



CRIMINAL INVESTIGATION

The Art and the Science

MICHAEL D. LYMAN

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MICHAEL D. LYMAN
Columbia College



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Preface

Criminal investigation represents a timeless and dynamic field of scientific study. This book was written with the perception that crime detection is a fascinating field relying heavily on the past experiences of investigators as well as recent practical and technological innovations.

The investigator's success in crime detection can be influenced by several external variables. For example, increased pressure by public interest groups and courts of law have caused police supervisors to place greater emphasis on case management and officer accountability. In addition, because of increased social problems associated with drug abuse, criminal violence, and related gang activity, the public "spotlight" has focused on methods of crime detection and successful prosecution of law breakers more so than ever before. Finally, because of the rising incidence of mass and serial murders in the last decade, more people are realizing the importance of a thoroughly investigated case and the reasons behind the occurrence of such crimes.

This book is intended to meet the needs of both the criminal justice student and professor by presenting information in a logical flow—like the steps and considerations observed in an actual criminal investigation. Additionally, it is designed to fulfill an ongoing need for a book that intelligently explains the fundamentals of criminal investigation as practiced by police officers on the job.

The book is written with several observations in mind. First, as the book's title indicates, it is designed to blend scientific theories of crime detection with a practical approach to criminal investigation. It is, therefore, drafted with the assumption that sound criminal investigations depend on an understanding of the science of crime detection procedures and the art of anticipating human behavior.

The book also makes another critical observation. That is, it recognizes that both the uniformed officer and the criminal investigator play important roles in the field of criminal investigation. Those roles are clearly portrayed in the dialogue of the book. The duties of each are outlined throughout the dialogue of the text while recognizing there is a fundamental need for both to work in tandem throughout many aspects of the criminal investigation process.

Finally, one underlying theme of the text is that criminal investigation, as with all police endeavors, is a law enforcement responsibility that must be conducted within the framework of the constitution and the practices of a democratic society. Consequently, court decisions and case studies have been extensively quoted for clarification of issues and general reader information. In summary, I am hopeful that this book will create an engaging textbook that is descriptive of the duties of modern-day crime detection and police professionalism.

For more efficient use, this book has been designed to follow a standard curriculum format closely. Accordingly, each chapter is followed with key terms, discussion questions, and class projects to aid in the instructional process. The author encourages communication and correspondence about his work and can be contacted at Columbia College, 1001 Rogers Street, Columbia, MO 65216.

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No book can be written entirely as a solo effort and this project was no exception. The preparation of this book represents hundreds of painstaking hours maintaining continuous contact with criminal justice agencies, federal information clearinghouses, police practitioners and colleagues in the field of criminal justice.

In addition, to offer the reader the most up-to-date and relevant information, it was important to regularly consult libraries, police journals, periodicals, newspapers, government publications, and other sources of literature germane to the field of crime detection. Many persons were helpful in the preparation of this book, including practitioners in the field as well as experts in academe. Among these, the contributions of certain persons deserve special recognition. These include: Deputy Chief Carroll Highbarger and Detectives Michael Himmell and Susan Stoltz of the Columbia Missouri Police Department, Chuck Knife of the Missouri Department of Fire Safety, Trooper Lee Lamirand of the Oklahoma Highway Patrol Public Information Office, and Richard Wintory of the Oklahoma County District Attorney's Office.

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ABOUT THE AUTHOR

Michael Lyman is the Director of the Criminal Justice and Sociology Department at Columbia College, Columbia, Missouri. Prior to entering the field of college teaching, he was employed as a Special Agent for the Intelligence and Organized Crime Division of the Kansas Bureau of Investigation and later as a Senior Agent for the Oklahoma Bureau of Narcotics and Dangerous Drugs. Dr. Lyman received his bachelors and masters degrees from Wichita State University and his Ph.D. from the University of Missouri-Columbia.

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PART 1

FUNDAMENTALS OF CRIMINAL INVESTIGATION

1

Criminal Investigation: An Introduction

In this chapter you will learn

- ◆ The myths of crime solving and the criminal investigation process
- ◆ Recent developments in science and detection
- ◆ Recent developments in contemporary research in criminal investigation
- ◆ The objectives of criminal investigations
- ◆ The various types of investigations
- ◆ The events leading to the emergence of the police specialist
- ◆ The most desirable characteristics of criminal investigators
- ◆ The distinction between crime and clearance rates
- ◆ The methods of data collection used to understand crime best

INTRODUCTION

The study of criminal investigation involves probing several different fields at once and is therefore a difficult task about which to write. For example, it is important for the investigator to understand basic techniques of collection and preservation of evidence, but to do so, a fundamental understanding of criminalistics or “forensic” science is frequently required.

Additionally, because criminal courts closely scrutinize the techniques used by investigators, a working knowledge of criminal law, constitutional law, and rules of evidence is also essential for the police practitioner. This chapter is

therefore designed to give the reader the underlying essentials of this fascinating and challenging field. Principal topics this chapter discusses include

- The romance and reality of crime solving
- Criminal investigation and our English heritage
- Criminal investigation in the United States
- Objectives of criminal investigation
- The emergence of the police specialist
- Types of investigations
- The role of the criminal investigator
- Understanding the crime picture

THE ROMANCE AND REALITY OF CRIME SOLVING

It seems that throughout modern history people have harbored a fascination with cops and criminals—crime and crime fighting. Whenever there is a public crime scene, large groups of people gather to watch crime scene detectives in action. The police cars, and the emergency units with their screaming sirens and flashing lights all spark an insatiable curiosity in the average citizen. Fueling the fire are newspapers and periodicals that sensationalize criminal investigations involving both heinous and interesting aspects.

Today's children even visualize the clashing forces of good and evil in vividly illustrated comic books and early morning cartoons. The famed Teenage Ninja Turtles represent a teenaged version of crime fighters, whereas other cartoon personalities such as Dick Tracy battle an assortment of ruthless gangsters with names like Mumbles, Prune Face, and Flat Top. Other



FIGURE 1.1 “Batman” as portrayed in comic books and movies, helped to perpetuate the myth that good always triumphs over evil (Courtesy of AP-Wide World Photos).

cartoons include the fabled crime fighter Batman (Figure 1.1) who confronts his arch enemies The Joker and The Penguin. All are clear depictions of good forces versus bad.

Famous outlaw gangs of the old West have also captivated people for decades (Figure 1.2). Gangs of the western frontier such as the Younger brothers and the Dalton gang represent a colorful heritage of the antihero. Another such outlaw, Jesse James (Figure 1.3), was one of the most famous of the American West. During his own time, he acquired a Robin Hood reputation. With his brother, Frank, and several other men, the James gang gained national notoriety by robbing banks, trains, and stagecoaches.

The detective mystique has also been perpetuated, in part, by detective magazines, books, and movies pitching the shrewd criminal against his or her persevering police counterpart. Fabled yarns featuring sleuths as Sherlock Holmes and Agatha Christie have long since presented readers with a menagerie of far-fetched tales filled with unlikely clues and colorful suspects.

In fact, part of the allure of the classic detective novels of the early 1900s was the introduction of the “private eye” in fiction. Private eyes such as Mickey Spillane’s Mike Hammer, had a remorseless desire to punish wrongdoers who manage to escape an impotent criminal justice system, while walking a fine legal line himself.

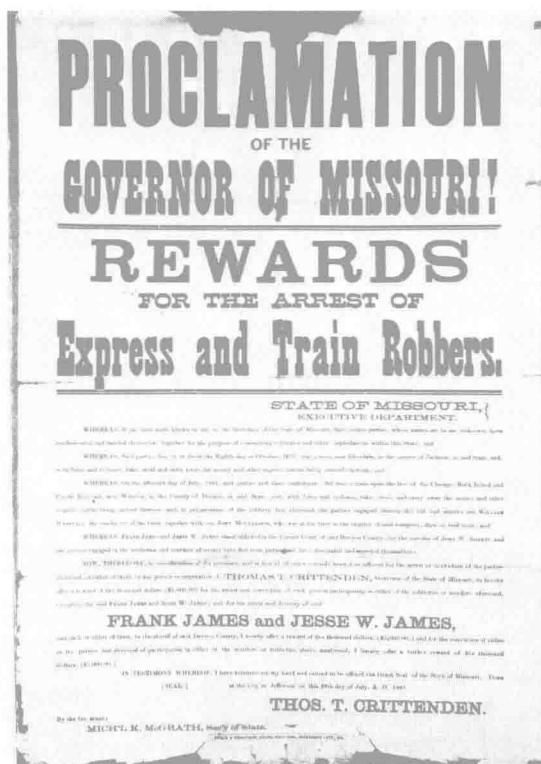


FIGURE 1.2 During the settlement of the frontier, wanted posters were used to identify persons wanted by law enforcement (Courtesy of The State Historical Society of Missouri, Columbia).