge to plan the crime; tracing weapons and stolen property; and searching MO, mug shot, and fingerprint files. Figure 1.2 provides an example of an investigative lead sheet that might be used in the follow-up. Specific follow-up procedures for the major offenses are discussed in Sections 3, 4, and 5.



## Computer-Aided Investigation

Computers have significantly affected police operations. The role of computers in law enforcement and criminal investigation has evolved from being a useful aid (a nice

thing to have) to being an essential tool (a *must* have). One of the biggest advances in using computer technology came in 1994 when William Bratton implemented the CompStat (Computerized Statistics, aka Compare Statistics) program in New York. From the beginning,

### Investigative Lead Sheet

Case number _____		Lead number _____	
Priority level: <input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High			
Subject _____		Informant _____	
Name _____ Address _____ Race _____ DOB _____ Sex _____ Height _____ Weight _____ Eyes _____ Hair _____ Identifying features _____ Employed _____ Occupation _____		Name _____ Address _____ Home telephone _____ Other telephone _____ How informant knows subject _____	
Telephone numbers Home _____ Work _____ Vehicle make _____ Year _____ Model _____ Color _____ Condition _____ Tag _____ Associates _____ ID confirmed <input type="checkbox"/> Yes <input type="checkbox"/> No How? _____ Details of lead _____ _____ Lead received by _____ Date/Time _____ Lead # assigned _____ Lead status <input type="checkbox"/> Good lead <input type="checkbox"/> Questionable lead <input type="checkbox"/> Suspicious informant <input type="checkbox"/> Insufficient information Lead assigned to _____ Date/Time _____ Findings _____ _____ <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Open lead   <input type="checkbox"/> Closed lead         </div> <div> <input type="checkbox"/> Additional investigation required  <input type="checkbox"/> Could not locate subject  <input type="checkbox"/> Unfounded         </div> <div> <input type="checkbox"/> Subject has weak alibi  <input type="checkbox"/> Other  <input type="checkbox"/> Subject has alibi  <input type="checkbox"/> Cleared by evidence  <input type="checkbox"/> Other         </div> </div> Other lead number references _____ Report completed <input type="checkbox"/> Yes <input type="checkbox"/> No Report# _____ Investigative supervisor _____ Date _____ Lead-room supervisor _____ Date _____			

**Figure 1.2**

Investigative lead sheet.

Source: Steidel, S. E., ed. (2006, May). *Missing and abducted children: A law enforcement guide to case investigation and program management*, 3rd ed. Washington, DC: National Center for Missing and Exploited Children.

CompStat was hailed as an innovative managerial paradigm in policing, an information-driven strategy that stressed accountability at all levels of the police hierarchy. To achieve the goal of enhancing quality of life through reduced levels of crime, CompStat was built around four basic principles: (1) accurate and timely intelligence, (2) rapid deployment of resources, (3) effective tactics, and (4) relentless follow-up and assessment (Jang, Hoover, & Joo, 2010). CompStat 2.0 was released in 2016 with an upgrade that allows information to be shared almost instantly with other officers, the public, and the media (Figure 1.3).

Computers can help investigators efficiently access existing information such as fingerprint records and DNA tests, record new information and store it compactly for instant transmission anywhere, analyze the information for patterns (mapping), link crimes and criminals, manipulate digital representations to enhance the images, and re-create and visually track a series of events. Computers are also increasingly being used for electronic document management, allowing investigators to scan evidence captured from paper and attach audio and video clips to the case file. And, as already discussed, computers and software are helping investigators better manage their overall caseloads.

The ability to share data across jurisdictional lines is one of the most valuable benefits computers provide to investigators. In addition, the Internet has become

an invaluable tool to criminal investigators, offering hundreds of thousands of websites and databases to aid informed investigators. One such resource is Thomson-Reuters's CLEAR® for law enforcement, established in 2008, which allows investigators to access numerous distinct public records databases in one central location, saving investigative time, enhancing the detection and analysis of crime patterns and trends, and helping connect the dots between incidents, individuals, and locations more efficiently and effectively. Through this website, investigators can find information about a subject's past addresses, vehicles, relatives, phone numbers, business affiliations, assets, and more. As an example of its many success stories, the application claims to have helped investigators locate information that led to finding a child who had been missing for eight years.

## Crime Analysis, Mapping, and Geographical Information Systems

Using crime mapping, spreadsheet software, and advanced data analysis, crime analysis units have become integral partners in today's policing. Before the computer revolution, the traditional crime map consisted of a large representation of a jurisdiction glued onto a bulletin board with colored pins stuck into it. These maps suffered many limitations—they lost previous crime

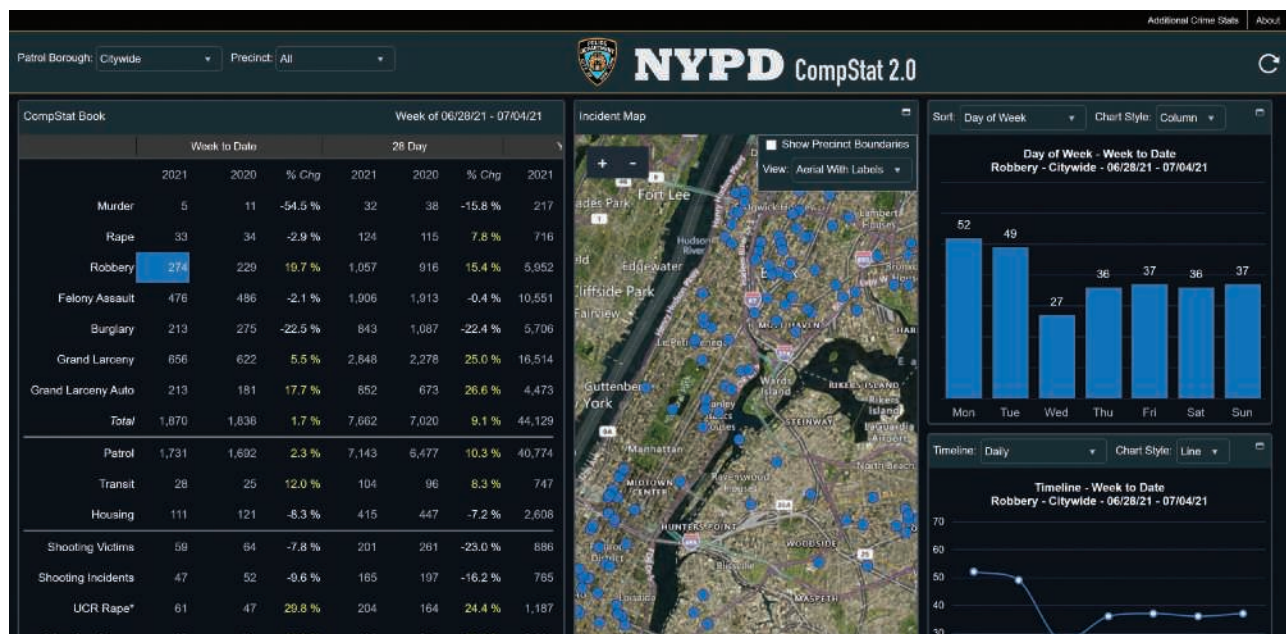


Figure 1.3

The New York City Police Department makes much of its crime data available to the public through CompStat 2.0, an online interactive experience that allows users to filter information by various parameters, including crime type, neighborhood, and day of the week.

New York City Police Department