

INVESTIGATIVE METHODS

Art Buckwalter

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Investigative Methods

ART BUCKWALTER

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All references in this book to personnel of male gender are used for convenience only and shall be regarded as including both males and females.

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Preface

During my tenure as Director of an academy for private investigators, it was my privilege to be in daily contact with career investigators and to learn from them the practical principles of the profession. The need to create a seventy-syllabus course in the Fundamentals of Professional Investigation for the academy led to extensive personal research in public and law libraries to enhance teaching of basic techniques and methods.

Shortly after completion of this course, which became the basis for the academy's successful training of investigators, I was asked to publish my findings in book form for the benefit of those entering any field of private investigation, and as a reference work for those already in service. Obviously, the wide range of material covered by the course could never be contained in one book; that would require a number of volumes comprising a small reference library. My work at the academy, however, precluded the undertaking of such a project.

Since leaving the academy I have devoted more time to research in this field and to writing about the world of the private investigator. The four volumes on investigation, of which this is one, are the result. These volumes in no way reproduce any of the courses previously written. They are more in the nature of an instructional text or source of information. They concentrate on fundamental methods, techniques, and procedures used by investigators in their ceaseless quest to discover the truth about matters under investigation.

Fundamental legal and professional principles are inherent in investigation. The techniques reviewed in these volumes covering both civil and criminal investigations are dealt with from the viewpoint of private investigators and

their potential for contributing to the cause of right and justice. Varied means are considered by which investigators obtain the relevant, evidential facts to present to clients or before a court of law or other tribunal. Adequate knowledge of professional techniques is essential to effective investigation.

Mark Twain once facetiously observed: "Adam was the only man who, when he had said a good thing, knew that nobody had said it before him." Any writer owes a debt of gratitude to the wisdom imparted by those who have gone before and by his contemporaries. I am indebted to a host of writers and investigators in many disciplines—many of whom are quoted and referenced in these volumes—for the insights and information they have provided to enhance the educational value of this work.

The reader may find some new ideas along with restatement of tested techniques and clarification of other methods. The author's main objective is to provide a practical—and one hopes interesting—guide to the fundamental techniques of the art and science of investigation. The material has been gleaned from my own observations, from my association with private investigators and discussion with them of techniques and procedures, and from many hours of research into works that deal directly or indirectly with the methods and strategies of this intriguing profession. It is hoped that these volumes on investigation may prove valuable to those who seek to pursue the highest ethical and professional achievements of a career in private investigation as well as to all those whose interest is not career-oriented.

To my wife, Doreen, I am indebted for the typing of the final copy of the manuscript for the publishers, and for her valued assistance in proof-reading. In addition to her full-time employment as an executive secretary, she has given long hours to this task. Illustrations appearing in two of the volumes in the series were drawn by Patty McGrath and Lew Harrison of Los Angeles.

As I sit at my typewriter in my office on the ninth floor of a Wilshire Boulevard office building in Los Angeles, and occasionally pause to look out over a vast area of this city, I am painfully reminded of the increasing crime, fraud, brutality, and inhumanity of man to man that hovers like a curse over the great cities of our nation, and even casts its sinister shadow over rural areas. Evil and pathetic forces ever threaten to blot out the sunshine of human rights, human liberties, human happiness, and even human lives. Surely as these increasing shadows grow, so also will grow the demand for professionally trained and qualified practicing investigators who will help preserve our justice, our security, and our liberties.

Introduction

To enable the reader to put this volume of the series on investigation in proper perspective, a very brief preview of the contents of four books is in order.

One book delves into the private investigator's world with a look at the many facets of investigation and its methodology. It deals with both human and paper sources of information, and the principles and problems of investigative observation, description, and identification.

Another book in the series highlights investigators' search for evidence. What is evidence? Where is it found? What are the criteria of its admissibility? The volume deals with the competence and credibility of witnesses; the importance of the words and signatures of evidential, questioned, and forged documents; and the numerous kinds of physical evidence. The recording and reporting of evidence and the photographing of all visual evidence are all considered, along with practical guidelines to be followed in implementing these important investigative procedures.

The techniques for interviewing witnesses and others, interrogating suspects, taking written or recorded statements from interviewees, and confessions from suspects are all discussed in a third book. The most successful investigators are those who learn how to excel in the fine art of interviewing.

Finally, a fourth title deals with surveillance and undercover operations. Techniques for both foot and automobile surveillance are diagrammed and illustrated. The chapter on undercover operatives and their methods is followed by a discussion of undercover investigations of internal theft operations.

Every chapter in every volume contains practical guidelines for a par-

ticular investigative procedure. The four books cover the primary methods whereby investigators obtain, record, and present relevant information essential to the successful completion of assignments.

The reader of this series of books journeys progressively through the investigators' world of procedures and strategies used to obtain the necessary information from other persons and from their own efforts and observations. We wish each reader a pleasant and rewarding journey.

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I. THE WORLD OF THE PRIVATE INVESTIGATOR

Chapter 1

The Scope of Professional Investigation

“Investigation is nothing more or less than a search for the truth.”

—George B. Mettler¹

“You start with a client who knows or suspects that a civil or criminal offense has been committed. You finish by proving that someone is either guilty or innocent. In between you use certain very similar techniques and technologies—and, of course, your head.”

—Tom Ponzi²

In the early days of detective work, England’s Scotland Yard sent out some of its senior police officials in plain clothes to enable them to mingle incognito with the crowd in an effort to more readily detect criminal offenders. The outcry in the public press was so formidable that the word “detective” early became a dirty word. Plainclothed policemen were denounced as spies to be shunned and hindered.

Results, however, soon proved the wisdom of secret detective methods. Efficient plainclothed operatives quickly demonstrated the value of the unrecognized sleuth in surveillance and undercover operations and in their ability to track down offenders. Their success brought honored distinction to plainclothes police detectives.

Their counterparts in the private sector are private investigators who belong to a “breed” of privately supported investigators who serve clients who have been wronged by civil offenses or brutalized by criminal acts. They also

serve in numerous other investigations resulting from clients' personal and business needs.

HISTORY

Private investigation in the United States had a remarkable beginning. It all started with a man of unusual ability. It is doubtful if anyone could have foreseen that Allan Pinkerton, a man from Glasgow who began his work in America making and repairing barrels, was to become America's first private detective and an internationally famous sleuth.

Allan Pinkerton's uncanny ability to detect and rightly interpret signs of criminal activity became known when he discovered the hideout of a gang of counterfeiters and helped the local Dundee, Illinois, sheriff capture them. The sheriff had such great respect for Pinkerton's ability to track down evidence that he swore the Scotsman in as his deputy. Pinkerton performed his duties so well that it wasn't long before the sheriff of Cook County called him to Chicago to become a member of his staff.³ Those were the days before Chicago had a regular police force.

Pinkerton's devotion to duty led to his appointment as a special agent for the United States Post Office Department to investigate mail fraud, extortion, and blackmail. Later, when Chicago did establish a regular police department, Pinkerton was asked to join the force as its first and only detective. With total commitment, he wholeheartedly threw himself and his unusual talents into his dual role as lawman and investigator.

In 1850 Pinkerton resigned from the Chicago Police Department to become a private investigator. He founded Pinkerton's National Detective Agency, which under his capable direction wrote an incredible saga of early American investigative achievement, secret service, criminal apprehension, and industrial protection. His was the only private investigation agency in Chicago and apparently, in the United States, and was probably one of the first organized anywhere in the world.

Private investigators have been called a breed all their own. They truly do play a unique investigative role in our ever expanding world of personal, business, civil, and criminal investigations. Their roles change along with the changes in our modern urbanized society and the increasing problems created by great concentrations of people with widely divergent social and economic levels and varied affiliations.

More and more the investigative world focuses on the ethical and professional responsibilities of private investigators. The demand for uncompromising integrity and unquestioned capability grows continually in our modern world. Today the plainclothes police detectives and the private investigators are increasingly important as a front-line defense against rapidly multiplying civil wrongs and criminal offenses.

MODERN AGENCIES

Thousands of private investigation agencies of varied size and services are scattered across America. Some of them are very efficient; others leave much to be desired. Some agencies employ many investigators; others only a few. Some highly professional private investigators work alone, but most work for someone else. The entrepreneurs among them venture to establish their own agencies.

Some agencies and their operatives cover a whole gamut of investigations, or attempt to do so. Others specialize in certain types of investigations. A recent directory of agencies comprising member offices of the California Association of Licensed Investigators (CALI) indicated a wide variety in the specialties offered by member offices ranging all the way from the one-specialty offices to those that listed nineteen separate areas of investigation.

The *CALI Membership Directory* listed specialty codes representing forty-four types of professional services offered by their member firms. Forty-two of the 370-plus member offices identified their services with those forty-four specialties. CALI members represent a select but comparatively small percentage of the total number of licensed investigators registered in the state of California, which in 1980 exceeded 2,400. This spectrum provides a wide range of energies and images, from countless small agencies to the giant agencies of the profession. Territorially, their operations may be limited or not, being confined to certain locales or covering wide areas. The size and expertise of an agency usually determines the types and quantities of investigations it undertakes.

One-Specialty Private Investigators

Some private investigators offer their services in only one specialty and seek to excel in it. An example of the one-specialty private investigator is the missing persons expert, Anthony (Tony) Joseph Pellicano of Los Angeles. By concentrating his efforts, Pellicano has developed remarkable expertise in locating the missing.

Pellicano, who also goes by the name Tony Fortune, had his baptism into his missing persons career as a “skip tracer” for a Chicago department store, tracking down customers who had moved away without paying their bills. His talent for locating these individuals inspired him to launch out as a private investigator specializing in missing persons. He perfected his art and came to be recognized as one of the outstanding “people finders” in the nation.⁴

Norman Perle of Los Angeles is another example of a one-specialty investigation service. His specialty is “debugging”—sweeping offices, boardrooms, and other premises in search of hidden microphones and electronic listening devices. Electronics investigators check for telephone and boardroom “bugs”

and for all forms of clandestine listening equipment. They perform a valuable service as a countermeasure against illegal commercial and industrial audio surveillance and the attempts of competitors to steal secret information. Specialists in this field are frequently called on by corporate clients to sweep executive offices and boardrooms in search of hidden microphones and wiretaps, a common necessity in the war against industrial espionage.

When necessary, one-man operatives solicit assistance from other private investigators, particularly on cases that call for investigation some distance from their home base.

Multispecialty Agencies

The pendulum swings from the one-specialty investigator through the small agencies that may specialize in several areas of investigation, to the large multispecialty firms. One agency advertising in the Yellow Pages of the Los Angeles Telephone Directory lists the following investigative services available on a local, national, or international scale:

- Air crash investigation
- All criminal and civil cases
- Arson
- Attorney service
- Bodyguards
- Dishonest employees
- Domestic affairs
- Handwriting comparisons
- Industrial espionage
- Interrogations
- Laboratory examinations
- Limousine service
- Locating assets
- Locating individuals
- Malpractice
- Maritime issues
- Photography
- Polygraphic examinations
- Surveillance
- Traffic accident investigation
- Uniformed guards

Several private investigation firms with display ads in the same directory list from fifteen to twenty-five, or more, types of investigative services. Some

firms advertise general classifications of investigative services such as “Domestic–Industrial–Civil–Criminal.” Another firm of professional investigators lists twenty-six types of services:

- Antitrust
- Computer security
- Embezzlement
- Environmental impact
- Executive protection
- Explosions
- Fingerprinting
- Fire and safety
- Forgery
- Handwriting comparison
- Hostages, kidnapping
- Insurance claims
- Inventory shortages
- Loss prevention
- Medical malpractice
- Missing persons
- Narcotics problems
- Organized crime
- Patents, trademarks
- Personal background
- Polygraphs
- Questionable documents
- Safety inspections
- Undercover
- Wills and estates
- Witnesses located

The reader in any large city can pick up local Yellow Pages, and by checking the advertisements listed under “Investigators” can get a fair idea of the types of services offered by local agencies. A number of well-established firms have valuable connections that enable them to pursue their investigations on an international scale.

The Jay J. Armes agency, *The Investigators*, according to Armes’s business card, handles “inventory shortages, industrial undercover work, counterindustrial espionage, shadowing, photography, employee background, extortion, forgery and fraud, missing persons, heirs and witnesses, embezzlement and theft, domestic relations, personal injury, hotel and store detection work, bodyguard and special police assignments, plant and building protection, debugging phones and offices, and closed-circuit television installation.”⁵