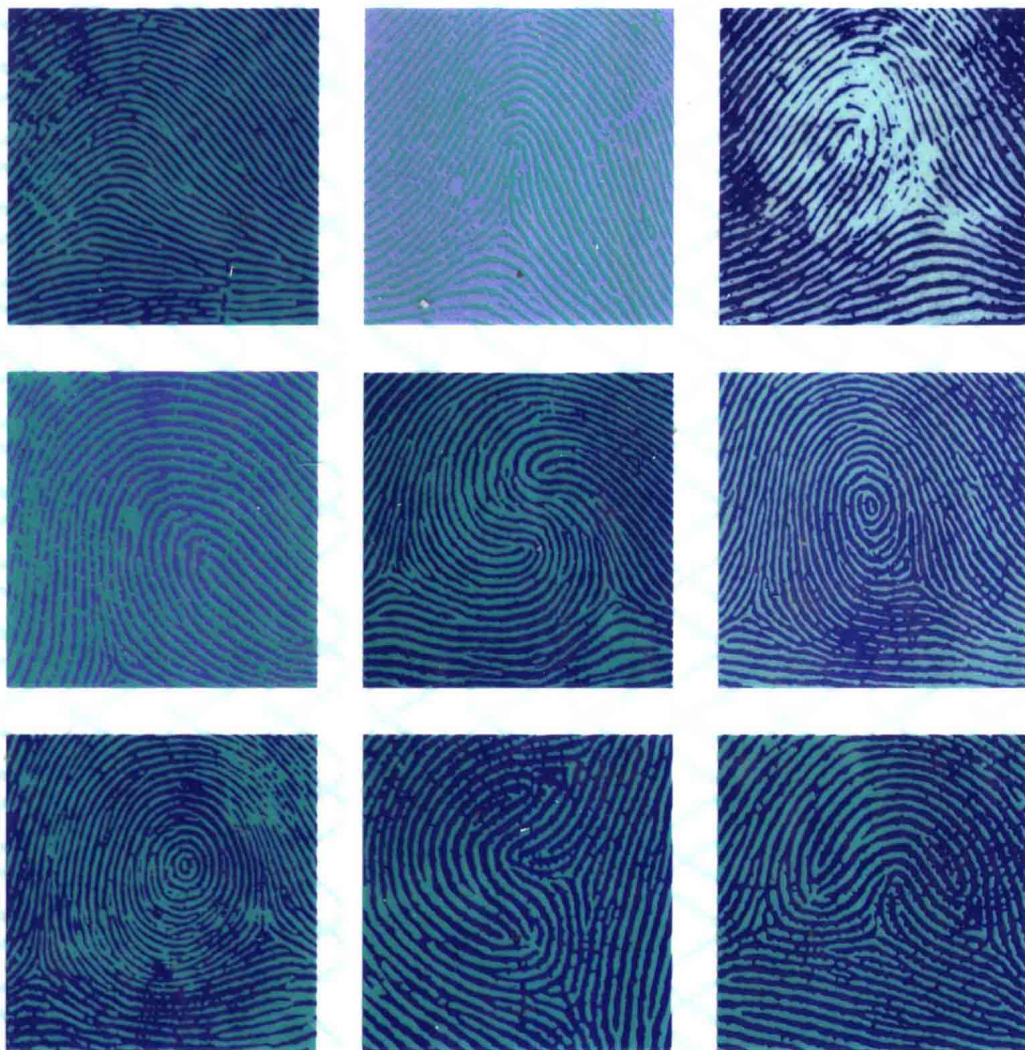


# CRIMINAL INVESTIGATION

S I X T H E D I T I O N



Charles R. Swanson  
Neil C. Chamelin  
Leonard Territo

# **C**RIMINAL INVESTIGATION SIXTH EDITION

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**For Our Wives Kittsu, Vicki, and Chris**

**Criminal Investigation**

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# Preface

For reasons that we can all articulate, crime is a terrible burden on society. The men and women who will, or presently, investigate crime play a crucial role in combating it. This book is intended as a tool with which to educate those trying to make life safer for all of us. There is much that is new in the sixth edition. There is now a separate chapter on crimes against children, and the computer chapter has been rewritten almost completely to reflect what is going on in that quickly changing area. There are also entirely new sections on many different topics such as stalking, forensic lights, home invasion robberies, electrostatic lifters, the use of plant DNA in criminal investigations, truck hijackings, questioned documents, the theft of valuable plants from public lands, car jacking, and spousal abuse. Across all chapters, the content and references have been updated, and there are many new photographs, illustrations, tables, figures, and case histories. In short, we have worked hard to give you the best possible tool.

Yet, despite these changes, the basic plan and character of the book remain intact. This book continues to differ from traditional investigation texts; it is important to understand these differences as they are again reflected throughout this edition. The distinctions made in the first edition between this and other investigative texts still apply.

First, investigation generally has been conceived of, and touted as, an art. This approach depreciates the precision required to conduct inquiries; it denies the existence of, and adher-

ence to, rigorous methods; and it associates investigation with unneeded mysticism. Investigation is in large part a science. The fact that criminals are not always apprehended does not make it less so. The rational scientific method will, of necessity, be supplemented by initiative and occasional fortuitous circumstances, but it is the application of the method rather than shrewd hunches that most frequently produce results. This book unfolds along the same logical continuum as an investigation.

A second major difference arises from our judgment that writing about techniques takes on more substance if one understands something of the nature of the event being investigated. Thus, we have discussed typologies—including offenses, offenders, and victims. The treatment of these has not been equal in the crime-specific chapters because of the literature available. Collateral approaches have been the extensive use of illustrations, primary citations, and the judicious use of case studies.

Third, because crime prevention technology has been a significant milestone for both the police and the public, we have inserted short sections on prevention in the crime-specific chapters. The complexity of crime prevention dictates it as a specialization within police departments. Yet, at the scene of a crime, the investigator may be in a unique position to make a few helpful, if only rudimentary, suggestions to a victim on how to avoid further loss.

Finally, most investigative books in the past have blurred the distinction between the roles of the uniformed officer and the detective.

While everyone may not agree with our dichotomizing, it is essential that the uniformed officer's role be properly recognized for the contribution it makes to the ultimate success of an investigation.

Criminal investigation is always in the process of evolving due to scientific, legal, and social developments, as well as changes in the behavior of criminals. While many investigative techniques are fundamental and remain basically the same over time, there are also significant changes that occur on a continuing basis. We hope that this edition captures both the ongoing and the changing dimensions of criminal investigation.

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with the Florida Department of Law Enforcement, and more recently, a professor in Florida State University's School of Criminology. He is a superb teacher and a real friend. Tim Buckley, a devoted Irishman, rogue, and retired Chief of Detectives, is an insightful observer of the investigative process. His friendship and cogent observations have enriched our lives and this book. Tim remains afflicted with a deep melancholy that he was not at the Dublin GPO on Easter Day 1916. Knowing TB is a rare pleasure.

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Charles R. "Mike" Swanson  
Neil C. Chamelin  
Leonard Territo



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# 1

## The Evolution of Criminal Investigation and Criminalistics

### INTRODUCTION

Writing about two separate but entwined fields—criminal investigation and criminalistics—is a difficult task. Many volumes have been written on each of these two fields, but the space that can be devoted to them here is limited. However, sufficient broad perspectives and supporting details are provided in this chapter to allow those intrigued by these subjects to independently pursue their interest with a basic working knowledge.

### THE EVOLUTION OF CRIMINAL INVESTIGATION

For present purposes, the evolution of criminal investigation begins in eighteenth century England, as massive changes were being unleashed. To fully appreciate the development of criminal investigation, it is important to understand the social, economic, political, and legal contexts in which it evolved. Thus, the balance of this section provides this content under the major headings of (1) the impact of the agricultural and industrial revolutions, (2) the Fieldings: Crime Information and the Bow Street Runners, (3) the Metropolitan Police Act of 1829, and (4) American initiatives.

### THE IMPACT OF THE AGRICULTURAL AND INDUSTRIAL REVOLUTIONS

During the eighteenth century two events—an agricultural revolution and an industrial revolution—began a process of change that profoundly affected how police services were delivered and investigations conducted. Improved agricultural methods, such as the introduction in 1730 of Charles Townshend's crop rotation system and Jethro Tull's four-bladed plow, gave England increased agricultural productivity in the first half of the eighteenth century.<sup>1</sup> Improvements in agriculture were essential preconditions to the Industrial Revolution, in the second half of the eighteenth century, because they freed people from farm work for city jobs. As the population of England's cities grew, slums also grew, crime increased, and disorders became more frequent. Consequently, public demands for government to control crime grew louder.

### THE FIELDINGS: CRIME INFORMATION AND THE BOW STREET RUNNERS

In 1748, Henry Fielding became *chief magistrate* of Bow Street and set out to improve the administration of justice. In 1750, he established a



small group of volunteer, nonuniformed homeowners to “take thieves.” Known as the “Bow Street Runners,” these Londoners hurried to the scenes of reported crimes and began investigations, thus becoming the first modern detective force. By 1752, Fielding began publishing *The Covent Garden Journal* as a means of circulating the descriptions of wanted persons. Upon his death in 1754, Henry Fielding was succeeded by his blind half-brother, John Fielding, who carried on his brother’s ideas for another 25 years.<sup>2</sup> Under John Fielding, Bow Street became a clearinghouse for information on crime, and by 1785 at least four of the Bow Street Runners were no longer volunteers, but paid government detectives.<sup>3</sup>

## THE METROPOLITAN POLICE ACT OF 1829

In 1816, 1818, and again in 1822, England’s Parliament rejected proposals for a centralized professional police force for London. Highly different political philosophies were at odds. One group argued that such a force was a direct threat to personal liberty. The other group—composed of reformers such as Jeremy Bentham and Patrick Colquhoun—argued that the absence, rather than the presence, of social control was the greater danger to personal liberty. Finally, in 1829, due in large measure to the efforts of Sir Robert Peel, Parliament created a metropolitan police force for London. Police headquarters became known as Scotland Yard, because the building formerly had housed Scottish royalty. Police constables were referred to as “bobbies,” a play on Peel’s first name, Robert. Peel selected Charles Rowan and Richard Mayne as police commissioners, responsible for the development of this new force, and important new principles governing police work were stated:

1. The police must be stable, efficient, and organized along military lines.
2. The police must be under government control.

3. The absence of crime best proves the efficiency of police.
4. The distribution of crime news is essential.
5. The development of police strength both over time and by area is essential.
6. No quality is more indispensable to a police officer than a perfect command of temper; a quiet, determined manner has more effect than violent action.
7. Good appearance commands respect.
8. The securing and training of the proper people is at the root of efficiency.
9. Public security demands that every police officer be given a number.
10. Police headquarters should be centrally located and easily accessible to the people.
11. Police should be hired on a probationary basis.
12. Police records are necessary to the correct distribution of police strength.<sup>4</sup>

Because French citizens had experienced oppression under centralized police, the British public was suspicious of and at times even hostile to the new force. In response to the high standards set for the police force, there were 5,000 dismissals and 6,000 forced resignations from the force during the first three years of operations.<sup>5</sup> This record was a clear indication to the public that police administrators were requiring officers to maintain high standards of conduct. Within a few years, the London Metropolitan Police had won a reputation for fairness, and it became the international model of professional policing. Despite the growing popularity of the uniformed bobbies, there was fear that the use of “police spies”—detectives in plain clothes—would reduce civil liberties.

In the years immediately following 1829, some Metropolitan Police constables were temporarily relieved from patrolling in uniform to investigate crimes on their beats.<sup>6</sup> However, as the distinction between the use of uniformed constables to prevent crime and the use of

plainclothes detectives for investigation and surveillance became clear, the public became uneasy. Illustratively, in 1833, a Sergeant Popay was dismissed following a Parliamentary investigation which revealed that he had infiltrated a radical group, acquired a leadership position, and argued for the use of violence. Until 1842, Metropolitan Police constables assigned to investigate crimes competed with the Bow Street Runners; in that year, a regular detective branch was opened at Scotland Yard, superseding the Bow Street forces.<sup>7</sup> Under Commissioner Mayne, the detective force was limited to no more than 16 investigators, and its operations were restricted because of his distrust of "clandestine methods."<sup>8</sup>

Following a scandal in which three of four Chief Inspectors of detectives were convicted of taking bribes,<sup>9</sup> a separate, centralized Criminal Investigation Department (CID) was established in 1878 at Scotland Yard. It was headed by an attorney, Howard Vincent.<sup>10</sup> Uniformed constables who had shown an aptitude for investiga-

tion were recruited to become CID detectives.<sup>11</sup> Interestingly, at least since Vincent's time, the use of strong central control has been a recurrent theme in the reform of police organizations to correct for abuses. (See Figures 1-1 and 1-2.)

## AMERICAN INITIATIVES

The success of Peel's reform in England did not go unnoticed in this country. Stephen Girard bequeathed \$33,190 to Philadelphia to develop a competent police force. In 1833, Philadelphia passed an ordinance creating America's first paid, daylight police force. Although the ordinance was repealed just three years later, the concept of a paid police force would reappear as American cities staggered under the burdens of tremendous population growth, poverty, and massive crime. In 1836, New York City rejected the notion of a police force organized along the lines advocated by Peel. The committee studying the idea concluded that:

### Figure 1-1 NEW SCOTLAND YARD

In 1890, the Metropolitan Police left their original quarters and were housed in New Scotland Yard, which is pictured here circa 1895. Subsequently, in 1967, the Metropolitan Police moved again to their present facilities, which are also referred to as New Scotland Yard.

(Courtesy of London Metropolitan Police)

