SECTION I

The Foundation and Principles of Criminal Investigation

Conceptually, it is often difficult to know where you are going if you don't know where you've been. Like most disciplines, criminal investigation is based on a foundation of knowledge gathered over time. This historical body of knowledge also provides the framework for understanding where mistakes have been made and how new ideas and innovative advances contribute to success, and to some degree for helping to chart future directions. In this regard, the evolutionary aspects of crime investigation borrow from the past as a means of adapting to change, whether it is in tradecraft, legal decisions, or technology. This section on criminal investigation comprises three parts: the first emphasizes the uses that can be made of the basic sources of information; the second is concerned with the role of the investigator and problems associated with obtaining information; and the third focuses on the kinds of follow-through activities necessary for capitalizing on the efforts described in the first two parts. Considered together, these three parts form the foundation and principles of criminal investigation.

CHAPTER 1

The role and responsibilities of the criminal investigator have changed dramatically over the past 25 years, largely as a result of changes in social perceptions, culture, technology, the law, the media, and new forms of communication—such as the Internet, cellular telephones, imaging, and social media. Perhaps most important has been the changing role of the investigator as a specialist who is educated and trained to be knowledgeable about complex systems, societal differences, and organizational theory.

This chapter addresses the general framework associated with being a criminal investigator: the functional aspects of the job, necessary skills, tools of the trade, and the criteria necessary for success in what can be a challenging and rewarding career. A brief description of the history of investigating crime is included in this chapter.

CRIMINAL INVESTIGATION DEFINED

This book focuses on a definition of the investigation of crime based on the words of Professor Ralph Turner, a pioneer in the field: "the reconstruction of a past event."[1] In essence, the responsibilities of the investigator include the following:

1. Determine whether a crime has been committed.
2. Decide if the crime was committed within the investigator's jurisdiction.
3. Discover all facts pertaining to the complaint.
   a. Gather and preserve physical evidence.
   b. Develop and follow up all clues.
4. Recover stolen property.
5. Identify the perpetrator or eliminate a suspect as the perpetrator.
6. Locate and apprehend the perpetrator.
7. Aid in the prosecution of the offender by providing evidence of guilt that is admissible in court.
8. Testify effectively as a witness in court.

Determine if a Crime Has Been [illegible]

Determining whether a crime has been committed necessitates an understanding of the criminal law and the elements of each criminal act. For this reason, the investigator should have in his or her possession copies of the penal and case law of the state or jurisdiction. The jurisdiction of federal investigators may be broader in some cases, but it is limited by legislation, and state and local investigators should be familiar with the crimes over which federal statutes may apply.

In more complex cases, such as cybercrime or fraud, the investigator may contact the state prosecutor, district attorney, or U.S. attorney.

If a crime is not within the investigator's jurisdiction, there is no responsibility for its investigation, but the complainant may need to be referred to the proper authority. Occasionally a crime is committed on the border of two jurisdictions or involves more than one jurisdiction. If a case has the potential for publicity, affords the chance to make a "good arrest," or is inherently interesting or important, an investigator may seek to retain authority over it and remain involved; otherwise, he or she may convince the other jurisdiction to accept it.

When two investigators have concurrent jurisdiction, the issue of who will handle the case can become complicated. Cases involving cross-border fraud, Internet crime, illegal immigration, drug trafficking, terrorism, and other multiple-jurisdiction criminal activity may involve joint investigative activities, and may require clarification by legal authority (such as a U.S. attorney or local prosecuting authority—district, city, or county attorney). In other cases, such as serial murder involving multiple jurisdictions, the place where the suspect is apprehended (for the crime in that jurisdiction) will usually have the right to prosecute. In those cases in which there may be federal as well as state jurisdiction (such as bank robbery), the U.S. attorney has the first right of refusal, and relatively minor cases may be prosecuted at a local level.

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The facts available to the first officer to arrive at a crime scene are provided by observation, and by the victim or complainant and any eyewitness(es). Except in departments with programs in place for managing criminal investigations (see Chapter 4), they will be communicated to the detective dispatched to investigate the crime. He or she may decide to verify and pursue all of them, or to home in on specific details. At the outset, the investigator should develop a preliminary record that addresses the following points:

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- Where?
- Who?
- What?
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- Why?

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Courtesy, Peter Massey, Department of Forensic Sciences, University of New Haven

FIGURE 1.1
A crime scene presents many questions.

In addition, the detective will collect any physical evidence, or arrange for its collection (preferably by an evidence technician) and examination in the appropriate crime laboratory. Of particular importance are observation and a mental image of the scene, the victim or witnesses, or suspect if on the scene. Depending on the kind of information provided, immediate follow-up might be required or the investigator may have to await laboratory results. In either event, it is essential at this point to follow through on any clue that holds promise for the identification of the perpetrator, and promptly exploit it (see Figure 1.1).

The investigator must take care to prepare a comprehensive record of the crime scene, using notes, photographs, sketches, and in some cases, video and voice recording. Care must be taken not to rely on memory, which has shown to be notoriously unreliable in many cases. Statements of victims, witnesses, and suspects should be recorded accurately and verbatim where possible.

In longer investigations, the use of records or other forms of information is more likely to contribute to the solution. If the victim furnishes the suspect's name to the detective, the case may be solved promptly. Then the chief problem is proving that the particular individual did in fact commit the crime. If the identity of the perpetrator must be developed, the effort required is much greater and, for certain crimes, often not successful. When it is, there comes a point not unlike that reached in solving a jigsaw puzzle: when the crucial piece is found, the remaining pieces quickly fall into place.

Recover Stolen Property

The description and identification of stolen property are important aspects of an investigation, and may later be critical in establishing ownership. Stolen property may turn up at a pawn shop, in the hands of secondhand dealers, or for sale over the Internet. The ability to identify makes and models, serial numbers, or other distinguishing characteristics of an item can contribute to

FIGURE 1.2
Police often check pawn shops for stolen property, which may be sold or advertised there.

Courtesy, Ellen S. Boyne

a successful investigation. Pawn shops, flea markets, and Internet sites are common locations for stolen property to be sold or advertised, and the investigator should be familiar with record keeping and the various types of locations where evidence or property may turn up (see Figure 1.2).

Identify the Perpetrator

Identifying the perpetrator is the primary goal of a criminal investigation, but the ability to bring a suspect to justice also depends on the evidence necessary for conviction. This may take many forms, including physical evidence linking the suspect to the scene (fingerprints, blood, DNA, toolmarks); possession of evidence from the scene (property, fibers, hair); physical identification (tattoos, deformities, physical descriptors); and eyewitness descriptions (which, incidentally, have proven to be highly unreliable when the suspect is not known to victims or witnesses). *Modus operandi*, or method of operation, is also an important consideration.

In addition to the identification of the perpetrator from records, physical evidence, and eyewitnesses, the value of motive must be examined. Certain crimes, such as burglary, robbery, and rape, seem to have a universal motive; others, such as homicide, arson, and assault, have what might be called "particularized motives," because they often relate victim to criminal. Once established, it would be practical to develop a short list of persons who might have a particularized motive; then, if the investigator considers who had the opportunity and the temperament to carry out the crime, one or perhaps a few suspects may remain on the list. When physical evidence is available, as it often is in these crimes, this extends the possibility of a solution beyond what can be accomplished by interrogation alone.

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Locate and Apprehend the Perpetrator

When people who know the perpetrator are unwilling or unable to provide an address or a clue to his or her whereabouts, records or other forms of information may provide the answer as to a person's whereabouts. (See Chapters 5 and 7 which discuss the value and utilization of records and other forms of information.) When the suspect is located, apprehension may present difficulties; if it does, a raid may be called for. Planning and staging a raid require coordination, but this is essentially a police function rather than an investigative one.

Aid the Prosecution by Providing Evidence of Guilt Admissible in Court

Largely as a result of plea bargaining, only a few cases that are investigated and solved eventually go to trial, but the detective must operate on the assumption that each will be tried. An investigator must follow the correct procedures in conducting the investigation, and not assume that the perpetrator will plead guilty and plea bargain, or assume that other evidence will carry the case. Problems concerning physical evidence can arise if it is presumed that a case will involve plea bargaining.

Testify Effectively as a Witness in Court

The experienced investigator who has testified often can sometimes appear jaded. Yet testimony is effective only when it is credible. When sincerity, knowledge of the facts, and impartiality are projected, credibility is established. In all events, it is helpful that the investigator be familiar with the rules of evidence and the pitfalls of cross-examination (see Chapter 12).

ATTRIBUTES DESIRABLE IN AN INVESTIGATOR

Abilities and Skills

The attributes that enable a person to be an accomplished investigator are many (see Table 1.1), including three important areas:

1. the ability, both physical and mental, to conduct an inquiry
2. the knowledge and training necessary to handle complex investigations
3. those skills necessary to reach the intended objectives.

Qualifications of Mind, Personality, Attitude, and Knowledge

The following list of traits, which are desirable and help to qualify an individual for investigative work, was developed through classroom discussions (including many detectives who were students) and by conferring with police administrators interested in the topic of qualifications:

1. Intelligence and reasoning ability.
   An above-average score on an accepted intelligence test.

TABLE 1.1 Role and Responsibilities of a Crime Scene Specialist

Abilities	Related Skills
Conduct a proper crime scene search for physical evidence.	Know how to recognize, collect, and preserve physical evidence. Know the varieties of *modus operandi*. Be familiar with contemporary collection and recording techniques.
Question complainants, witnesses, and suspects.	Know how to use interviewing techniques. Know interrogation methods. Have a knowledge of local street jargon and, if pertinent, any foreign language spoken in the community. Be sensitive to the constitutional and civil rights of all: rich or poor, witness or suspect. Have a developed sense of mind-set.
Develop and follow up clues.	Know sources of records and how to check them. Know how to cultivate and use informants. Know how to conduct surveillances. Know how to check pawn shops, secondhand dealers, Internet sites, and the like.
Prepare written reports of case activity as it develops.	Have knowledge and skill in English, and a second language when possible.
Obtain legal search warrants based on evidence of probable cause.	Know how to use departmental and court forms to secure a search warrant.
Conduct raids, possibly under adverse conditions.	Know the techniques of cover and concealment.
Act with initiative, as the fluidity of the (raid) situation demands.	Acquire skill in silent communication. Use teamwork—within and between agencies.
Apprehend violators in a lawful manner.	Acquire a working knowledge of applicable laws, departmental rules, and regulations. Know about the use of handcuffs and the various types of firearms and other weapons that may be used, especially with regard to legal restrictions. Know proper search and seizure techniques and electronic intercept procedures used for suspects, houses, and automobiles.
Assist prosecuting attorney in presentation to the grand jury or trial court.	Know how to prepare clear, comprehensive reports. Know how to serve subpoenas, when necessary. Know how to have witnesses available or willing to appear on notice.
Appear as a witness in court.	Testify effectively in court.

Ability to analyze and interrelate a large number of facts.
Ability to use advanced computer programs related to investigation.

2. Curiosity and imagination.
   Taking nothing for granted.
   Skepticism of the obvious.
   A sense of the unusual: anything out of place or not in keeping with the norm.
   An inquisitive mind.
   A suspicious nature with respect to the behavior of people.
   A sense of awareness.
   Insight.
   A flair for detective work.
3. Observation and memory.
   All five senses are intact and functioning.
   The investigator is alert and attentive.
4. Knowledge of life and people.
   Includes all strata of society; especially necessary to deal with the heterogeneous population of large cities.
   Also helpful: common sense, an outgoing personality, a spirit of cooperativeness, emotional stability, and some acting ability for role-playing.
5. Possession of technical "know-how."
   Implies training and knowledge of statutory and case law, as well as in the recognition, collection, preservation, and investigative value of physical evidence.
   It is important to be widely read and willing to keep up with current research and writing in the field.
6. Perseverance, "stick-to-itiveness," and energy.
   Many who wish to become detectives believe the job involves a glamorous lifestyle, but the ability to be indefatigable, survive boredom, and keep energy in reserve to carry on is more realistic.
7. Ability to recognize and control bias and prejudice in one's self and on the job.
   Owing to bias and prejudice, for example, there may be a preconceived idea as to the perpetrator. Other truths may be ignored, such as: a chronic complainant can have a legitimate grievance; a prostitute can be raped; etc.
8. Sensitivity to people's feelings; acts with discretion and tact; respects a confidence.
9. The honesty and courage to withstand temptation and corruption, or pressure from supervisors or others to solve the case.
10. When testifying, is not overzealous and does not commit perjury.
11. Miscellaneous characteristics:
    Physically fit appearance, report-writing skills, awareness of good public relations as a future source of cooperation and information.

Some police administrators believe that the traditional means of selecting detectives—written and oral examinations—have proved to be unsatisfactory

In recent years written and oral testing has been used largely to eliminate individuals who do not have the basic skills or demeanor to manage an investigation. Because the investigative field has become more specialized, individuals with particular skills, such as forensic accounting, sex crime investigations, undercover work, particular language skills, or information technology, may have an advantage, as the selection of investigators may be more focused on particular attributes of applicants.

A number of federal and local agencies have taken to hiring specialized types of investigators. For example, the FBI hires individuals specifically for their skills in computer and social media technology, surveillance, and language, as well as crime scene processing.

It is suggested that future performance can be gauged by an individual's "past work product." Further, good prospects must be recruited—not merely be a fallout of the hiring process. Selection should include such considerations as: computer literacy, superior analytical capability, and good communication and reading skills.[2] Another prerequisite is education: "... [The] most important requirement is education. Study after study produces the same conclusions: that college educated people make better law enforcement officers."[3]

Rydberg and Terrill (2010) found evidence of greater creativity and problem-solving abilities among college educated police officers—skills necessary for criminal investigators.[4]

The concept of "past work product" is again endorsed as a predictor of success, yet criminal justice researchers have paid scant attention to the problem of detective selection, despite the impact of crime on the quality of life in communities across the nation.

ORIGINS OF CRIMINAL INVESTIGATION

The concept of criminal investigation can be traced back thousands of years, to early times in China and other parts of Asia, as well as the Middle East, where agents of government used a great many legal, as well as illegal, approaches (most notably torture) as a means of identifying transgressors of public order.

From a Western perspective, the Industrial Revolution in Europe drew many from the peasant classes in the countryside to larger towns and cities, resulting in burgeoning crime waves, forcing governments to move beyond the traditional night watches and use of the military to maintain order.[5] In England, the so-called "thief catchers" were frequently drawn from elements of the underworld. The rank and file of the recruits constituted a distinct breed, but two clear-cut differences in motivation set some apart from others. Hirelings, with mercenary motives, would play both sides of the street; social climbers would incriminate their confederates in order to move into respectable society.

In eighteenth-century England Jonathan Wild personified the old saying, "Set a thief to catch a thief" (see Figure 1.3). Wild had once operated a brothel

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that served as headquarters for the gang of thieves and cutthroats under his tight control. Simultaneously, he was the public servant doing undercover work for the authorities. A rogue on the grand scale, Wild was both law enforcer and lawbreaker. He soon realized, however, that there was more profit to be made arranging for the return of stolen goods than for their disposal. Therefore, throughout the period he worked for the authorities, he was actually a receiver of stolen goods posing as the recoverer of lost property—the middle man exacting his cut while protecting the criminals in his employ. Even today, there are resemblances between his fictitious "Lost Property Office" and the "no questions asked" practices of individuals (even of some insurance companies) when stolen property, such as valuable jewelry and priceless paintings, is ransomed.

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FIGURE 1.3
Ticket to the hanging of "thief-taker" Jonathan Wild.

The earliest police in England worked only at night. First known as the "Watch of London," and later as the "Old Charleys," they were paid by the inhabitants in the vicinity of the watchman's box from which they regularly made the rounds of their beat. These parish constables had been appointed in 1253; they lasted until 1829 in London. In 1748, novelist Henry Fielding (who wrote about Wild's exploits in a genial, tolerant vein) accepted an appointment as a London magistrate. Taking his call to the bar seriously, Fielding was promptly embroiled in the sorry state of England's penal codes and its administration of justice (see Figure 1.4).

The new magistrate tried to deal with the rising crime rate by enlarging the scope of the government's crime-fighting methods and assigning to his court a few parish constables, who had been accustomed to night-watchman duties, to perform some criminal investigative functions. They came to be successful "thief-takers," owing to the use of informants and their close ties with the underworld. First called "Mr. Fielding's People," they later came to be known as the "Bow Street Runners" (see Figure 1.5). Unofficial and unpaid, the constables wore no uniforms and were ranked directly under the magistrate, who had to fight for their fair share of the reward moneys for apprehending criminals.

When the public became aware of their activities, the Bow Street Runners were perceived as thief-takers of the Jonathan Wild mold. Inevitably, abuses followed hard upon their close ties with the underworld, resulting in widespread criticism and loss of public trust. Then, around 1790, a staff of trained detectives was established, known simply as the "Runners." Officially recognized and paid, they dressed in plain clothes and coexisted with the constables until the passage of the Metropolitan Police Act in 1829. The constables were replaced by a professional police force of 1,000 men. The "Runners" lasted another ten years until the passage of the Metropolitan Police Act and Metropolitan

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FIGURE 1.4
Henry Fielding, Chief Magistrate in London, was instrumental in founding what some have called London's first police force: the Bow Street Runners.

Metropolitan Police, New Scotland Yard, London

FIGURE 1.5
One of "Mr. Fielding's People," who came after the "Old Charleys," and were later known as the "Bow Street Runners." They covered all of London, yet were never greater than ten in number.

Police Courts Act of 1839.[6] The members of this first professional force, organized by Sir Robert Peel, Britain's Home Secretary (see Figure 1.6), were called the "Peelers"; later, and up until the present, they became known as the "Bobbies."

About a decade later, a small number of full-time plainclothes officers had become an integral part of the new force. Because it was quartered in the Scotland Yard, an ancient structure that once protected Scottish kings and royal visitors, the police force in general, and the detective force in particular, were dubbed with that name.

In the early nineteenth century, French authorities also sought out convicted criminals to do undercover work. A notorious example of the thief-turned-informer, Eugène François Vidocq, quickly set an enviable arrest and conviction record for the Paris police (see Figure 1.7).

Throughout 1812 the high crime rate in Paris continued, and Vidocq's suggestion to establish a plainclothes bureau was finally adopted. The Brigade de la Sûreté, created by the Ministry of Police, would function in all of the city's districts and report directly to the Prefect (the head of the Paris police force). Then Vidocq, the thief-turned-informer-turned-detective, became chief of this cohort of ex-convicts.

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Meanwhile, in the United States, Thomas Byrnes was appointed detective bureau chief for the New York Police Department. His stewardship in 1880 exemplifies this gradual shift in direction—from one who consorted with criminals to one who was first and foremost a policeman. But just as the Bow Street Runners' close ties with the underworld were unethical, so were Byrnes's. With his coterie of informers, and his system of singling out which criminals to prosecute and which to tolerate—a system almost as corrupt as that of Jonathan Wild (who actually set up, or framed, his own confederates)—this chief of detectives, like Wild, gave the impression that crime was under control. One of Theodore Roosevelt's first acts upon assuming the post of President of the Board of Police Commissioners in 1895 was to force Byrnes out.

Because federal laws also needed to be enforced, the Department of Justice was created by Congress in 1870. The investigative forces of the federal government consisted largely of the Treasury Department's Secret Service and Bureau of Customs, together with the U.S. Postal Inspection Service. All were essentially *ad hoc* agencies with restricted jurisdictions. The next year, limited funds were appropriated for the newly formed Department of Justice; its mandate, the detection and prosecution of federal crimes. It employed part-time outsiders as investigators, some Pinkerton detectives, paid informers,


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FIGURE 1.6
Sir Robert Peel organized a professional police force initially referred to as "Peelers"; they later came to be known as "Bobbies."


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FIGURE 1.7
Eugène François Vidocq quickly set an enviable arrest and conviction record for the Paris police.

political patronage workers, and occasionally agents borrowed from the Secret Service and other units. This practice continued for 30 years, until the administration of President Theodore Roosevelt in 1901. Among the many concerns of this conservationist, activist, reformer president were the "public be damned" attitude of big business and its flouting of the Sherman Antitrust Act. The effort to make it subservient to law and government was evident from the angry force of Roosevelt's speeches about the large-scale thefts of public lands in the western states; he was advancing the new idea that natural resources should be held in trust. Subsequently, two politicians were convicted for "conspiracy to defraud the United States out of public lands." This historic investigation was accomplished with borrowed Secret Service agents. Roosevelt's administration called the attention of Congress to the fact that the Department of Justice had no permanent detective force under its direct control, stating:

> ... it seems obvious that the Department ... ought to have a means of ... enforcement subject to its own call; a Department of Justice with no force of permanent police in any form under its control is assuredly not fully equipped for its work.[7]

Not only did Congress ignore the request, it retaliated by initiating an inquiry into the Justice Department's habit of employing the investigative forces of other federal agencies. Indeed, just before adjournment, Congress amended an appropriation bill to expressly forbid the department's use of Secret Service or other agents. Roosevelt's response to the challenge was characteristically quick. Rather than accede to a continual hamstringing of the new department, his attorney general established an investigative unit within the Department of Justice soon after Congress adjourned. Named "The Bureau of Investigation" a short time later, the unit was to report only to the attorney general.

Two of the men who directed this unit formerly had been in command of the Secret Service. President Harding's appointee, the director since 1921, was replaced by another former Secret Service head, William J. Burns. Burns, however, was responsible for bringing in Gaston B. Means, who was soon suspended for such unethical deals as selling departmental reports to underworld figures and offering to fix federal cases. The attorney general suspended Means; quietly, Burns brought him back, ostensibly because of Means's underworld contacts. Under such stewardship, the prestige of the Bureau declined; it sank even further when Harding's attorney general used the agency to frame a senator. This scandal brought about the appointment of a new attorney general when, upon the sudden death of the president in 1923, Calvin Coolidge was catapulted into office.

President Coolidge did not equivocate about replacing Harding's corrupt cabinet members. The first decision of Harlan Fiske Stone, the new attorney general (later chief justice of the Supreme Court), was to demand Burns's resignation and offer the directorship to J. Edgar Hoover, a 29-year-old attorney in the Justice Department. Hoover (see Figure 1.8) accepted the post, but only

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under two conditions: (1) hiring must be divorced from politics, cease to be a catch-all for political hacks, and base appointments on merit, and (2) Hoover must have full control over hiring and firing (with promotion solely on proven ability), and be responsible only to the attorney general. Appointed to clean up the scandals, Stone not only agreed, he asserted that J. Edgar Hoover would not be allowed to take the job under any other conditions.

AP Photo

FIGURE 1.8
J. Edgar Hoover, first director of the Federal Bureau of Investigation (FBI), stands next to a sculpture of himself. The sculpture was presented to him on his 40th anniversary as director of the FBI.

The sweeping powers given the new director brought a radical improvement in personnel quality. Although such authority was certainly necessary to effect change, the seeds of disaster accompanied it nonetheless. As Lord Acton's aphorism aptly warns, "Power tends to corrupt, and absolute power corrupts absolutely." It should not be unexpected, therefore, that absolute power corrupted once more. Toward the close of Hoover's distinguished 48-year regime, some investigative practices were viewed critically, first by a Senate committee, and then by the press. What should be surprising is that the far greater excesses proposed were not countenanced. Indeed, they were rejected by the Director.[8]

Of all the executive departments of government, those having the power to investigate crime represent a potential threat to freedom. In a democracy, therefore, civilian supervision of the exercise of such power is crucial.

Shift in Investigative Methods

When formally organized police departments came into being in response to crime conditions, the use of informers as the main staple in the investigative cupboard was supplemented by the use of interrogation, though the methods permitted to secure confessions varied widely from country to country. In the United States in 1931, the Wickersham Commission (appointed by President Herbert Hoover) employed the term "third degree" to characterize the extraction of confessions accompanied by brute force. It was, said the report, a widespread, almost universal, police practice. Then the Supreme Court began to apply the provisions of the Bill of Rights to the states. Its judicial decisions, together with the potential offered by the application of science to the examination of physical evidence, brought an end to brutal methods of interrogation.

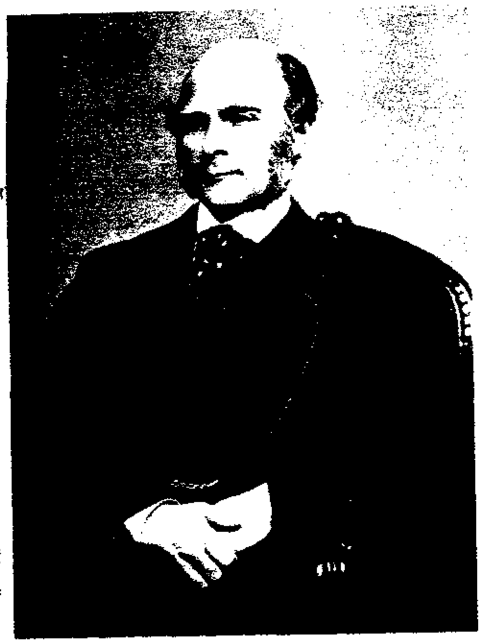

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FIGURE 1.9
Sir Francis Galton wrote about the technique identifying common patterns in fingerprints and devising a classification system.

Europe was well ahead of the States in recognizing that potential. In 1893, Hans Gross, an Austrian who might be called the father of forensic investigation, wrote a monumental treatise so advanced for its time that it was unmatched for decades. *Handbuch fur Untersuchungsrichter* when translated became *Criminal Investigation*. At about the same time in England (1892), Sir Francis Galton's landmark book, *Fingerprints*, was published (see Figure 1.9). Galton's ideas led to the identification of criminals based on fingerprint evidence found at the crime scene. The marks or visible evidence left on an object by a person's fingers had long been observed, but such observations lacked any understanding of the intrinsic value of a human fingerprint. A somewhat similar situation prevailed with respect to bloodstain evidence. For a long time it could not be proved that a suspected stain was in fact blood; when it could, its presence would be explained by alleging the source to be that of a chicken or other animal. Prior to 1901, such allegations could neither be proved nor disproved; then Paul Uhlenhuth, a German, discovered the precipitin test for distinguishing human blood from animal blood. In the field of firearms identification, it was not until 1923 that Calvin Goddard, an American, developed (with others) the comparison microscope, which helped to determine whether a particular gun fired a bullet or cartridge found at a crime scene.

These scientific developments, when applied to the examination of physical evidence, pointed to the need for properly equipped crime laboratories. In 1910 the first police laboratory was established by Edmond Locard in Lyon, France. In the United States it ultimately led, in the mid-1920s to early 1930s, to the installation of crime laboratories in a few of the larger cities. In Washington, DC, one was established in the Bureau of Investigation (renamed the Federal Bureau of Investigation in 1935). The expansion of crime laboratories proceeded slowly: by 1968, there still were none within the borders of 17 (mostly western) states. The availability of Law Enforcement Assistance Administration (LEAA) funds, however, soon permitted each state to install a crime laboratory. In California, a university program in criminalistics (a term coined by Hans Gross), coupled with strong support from the law enforcement community, led to the greatest proliferation of county laboratories in this country. With his research contributions and leadership of the program at the University of California, Professor Paul L. Kirk must be viewed as one of the few major figures in the field of criminalistics. In the Midwest, another major figure, Professor Ralph F. Turner, integrated criminalistics with the teaching of criminal investigation at Michigan State University's strong police/law enforcement program, turning out criminalists to serve that area of the country.

In the 1970s, research was undertaken that examined the proficiency of crime laboratories in the United States in examining common types of physical evidence: bloodstains, bullets and cartridge cases, controlled substances, latent fingerprints, hair, glass, paint, and other types of evidence. Many laboratories did not perform well; they made errors in identifying substances and in determining if two or more objects/evidence shared a common origin. This research continues to this day (collaborative testing services), and proficiency testing has become an integral part of most crime laboratory quality assurance procedures. It is one way in which laboratories attempt to ensure their examiners' routine work is of the highest quality. Most laboratories in the nation seek to meet accreditation standards that are sponsored by the American Society of Crime Laboratory Directors (ASCLD).

Although the nation's crime laboratories have made dramatic improvements over the years, problems persist. Many of the problems are the result of laboratories being placed within law enforcement organizations that either do not devote adequate resources to these enterprises or pressure scientists to provide them with results that match their conclusions. Laboratories must have the resources to examine evidence in a timely manner and to hire personnel that possess the equipment, training, and research opportunities to ensure quality scientific work. Even though the science is progressing, there are still individuals within certain laboratories who lack proper scientific credentials. Laboratories must also be independent operations that are allowed to pursue investigations of evidence without interference and are free to report results—even if they show a prime suspect is uninvolved in the crime. There have been many instances brought to the public's attention in recent years in which forensic examiners have cut corners or compromised high scientific standards.

Forensic medicine, the other main branch of forensic science, developed outside the control of police agencies. Forensic medicine evolved sooner and grew more quickly, remaining well ahead of criminalistics. This was the state of affairs until the 1960s, when both branches benefitted from the infusion of federal funds. Just the same, forensic medicine and its subdivisions are largely, but not exclusively, concerned with homicide; their use within the totality of criminal investigation is more limited than is that of criminalistics. Owing to the importance attached to homicide, however, forensic medicine is of vital significance to the criminal investigator.

The field of forensic medicine has evolved through ongoing research and by the move away from the "coroner" system that involved autopsies conducted by medical doctors with little experience in handling suspicious deaths. Today, most medical examiners are schooled in pathology and devote their full time to the profession.

More recently, the field of forensic nursing has emerged as an important tool, especially in the area of sexual assault cases. It should be noted that an increasing number of nursing practitioners with a background in forensics are employed in emergency room settings. "Forensic nursing is an area of clinical expertise that has evolved into a significant independent nursing specialty. Its development reflects a response designed to fulfil a societal need: The growing public health problem of societal violence."[9]

TRENDS IN INVESTIGATION

The influences of developments in transportation (the automobile), communications (telephone, radio, computers), and forensic science changed the practice of criminal investigation over the past century. The rapid pace of more recent modifications in virtually all aspects of American society have contributed directly to the many changes in law enforcement, not the least of which have been in the area of investigating crime. It has been more than 40 years since publication of the President's Crime Commission Report in 1968, and the resultant infusion of billions of federal, state, and local funds to the criminal justice system. Policing has changed dramatically, due in no small part to higher education, training, and research. At the same time, criticism of investigative practices by the courts, legislators, and the public has also increased over the years, perhaps largely due to expanded media coverage, the influence of social media, and a public consumed by many different perceptions, misperceptions, and conceptions, frequently drawn from popular television shows and movies. But one must also recognize that the police and detectives are under a microscope of public opinion, and mistakes are made.

The following chapters address the many aspects of conducting a criminal investigation, but it is important to recognize that as society changes it is incumbent on the investigator to stay abreast of the many changes taking place in the world that have an impact on policing. Sophisticated information systems have become prevalent, and their implications are driving both reform and change in the investigative process.

Although basic technology is now commonly used in police work, law enforcement lags behind in developing and using sophisticated forms of technology and, in many cases, fails at finding new ways to utilize the technology developed for other disciplines to aid in investigations. All too often it is the criminal who is "teaching" law enforcement how to use technology, but when discovered, it may be too late. Part D in this book addresses many of the new and emerging forms of technology available or being developed, as well as some of the types of crimes that have been spawned by sophisticated electronic information systems, data manipulation, cybercrime, digital breakthroughs, and social media. On the brighter side, technology has also helped the detective by providing clues and identifying potential suspects, and by making it possible to prepare reports quickly, better use physical evidence, and better prepare a case for presentation in court. Present technology allows for the transfer of photographs, fingerprints, and other forms of visual information through networks. Digital tablet and computer technology is opening further models that can serve to enhance the investigative function. Cell phone technology extends the capabilities, and digital cameras and visual technology coupled with a wide array of software and so-called apps, or applications, are changing the way today's detectives work. Technology makes it possible for an investigator to carry a tablet, "notebook," or hand-held computer containing thousands of pages of information, images, and artificial intelligence programs. For example, "mug shot" presentations can now be utilized in the field (though be aware that ongoing research has questioned the way in which photo lineups are conducted). Photos can also be shared between organizations and police departments instantaneously. Despite the promise, in many law enforcement agencies, the reality is far from perfection.

On the international level, the need for enhanced information technology systems increases as the world becomes smaller. Computerized databases are critical in combating terrorism and fraud. INTERPOL, the International Criminal Police Organization, acknowledged this by significantly upgrading its computer systems. The United Nations also views the goal of worldwide computerization as crucial. Indeed, large criminal syndicates and those involved in "enterprise crime" are in many respects much further ahead in their use of information technology than are many law enforcement agencies. The use of artificial intelligence is also being adapted to criminal investigation,

The scrutiny of the criminal investigation process by police administrators, researchers, and scholars has also been important. Today, many of the major changes in crime investigation have come through research conducted by universities, private laboratories, and government-sponsored projects. As many retired investigators have taken up careers in the academic community, closer dialogue between practitioners, academics, and researchers has proven beneficial. Research across the spectrum of the behavioral and information sciences holds great promise for improvement in the investigative function.

DISCUSSION QUESTIONS

1. What are the responsibilities of the investigator? Identify the eight points listed in the text.
2. Explain what is meant by jurisdiction. What is the difference between local and federal jurisdiction? What is meant by joint jurisdiction?
3. What are the six key points an investigator should address?
4. List five of the major changes that have taken place in policing and criminal investigation over the last 100 years.

NOTES

1 Ralph F. Turner, personal communication, 1987.

2 Frank Adams, "Selecting Successful Investigative Candidates," *The Police Chief*, 61:7, 12–14 (July 1994), 12, 14.