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INVESTIGATIONS

CHAPTER 15

UTAH STATE BOARD OF EDUCATION
CAREER AND TECHNICAL EDUCATION

CHAPTER FIFTEEN: INVESTIGATIONS

INVESTIGATIVE TECHNIQUES

Rather than detail the numerous procedures followed during the investigations of specific crimes, this chapter will present some of the techniques and patterns utilized in investigations. Most on-view arrests are made by uniformed officers, while most investigations are conducted by detectives or investigators, many of whom work in specialized areas such as homicide, robbery, burglary, and fraud.

An investigation involves taking what is known about a criminal activity and using it to solve the crime. Solving a crime includes determining who committed the crime, what law was actually violated, and how the crime was committed. Investigative work basically deals with three elements that provide the investigator with information on the crime and how it was committed:

1. The scientific method of reasoning
2. The testimony of witnesses
3. Physical evidence

The scientific method of reasoning refers to the mental processes utilized when an investigator endeavors to construct an accurate explanation for the commission of a crime with the facts and evidence he/she is presented with. The key steps in this process are:

1. Identify the problem and what unknowns are to be solved.
2. Collect data, such as evidence, witness statements, interrogations, interviews, etc.
3. State a hypothesis. Who does the evidence point to as a suspect?
4. Test the hypothesis. Does the suspect have a valid alibi or a motive?
5. Draw a conclusion. Can other evidence verify the hypothesis? Does probable cause exist to arrest a suspect?

The investigator tries to reconstruct the entire chain of events surrounding a particular criminal act. He/she will rely heavily on the deductive process of logic. *Deductive reasoning* means that the unknown is to be determined by examining what is known. As facts about the crime are gathered, common sense dictates certain ways of assembling those facts. For example, common sense tells us that if the criminal seen by a witness had a noticeable limp, the police should attempt to locate suspects with leg problems. Imagination is sometimes useful as well, however, for it may be that the criminal had a rock in his shoe and did not have time to remove it before being seen by the witness.

Using the deductive reasoning process to combine facts, common sense, and reasoning, the questions of who, what, when, where, why and how can often be answered. The investigator uses the facts to suggest a hypothesis; if the hypothesis cannot be verified, he/she may need to suggest others. (See the Basic Investigative Flowchart below.)

On occasion, police will act on a hunch, a feeling that a certain person would be a good suspect or that a crime was committed for a reason that is not obvious to others. Actually, a hunch is usually a form of *inductive reasoning*. Because of the officer's experience and training, certain items known about the suspect or situation may lead the officer to mentally connect them with the crime being investigated. Although it does not replace the deductive process, following up the hunches of experienced officers is often fruitful.

DEVELOPING LEADS

Recently, progressive agencies have organized “crime analysis” or “crime intelligence” units. Using the ability of computers to store and search through enormous amounts of information, such units can generate investigative leads. Typically, an investigator can give what limited information is available about a single crime to the unit, which in turn can generate a list of possible suspects.

There are nine basic sources of investigative leads:

1. **Physical evidence:** Physical evidence may point to a specific individual, as in the case of fingerprints, or to a group of suspects, such as anyone having A-positive blood. Physical evidence may tie a suspect to a crime scene or show intent to commit a crime. Most physical evidence leads are not useful until other leads establish the possible identity or location of a suspect. Physical evidence alone does not guarantee an arrest or conviction.
2. **Background check:** A background check determines the past history, associates, and activities of a victim. This will often produce facts concerning possible motives for a crime, as well as connections between the victim and any suspects.
3. **Motive:** Examine the question of who would profit from a particular crime. Often, this will shed light on the reasons behind the crime as well as possible suspects.
4. **Knowledge:** The circumstances surrounding a crime scene may indicate that suspects with certain abilities or knowledge probably perpetrated the crime. For example, some crimes are referred to as “inside jobs,” meaning the criminal must have been familiar with building layout, alarm system, guard patterns, combinations, etc. Other signs may indicate that the criminal was a professional, an amateur, a juvenile, etc.
5. **Who was in the area:** Have known criminals been seen in the area lately? Who has been field interviewed in the area?
6. **Vehicles involved:** The type of vehicle involved may indicate the status of the criminal or the nature of the crime, or point to a particular suspect. Even partial license plate numbers may give clues to possible suspects.
7. **Informants:** An officer may be able to use information from an individual that he/she has helped previously, or someone that he/she may pay for information. An informant can often provide useful leads on major crimes. The officer must weigh the value of the information gained against the risks to society in utilizing this particular source. A patrol officer wishing to become a detective should cultivate informants early in his/her career.
8. **Witnesses:** Anyone who observed any part of the criminal activity is considered a witness. Not all witnesses are aware that they have observed part of a criminal act, and not all witnesses want to cooperate with the police regardless of their legal obligation to do so. If a suspect is arrested at the scene, the suspect should also be considered a witness. Not only does the suspect have information about accomplices in the particular crime, but he/she may also have information about other crimes that he/she may have been involved in.

A second group of witnesses is composed of people at the scene, such as the complainant, victim, and other involved citizens. These people will often remain at the scene because they have personally been involved.

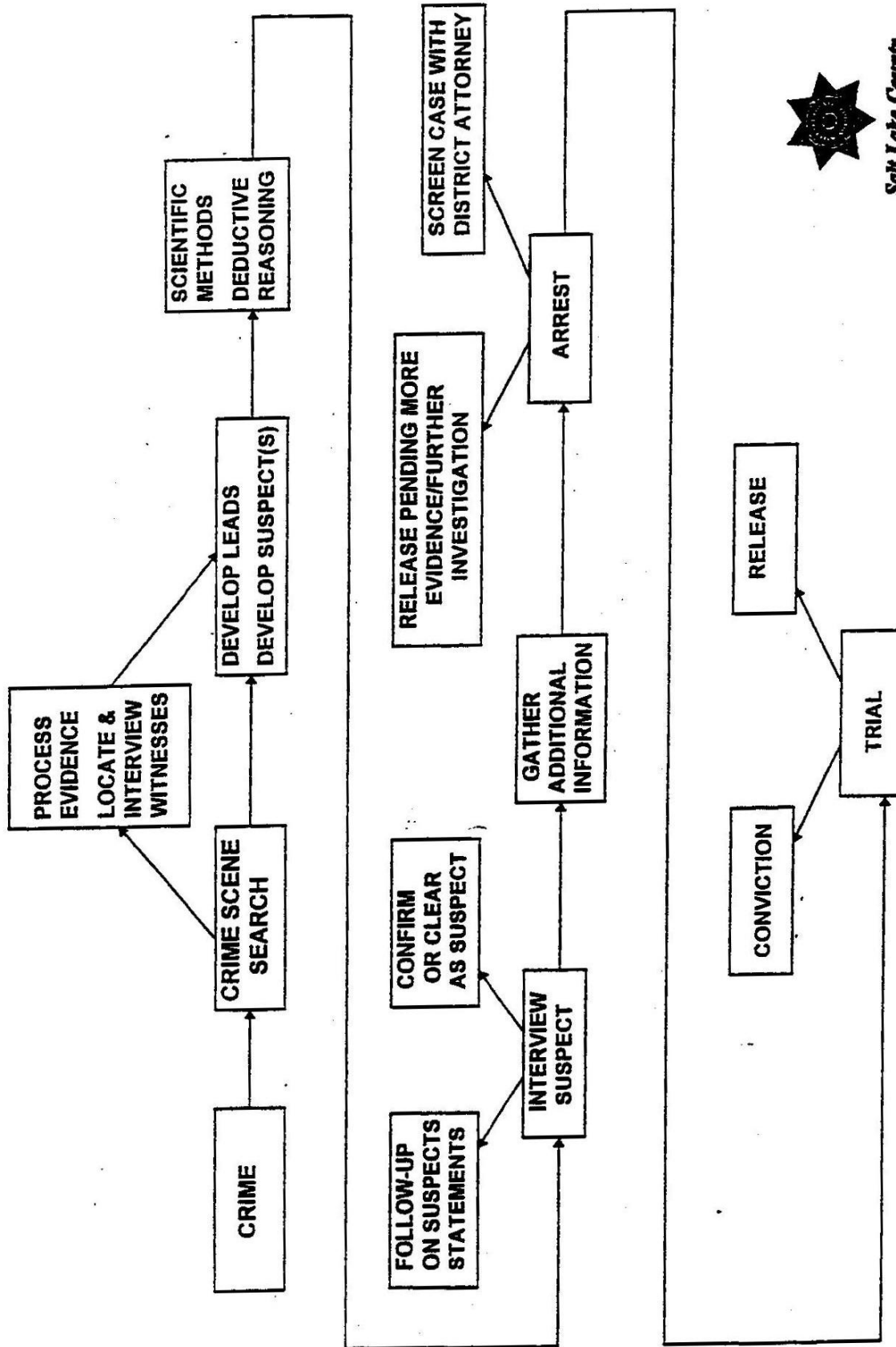
A much larger group of witnesses must be sought out by the investigator. These are the witnesses who don't want to be involved, who didn't know a crime was being committed, or who fear retaliation. These individuals are located through a neighborhood canvassing technique. First, the investigator must determine the *view area*. This is the area where someone may have seen any part of the crime. It may be the inside of a bank or an entire park. After determining the view area, canvassing involves going door to door and business to business, contacting all employees and residents. This should be done several times to ensure that as many potential witnesses as possible are located. The officer may return at

several different times and on several different days of the week in this effort. Service personnel who travel in the area, such as bus drivers, delivery persons, milk truck drivers, and others, are also contacted.

In some crime investigations, the seriousness of the crime and the lack of leads may lead to the offering of rewards to entice witnesses to step forward. In many cases, arrangements can be made to keep the identity of the witness secret. The media, through TV and newspaper coverage are usually cooperative in advising the public of information needed by police. The printing of suspect sketches and bank robbery photographs has been particularly productive. Most law enforcement agencies have special phone numbers for potential witnesses to call.

9. **Modus operandi:** *Modus operandi* refers to the method of operation that the criminal follows in committing the crime. Like all humans, criminals develop patterns, habits, and techniques that they tend to repeat over and over again. A modus operandi becomes a trademark of a particular criminal, and officers compile modus operandi files on known criminals. By noting the specific patterns of a given crime, the investigator can check through the files for suspects having similar patterns. A basic MO can be developed by answering the following questions about a crime:
 - What is the classification of the crime?
 - How was the crime committed?
 - What was the time of the crime?
 - What is the victim's description?
 - What was taken?
 - What tools or weapons were used?
 - What was the motive of the crime?
 - What distinguishes this crime from other crimes?
 - What transportation was involved?
 - How many criminals were involved?

BASIC INVESTIGATIVE FLOWCHART



Salt Lake County
SHERIFF'S OFFICE
 COMMUNITY PROTECTION

INTERVIEWS AND INTERROGATIONS

A good investigator must be capable of effectively questioning witnesses and suspects and determining whether they are telling the truth. An officer conducts an interview with a witness and an interrogation with a suspect. It is important to remember that all custodial interrogations must be done under the conditions of *Miranda v. Arizona*. The interrogation of a suspect is considered to be a custodial interrogation, but an interview with a witness is not.

An interrogation is the questioning of a suspect about alleged criminal activity or of a person who has made a full disclosure of information about a crime. The purpose of the interrogation is to obtain details of the crime, obtain a confession, or obtain information with which to prove or disprove a person's claim of innocence.

The investigating officer must read the following or a similar statement to the suspect in all cases where a suspect in custody is being questioned.

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer and have him present with you while you are being questioned.
4. If you cannot afford to hire a lawyer, one will be appointed to represent you before any questioning if you wish.

After reading the suspect these rights, the following questions should be asked:

1. Do you understand each of these rights I have explained to you?
2. Having these rights in mind, do you wish to talk with us now?

If a suspect answers intelligently and affirmatively and waives these rights, an interrogation can take place. It is best if this waiver is both in writing and witnessed, as a suspect may deny waiving his rights when in court. Questioning can also take place if demand for a lawyer is met, and the suspect agrees to questioning after the lawyer has advised him/her.

A successful interrogation will often provide information about the location of stolen property and evidence, the identity of accomplices, and the motives behind the crime. It may also be used in court to show when a defendant has changed his/her statement to officers and therefore is not a reliable witness.

A successful interrogation will often result from following basic procedures:

- Be well versed in the details of the crime being investigated.
- Know as much as possible about the suspect being questioned.
- Be observant to the reactions to the questions. Certain reactions tend to indicate whether a suspect is lying, such as agitation with questions, boldness, muscular tautness, blushing, eye movement, and changing stories.
- Develop the confidence of the suspect by being knowledgeable and in command of the situation.
- Use a location that is psychologically favorable.
- Be aware of physical symptoms of discomfort, including sweating, color changes, dry mouth, rapid pulse, and others.
- Have a general outline of the questions to be asked prepared ahead of time.
- Repeat the questioning process several times, looking for new details and inconsistencies.

SUMMARY

Not all crimes are solvable, nor can the time and effort needed to solve all crimes be allocated by a law enforcement agency. The type of crime committed will affect the amount of resources assigned to the specific case. It is important, then, that an investigator or detective have certain abilities that will increase the probabilities of success. Among these criteria are:

- Good recall, observation, and perception abilities.
- Street experience.
- The intellectual abilities to formulate deductive reasoning patterns.
- Knowledge of criminal law, rules of evidence, and the ability to properly use scientific aids for investigation.
- The ability to utilize social psychology.

Practical Exercise

A sporting goods store closes at 9:00 p.m. At 9:10 p.m., a motion alarm in the store goes off. Officers respond within three minutes and find a window broken, with glass scattered over the sidewalk. After the manager arrives with a key, officers enter the building and discover that a .357 magnum collector's handgun worth over \$1,350 has been removed from a glass display case in the middle of the store. No fingerprints are located when the case is dusted.

The manager states that just this week he had to fire Suzy Brown, who had been a cashier at the store. He says she claims that the store still owes her \$1,300 in back pay. The crime scene investigation produces the following evidence:

- A set of muddy footprints is visible on the carpet leading in and out of the back door, possibly from cowboy boots.
- The lock to the changing room is broken.
- Several piles of men's shirts have been knocked over.
- The cash register drawer is open and empty.
- A person who is driving by the crime scene pulls into the parking lot and states to officers that approximately 30 minutes ago, at 8:45 p.m., she saw a tall male wearing a cowboy hat standing by the window. She can't remember whether the store was open at the time.

If you were the investigator assigned to the case, would the following deductions be reasonable? Explain why or why not.

1. Entry was made at the back door: _____

2. Entry was made forcibly: _____

3. Suzy Brown has a motive for committing the crime: _____

4. Money was taken in the burglary: _____

5. The alarm went off when the suspect entered the building: _____

6. The crime was planned ahead of time: _____

7. The tall male is a suspect: _____

8. The suspect is probably armed: _____

9. Dusting other areas of the store for fingerprints will probably be profitable: _____

10. The suspect may have been hiding in the store when it closed: _____
