

MODULE 2 – WHO ARE DETECTIVES AND WHAT DO THEY DO?

LECTURE 2 – WHAT DO THEY DO?

Now we're going to briefly touch on some of the **main techniques** used by detectives in investigating crime.

Remember, at the beginning of this course I said you were not going to learn **“how”** to investigate crime, but you will learn **“about”** investigating crime. So don't get your hopes up here that you're going to become a **whiz** at interrogations and such, OK? Becoming a **whiz-banger** at most things in life is usually a bit harder than just listening to audio or reading about it, eh?

However, it is worthwhile to take a step back and look at these techniques in perspective in order to get a better idea of some of the main things that detectives typically do and don't do.

As we go through this, you should get some idea of the challenges and constraints detectives face in dealing with the various aspects of criminal investigations, and why some people think they have to be the **“cream of the crop”** in order to do their jobs effectively and serve justice like they are sworn to do.

IDENTIFY & ARREST (ID/A)

Ideally, an investigation should result in the identity and arrest of a suspect. As an average of only 20% of Index crimes that the police investigate are cleared by arrest (according to what the police report in the UCR), this is actually more of **an ideal** than a reality. Most police investigations end up as unknown subjects. But this gets back to the points made earlier in the CC vs. DP section about the police-public relationship.

Suspects are often identified overtly by people (victims and witnesses). However, in many instances, people are notorious for wrongly identifying suspects. Mistaken identity (ID) was a factor in more than 75% of the 155 DNA **exonerations** since 1989, according to the **Innocence Project** (Google these guys for some neat insights regarding the hazards of investigations and the legal process).⁴⁵ **You can also Google Policing and Wrongful Conviction** (Batts, deLone & Stephens, 2014).⁵⁵

Line-ups are a long-standing, traditional investigative technique for identifying suspects by using mug shots and photo IDs or just lining up people. But recent research has shown that this practice can lead to erroneous identifications merely by the manner in which it is conducted.⁴⁶ **Geez Louise**, can't you guys do anything right? I mean, a lousy line-up! And this is what we get from the **“cream of the crop?”** Ah, but, it seems the

devil is often in the details. We humans are so gullible, you know. And **sneaky**, too, sometimes without even trying.

Covert techniques to identify and arrest suspects include surveillance (human and technical), informants, undercover agents, stings, raids, etc. (**Heh**-heh, covert techniques! Exciting!) Detectives are often quite imaginative in devising scenarios to expose suspects and catch them **in flagrante delicto** (that's a Latin phrase that classes things up, but means basically to catch them red-handed; with their hand in the cash register draw, for example; or less colorfully, in the act of doing something wrong). But, like all techniques, they, too, can be fraught with legal challenges.

SEARCH & SEIZURE (S/S)

The Fourth Amendment of the US Constitution forbids unreasonable S/S. Now just exactly what the term "**unreasonable**" means in specific situations has always been, and probably always will be, a subject of legal contention. Below are some of the more common issues related to S/S.³³

- The circumstances dictate whether or not a S/S must require a **written warrant** – some do not require one.

- The scope of the S/S (person's body, car, house, workplace, etc.) must not be "**unreasonably**" broad.

Okay~~

- The **Exclusionary Rule** means that if a S/S is deemed after the fact to have been unreasonable, any evidence or information obtained from it may be inadmissible in court ("fruit of the poisonous tree," **don'cha know**).

- The **purpose** of a search can be for the self-protection of the searcher, or to locate, identify, obtain and/or preserve physical evidence.

- **Patterns** of S/S usually go from the exterior to the interior, and from the general to the specific.

- **Targets** of S/S are people and things. Doesn't leave very much out, does it?

- **Resources** used to conduct searches can include animals (dogs, bees, birds, rats, dolphins, **you name 'em**) and technology (X-ray, heat and smell sensors, drones, video/audio, etc.).

It is estimated that about **30%, almost 1/3, of police searches are illegal** in one way or another. It is probably even more than that, as many searches go unreported because the persons searched were not arrested.⁴⁴ In this regard, sometimes it seems that police and detectives are damned if they do, and damned if they don't.

INTERVIEWS

One way to look at the difference between interviews and interrogations is that the goal of an interview is to **collect** information, and the goal of an interrogation is **accusatory**.^{33, 34}

In most cases, physical evidence (things) is not available and is of no help, so interviews and interrogations (talking to people) are typically the main techniques used to get information. (However, as previously indicated, sometimes physical evidence can be very helpful during interviews, etc.).

Interviews and interrogations may be your **ONLY CHANCES TO SOLVE THE CRIME. SO YOU REALLY DON'T WANT TO SCREW THEM UP!!!!**

There are generally **four categories** of people you I/I: Victims, Witnesses, Informants and Offenders.

Preparation is critical. **Plan and organize** your interview. Formulate basic questions ahead of time (if possible), to be sure you cover key points. Seek private settings to avoid disruption or distraction. A well-structured interview is a good way to help you cover the main or key points and minimize the chance that **you will miss** something important. You don't want to be a CARELESS TRAVELER here now, do you? Just keep in mind that sick feeling that you will get in the pit of your stomach when you sit down to write up your interview and you realize you forgot to ask a key question. Or you asked the question but forgot exactly what the interviewee said. **I hate it when that happens.**

Try to have the interviewee **reconstruct** the behavior information you are interested in – timelines, locations, who else was present, etc. A real good way to do that is to develop a document, or a **written timeline**, of events. If you don't write it down, then everybody has to keep it in their heads, which usually begets great confusion and disaster - except maybe on TV. Or like not **remembering** what FARMLAMB stands for.

Document the interview (notes, statements, audio/video, etc.) so that you and others can know what was said. This can be critical for things like prosecution, exculpation, other crimes, cold cases, etc. (and those big crime data bases, also, **heh**-heh!).

Go back over the interviewee's information to look for discrepancies, omissions, other crimes, cold cases, etc.

Listen carefully and observe the interviewee's demeanor. They say 75-90% of communications is non-verbal behavior. You know, when you think about it, that's a lot. You may be able to learn some common indicators of lying vs. truth-telling that can be helpful in guiding the interview. But probably not.

In the next lecture we'll continue on with interrogations.