

# **MANAGING AND COORDINATING MAJOR CRIMINAL INVESTIGATIONS**

**Second Edition**



**Robert F. Kilfeather**



**CRC Press**  
Taylor & Francis Group

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Boca Raton London New York

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# Preface

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The first edition of this book (1981) was the result of a perceived need identified while I was the Director of the FDLE, Division of Criminal Investigation. Florida found itself literally inundated with large, well-organized drug-smuggling rings. That, plus the ever-increasing major-crime workloads, strained law enforcement resources beyond their capabilities for an effective response. (Florida averaged a population growth of 1,000 people per day, steady for the past twenty-five years; that is 7 to 8 million.) The complexity, nature, and size of individual major cases had outstripped administrative ability to handle them.

Major drug rings routinely numbered in a range of 750 to 1,000 plus members, each. An effective system of managing and coordinating major cases needed to be developed and then implemented. The answer is to develop criminal investigators, agency supervisors, and administrators into competent case managers. All well and good, but they must have case information and a control system at their fingertips.

In 1981, a training seminar was developed and then presented at regular intervals in Florida. The enthusiastic response to this training program by attending law officers from numerous state, county, and city police and prosecutors' agencies, from many regions across the United States, prompted that first edition. The first edition of this book was used as a lecture guide and handout reference material. The audience consisted of highly experienced case investigators and managers looking for improved control and efficiency of systems. Each meeting was a quiet, slow, and detailed discussion of our problems, with resulting solutions.

This second edition is presented due to several well-informed prosecutors and police officials suggesting a need for an "update." The outline format of the first edition needed expansion; more detail was required, and case systems needed updating. The update and expansion will broaden the audience for this book. Detective trainees and uniform supervisors will benefit. In addition, technology has radically improved over the past twenty-five years; but in many places, management has not been able to develop the advanced system capabilities now available. The reasons are numerous and include political failure to fund improvements, inertia in some organizations, and, in a few places, a lack of management initiative. There is no excuse in the current operating theater of law enforcement that a single agency that is legislatively charged with major criminal case investigation not be equipped with

the tools to succeed. If they are not, they *must* defer and coordinate such cases with a higher state authority.

The aim of this book is to help the reader coordinate and manage a major-case investigation successfully. I have tied together some of the best ideas and successful methods of case control, learned by supervising major cases and with the assistance of many competent police officers and agencies. The book's approach is broad enough to apply the controls to fit any agency, whether large or small. The approach is specific enough to see the practical values and not leave you with a book full of theory and little substance. Departments will provide the in-house details to fit the requirements of agency case management.

Please take a moment to reflect on some of the 1980s material I did not edit out where it now seems inapplicable; I left it for background reasons. Actually, some of it is fun to read; it will make you smile, thinking "Was that still a problem in the 1980s?" Yes, it was, and guess what? Much of it is still a problem. **Technology increases efficiency; case control still requires the fundamentals of good organized police work.**

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# Acknowledgments

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The ideas in this book were gathered during my thirty-eight years of experience in law enforcement as a police officer, prosecutor, and judicial hearing officer. Experienced major-case managers and administrators of many different agencies made helpful contributions. It would be impossible to mention and thank everyone who helped my life's learning process. However, there are several whose expertise and assistance was of extraordinary value:

First, Colonel Warren B. Surdam, Deputy Superintendent, New York State Police, who more than any other man taught me the value of programs and systems. Commissioner William Troelstrup and Director Fred Johns, Florida Department of Law Enforcement, who assisted in putting together Florida's first "homicide seminar," bringing together investigators, prosecutors, forensic scientists, and medical examiners for case discussions, and Dick Scully, Chief of Intelligence at FDLE. I appreciate their loyalty. Fred Scullin, the former head of the Florida Statewide Organized Crime Task Force and now Chief Federal Judge of the Northern District of New York. We shared the office space and the creation struggles of what is now Florida's Office of Statewide Prosecution. (It took a Florida constitutional amendment in 1986 to settle the issue.) I extend my deep gratitude to Captain Henry Williams and Lieutenant Sam Slade of the New York State Police; they are the type of men who make the system work with good solid police work and many major-case successes. Finally, thanks to David Ege, a good friend and worthy adversary. Dave, a notable central Florida defense attorney, contributed his always accurate and sometimes vexing legal details to a justice system in need of more such dedication. It was a pleasure working with them all.

MGT of America, Inc., a management-consulting firm in Tallahassee, Florida, deserves mention. MGT is an excellent management company with an outstanding reputation and a solid performance record. The original major-case seminar training program was promoted through their assistance and good grace. Their managing partners have worked over the years to promote professional law enforcement. MGT adopted a quiet public service policy, a mission to improve and develop good management in law enforcement because it is the right thing to do. I know they did not profit by that program, and at times, I wondered if they broke even.

Thank you all.

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# Introduction

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This book attempts to place in perspective the problems of managing and coordinating the investigation of major crimes. It provides police supervisors with tools to improve or develop a systemic approach to the control of major investigations. More importantly, it creates the necessary mind-set in supervisors to manage any major crime effectively: how to plan for the event, make resource agreements with all other participants in the investigation, and implement a coordinating system within the investigating agency. That is what this book is all about.

There is a need in law enforcement for this treatment. Numerous “how to” books have been written about the investigation of major cases. Those books are concerned with detailed steps in the actual investigation of crimes, or a critique and analysis of a specific case. Several books are available on the managing of criminal investigative divisions. They deal with the overall responsibility, decision making, and distribution of resources for an entire detective command. In these pages, the subject dealt with is the managing and coordinating of major events (single or multiple). It will stay as far away as possible from the management of detective commands; it will not delve into actual detailed methods of case investigation. This is not a “how we used to do it” book; it is for you to determine your own requirements to meet your own needs, not someone else’s. This book will aid you in **your thinking** of how to do just that: to think for yourself using your experience and the situation existing within your department, and then decide your own applications and uses.

An example of what I am saying can be explained this way: the current terrorist, and the terrorism threat used as a political tool, is now the first priority of the nation; our survival depends on how we deal with those issues. Management of the terrorist problem is a concern of department managers in coordination with federal, state, local, and international enforcement agencies, and now we must include the military. The managing of a specific case or cases of terrorist cells and associated organizations, and defeating their intent, is the problem of individual agencies, or multiagency task forces, focused on a particular person, group, or suspects. Mostly, the terrorist issue is a federal responsibility in cooperation with state and local law enforcement. **The state and local police are still required to handle and are responsible for the investigations of *all* criminal acts committed within**

their jurisdictions. The challenge is to be able to coordinate *all information* collected with compatible systems, including the “regular” or “normal” cases that are the routine business of police investigations and not directly related to terrorist activity, then ensure that it is sorted, stored in a master file, searched against other records, and fed to units for analysis, action, or retention. Along with all this there must be a retrieval capability regardless of what level or sublevel at which the information is filed. This is an integration of systems. If you look at the new terrorist threat, it is just another major-case control system, magnified in importance.

Included within that challenge is the development of more street awareness of officers and investigators in the value of simple “**street information.**” That **information** can be captured, then analyzed and turned into *intelligence*, then classed, assigned, and looked into by the appropriate people or agencies. That is integration of systems at work.

This book will assist police administrators, command and staff personnel, operational unit commanders of uniform and nonuniform services, supervisors, and the actual case investigators and patrol officers. It is written in a comfortable tone. Prosecutors and their investigative staff will also find much to interest them. Further, city managers, mayors, county commissioners, and state legislature staff people might gain an insight into matters that they are responsible for funding. They need to understand the complexity of the work to identify the capabilities and shortfalls of agencies they politically control.

The major investigations we will discuss are divided into two categories, reactive and proactive, and then dealt with separately. Although many of the same principles apply to both types of investigation, proactive and reactive cases clearly create two different sets of managing and coordinating problems. Each type of investigation is separated into phases and identified by milestones of progress as a case moves from one phase to the next. The managing and coordinating problems of the many major investigative entities, both within and without the investigative agency, are discussed and treated as part of the overall issue. This is the main thrust of the book; a major crime is not handled by one unit, or for that matter one agency. The success or failure of the investigation depends on the coordinated teamwork of a multitude of disciplines. The old, old idea of a single superdetective working a major case is long dead in theory, almost dead in practice, but still lingers in the souls of too many police officers. The public and the professional image of the police require that major cases be handled correctly, rapidly, and with expertise. This requires a plan, knowledge, and cooperation, but most of all a system of keeping it all together.

This book hopes to accomplish that.

I suggest you start by having a tape recorder or a stenographer’s lined notepad with you when you read. Throughout the book, ideas and issues will set off triggers in your mind regarding a situation within your agency that



you may want to capture for reference. You will have questions; write them down and note the page from which they arose. Organize the notes in your own style, but organize before you have to reorganize; this advice comes from experience gained with the seminars.

## Objectives of a Criminal Investigation

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The conviction of the participants, and the ending of criminal activity, is the true objective of any criminal investigation. The mere arrest is not sufficient to the community's needs. The slowing down of an organized criminal enterprise by arrests is only harassing the organization and does not necessarily end the criminal activity.

These objectives must always be foremost in the minds of the case leaders, and although in many cases the objectives will not be fully met, they should be the targeted goal. There is always debris in a major case; use it to build new intelligence, other cases, and best of all, new informants, contacts, and sources of information.

The objective of this book is to identify major-case investigative phases and the people or groups that perform the work and tie them together in a coordinated and well-managed effort to improve the effectiveness and efficiency of major-case investigations.

September 11, 2001, added a new dimension to police work. **Information** is needed more than ever. The old method of handling discoveries of interest during an investigation, but not connected to the investigation, used to be handled informally by contact between officers, or sometimes by a memo to a specific office. Today the department needs to capture that **information** and digest it into the main system for future retrieval or assignment. The "trick" will be not to contaminate, delay, or cause terrorist information gathering to interfere with the process of "normal" collection, or cause a "wall" to be erected between the two objectives.

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# Reactive Cases

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Precisely defining a “major case” can be a difficult task, but it is of paramount importance to collect the factors to use as a guide. Major criminal investigations obviously include murder, but not all murders, and property crimes, but certainly not all property crimes. Drug smuggling comes to mind in a state such as Florida, but may not qualify in Liberty County, Montana. Some robberies, assaults, or frauds could be classified as major criminal events. Continuing criminal conspiracies in certain cases could also qualify.

In order that we may understand the scope of a major investigation, a statement is necessary. A *major criminal investigation* is defined as:

- An investigation requiring extraordinary resource commitments over an *extended* period.
- A team effort requiring dedicated personnel assignments to the case to the exclusion of all other work for an *estimated* period (could be from a few days to more than a year)

Included would be most murder cases where the criminal is not in custody and his identity is unknown (whodunits). Kidnapping cases, burglaries with thefts involving five- or six-digit dollar values, and thefts of rare art pieces or jewelry may qualify as major cases. Robberies with serious assaults or major sums of money; drug-smuggling conspiracies involving large organizations; multimillion-dollar transaction frauds having complicated schemes or vast sums of money at stake, such as diamond sales frauds and stock, mortgage, and land frauds; condominium “bust outs”; and criminal gangs or cartels are all good examples of major cases. Almost any kind of criminal activity that requires resources as defined in the preceding statements meets the criteria of a major case.

To establish a concrete definition of a major criminal investigation would be a task in itself. There are too many variables in all criminal cases; therefore, maintain some flexibility in case definitions. Understanding the general sense of the definition of a major case will suffice for the purpose of this book. The preceding statements provide that definition. **Command judgment, as always, is the key.**