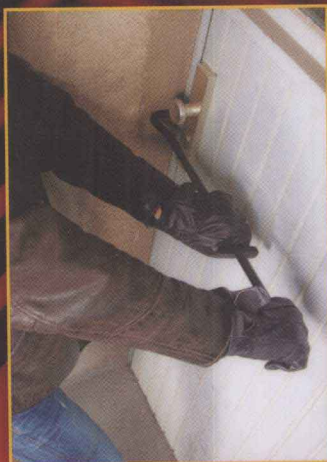
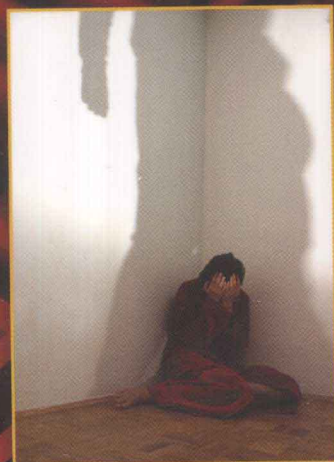


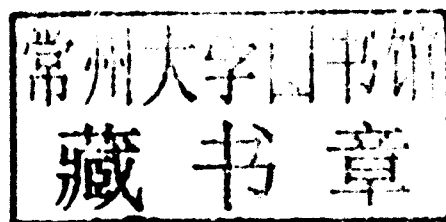
Introduction to CRIMINAL INVESTIGATION



Edited by
Michael L. Birzer and Cliff Roberson

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PREFACE

The diligent investigation of crime is both necessary and critical. Many years ago, police reformers O.W. Wilson and R.C. McLaren wrote in their classic textbook on police administration, “The purpose of the detective or criminal investigation function is to investigate certain serious crimes in order to arrest and convict the perpetrators and to recover stolen property” (Wilson and McLaren, 1977, p. 364). It is undeniable that the basic purpose of the criminal investigation function in the 21st century has for the most part remained unchanged. The investigation of crime is an important mandate of the police. All police agencies, large and small, rural and urban, perform criminal investigations; consequently, the manner in which investigators are trained is neither uniform nor consistent. Some neophyte investigators receive sophisticated training in order to learn the craft, while others simply learn on the job while assigned to a senior criminal investigator. Often, the first exposure that an investigator may have to crime scene investigation techniques goes back to their college days, as a student, taking an introduction course to criminal investigation. We reminded ourselves often of this as we crafted this introductory textbook on criminal investigation.

AUDIENCE AND STYLE

This book is suitable for use in college-level introduction to criminal investigation courses. Law enforcement personnel who want to learn how to become better investigators may also benefit from the book. Likewise, the book would be ideal as a reference guide for recruits attending police academies. Finally, the book is appropriate for the reader who simply desires to know why the police do what they do during a criminal investigation. We present this textbook with a high order of practicability, while at the same time maintaining rigorous academic standards of the content presented herein. It is rare to find an edited book that introduces criminal investigation. We present to the reader one such book. This textbook represents a collection of essays written by authorities on criminal investigation. The 20 chapters in this text give the reader a comprehensive overview of the criminal investigation process. We have woven together some of the most important and evolving areas of criminal investigation. Some of the contributors to this textbook are practicing or retired law enforcement personnel, while others are former investigators who have embarked on academic careers. Still others are attorneys who bring years of legal experience working as criminal prosecutors to obtain convictions of perpetrators responsible for crimes. It is our

belief that combining the expertise of law enforcement authorities with academicians who study crime and law enforcement practices is the gold standard of an effective textbook on criminal investigation.

ORGANIZATION OF THE BOOK

This text is organized into six parts. Part 1 presents two chapters. You may recall the old cliché regarding how do you know where you are going if you don't know where you've been. Having some knowledge of the history of criminal investigation will assist the reader in placing the topic in proper context. We feel this is essential for students. As such, in Chapter 1, John Eterno provides an excellent abbreviated history of criminal investigation in Western society. This chapter is written in a manner so as not to bog the reader down with a voluminous amount of historical details, but it does provide what you need to know to place criminal investigations into proper historical context. In Chapter 2, Bryan Courtney presents some basic introductory remarks on the field of criminal investigation. Aspiring police officers and investigators will greatly benefit from this chapter. The chapter discusses the qualifications of becoming an investigator, the selection process, and ideal training requirements. The first two chapters of this text are designed to present the basic foundation necessary to study criminal investigation in a more detailed fashion.

Part 2 is made up of five chapters that focus on preliminary considerations of the criminal investigation process. In Chapter 3, Michael Birzer details crime scene search techniques. The chapter also includes a discussion of planning the search, the actual search, and the post-search debriefing. In any criminal investigation, law enforcement authorities rely heavily on field notes and written reports to recall at a later date intricate details about the crime. Many actors in the criminal justice system, including attorneys, judges, pre-sentence investigators, and possibly jurors, will read the investigator's report; therefore, it is important to ensure that the investigative report is completed correctly and, more importantly, is readable. In Chapter 4, Gene Scaramella takes up a discussion of field notes and report writing. The chapter details how effective field notes and report writing are critical. In Chapter 5, Scott Mire and Robert Hanser provide an excellent overview of interview and interrogation. The chapter is a gold mine of information and offers many practical tips that will assist the investigator in preparing for the interview or interrogation. Moreover, the chapter offers specific techniques that have been time tested to be effective. In Chapter 6, Cory Rodivich provides an overview of the kinds of evidence that crime scene investigators may encounter. The chapter begins with a thorough discussion of the nature and type of evidence that may be found at the crime scene. The chapter concludes with a hands-on discussion of how to collect, package, and preserve different types of evidence. The role of forensic science in the investigation of crime has evolved significantly in recent years; in Chapter 7, Cory Rodivich provides a constructive overview of the contributions of forensic science to criminal investigations. The chapter discusses the forensic analysis of evidence and concludes with a tour of the crime lab, where the reader will be introduced to the instruments and equipment that are commonly found in most crime labs.

The five chapters in Part 3 focus on property crimes, auto theft, arson, and financial crimes. In Chapter 8, Matthew O'Deane examines vandalism. The chapter provides a thorough discussion of the most common types of vandalism in the United States: tagging and gang graffiti. The chapter offers prevention tips and basic investigative protocols that should be followed in order to effectively prosecute the perpetrators. Chapter 9 focuses on larceny and burglary. In this chapter, Walt Wywadis does an excellent job of discussing larceny and burglary from the preliminary investigation through the follow-up investigation. The chapter discusses offender characteristics and presents prevention techniques. In Chapter 10, Don Munday examines the investigation of auto theft in a step-by-step manner and discusses common methods and tools that perpetrators use to steal autos. Moreover, the chapter clearly outlines the steps to be followed in both the preliminary and follow-up investigation. In Chapter 11, Cliff Roberson provides an overview of arson investigations. Arson investigations can be both challenging and complex and should be approached with diligence. The chapter begins with a detailed description of the duties of the first responder and then proceeds to describe the steps that should be taken to preserve an arson scene. The chapter concludes with a comprehensive discussion of specific investigative steps that should be taken. Michael Palmiotto tackles financial crimes in Chapter 12. The chapter presents an overview of financial crimes while at the same time providing practical techniques that should be followed during the investigation.

Part 4 consists of three chapters. In Chapter 13, Gregg Etter and Roger Pennel discuss homicide and assault investigations. The chapter provides a thorough discussion of mode, method, and opportunity; the role of the medical examiner; manners of death; and types of evidence that may be encountered by investigators. Chapter 14 is written by John Padget and centers on the investigation of sex crimes. The chapter describes the nature of sex crime investigations and the critical role of the first responder. The chapter culminates with an overview of specific steps that should be followed during the investigation of a sex crime. In Chapter 15, Harrison Watts examines robbery investigation by discussing the categories of robbery, parties to the crime, and specific investigative steps. The chapter concludes with a discussion what is required for the successful prosecution of robbery.

The three chapters in Part 5 center on specialized investigations. The use of illegal drugs is considered to be a serious crime problem in the United States; in Chapter 16, Don Vespa provides a thoughtful overview of the investigation of illicit drug trafficking, including initiating the investigation, establishing and managing confidential informants, steps in the investigation, and a variety of surveillance techniques used in undercover operations. With the barrage of technological advancements, millions of children find themselves regularly in front of the computer on the Internet, and it is not uncommon to hear news reports of a child being solicited online by a sexual predator. Cybercrimes represent a significant growing threat in our society. In Chapter 17, Mark McCoy discusses the various types of cybercrimes and offers a timely protocol on how these cases should be investigated. In Chapter 18, Gregg Etter provides a complete overview of the investigation of gang-related crimes. He discusses the cultural characteristics of gangs and provides information centering on the primary and secondary crimes committed by gangs. Motivations for gang-related crimes

are also covered in the chapter. The chapter offers a comprehensive discussion of effective gang investigative techniques and concludes with an overview of anti-gang programs that have been shown to be effective.

Part 6 concludes the book with two chapters. In Chapter 19, Frank DiMarino discusses the legal issues centering on criminal investigation. Among the topics discussed are criminal law, felonies, misdemeanors, and factors that should be taken into account during the crime scene investigation and upon the initial arrest of the suspect. Rounding out the text is Chapter 20, in which Cliff Roberson and Gwynne Birzer provide an overview of how to prepare a case for court. Topics in the chapter include testimony in court, accuracy of police reports, chain of custody of evidence, personal credibility, and insightful tips for testifying in court.

LET THE VENTURE BEGIN

Whether you are a student taking a first course in criminal investigation or perhaps a neophyte investigator looking to hone your skills, we sincerely hope the textbook adequately fulfills your needs. We now invite you to turn the pages ahead and embark upon a fascinating journey through the world of criminal investigation.

REFERENCE

Wilson, O.W. and McLaren, R.C. (1977). *Police Administration*, 4th ed. New York: McGraw-Hill.

EDITORS

Michael L. Birzer, EdD, is professor of criminal justice and director of the School of Community Affairs at Wichita State University. His research interests include police behavior, advancing the adult learning theory of andragogy into criminal justice education and training, the intersection of race and police contacts, and qualitative research methods (phenomenology, ethnomethodology, and ethnography). His non-academic experience includes over 18 years of service with the Sedgwick County Sheriff's Department in Wichita, KS, where he obtained the rank of lieutenant. Books he has co-authored with Cliff Roberson include *Introduction to Private Security: Theory Meets Practice* (Prentice Hall, 2010); *Police Field Operations: Theory Meets Practice* (Allyn & Bacon, 2008); and *Policing Today and Tomorrow* (Prentice Hall, 2007).

Cliff Roberson, LLM, PhD, is a professor emeritus at Washburn University and academic chair, Graduate School of Criminal Justice, Kaplan University. He is also managing editor of *Police Practices and Research: An International Journal* and *Professional Issues in Criminal Justice Journal*. He has written numerous texts and articles on criminal justice and has over 30 years' experience in academia as a professor, dean, and associate vice president. His non-academic experience includes service as Director of Programs, National College of District Attorneys; chief defense counsel for offenders, Texas Board of Criminal Justice; head, Military Law Branch, U.S. Marine Corps Headquarters; and Marine judge advocate.

CONTRIBUTORS

Gwynne Birzer, JD, a practicing attorney in the state of Kansas, earned her undergraduate degree in criminal justice from Washburn University, Topeka, KS, in 1989. She earned her law degree from Washburn University School of Law in 1992. In 1993, she became an assistant district attorney and prosecuted sexual offenses and child abuse cases for 5 years. She also served as a special assistant attorney general, prosecuting sexually violent offenders across the state of Kansas. In 1998, she entered private practice and taught trial techniques as an adjunct instructor at Washburn University. She is currently an associate attorney at the law firm of Hite, Fanning & Honeyman, LLP, where she focuses her practice on civil defense and litigation with emphasis on medical malpractice. She also serves as an adjunct professor teaching about the American courts and judicial system at Wichita State University.

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CONTENTS

Preface, vii
Editors, xi
Contributors, xiii

SECTION 1 FOUNDATIONS

CHAPTER 1 ■ A BRIEF HISTORY OF CRIMINAL INVESTIGATION 3

John A. Eterno

CHAPTER 2 ■ INTRODUCING CRIMINAL INVESTIGATION 17

Bryan Courtney

SECTION 2 PRELIMINARY CONSIDERATIONS

CHAPTER 3 ■ CRIME SCENE SEARCH 35

Michael L. Birzer

CHAPTER 4 ■ REPORT WRITING 47

Gene L. Scaramella

CHAPTER 5 ■ INTERVIEW AND INTERROGATION 67

Scott M. Mire and Robert D. Hanser

CHAPTER 6 ■ EVIDENCE 81

Cory Rodivich

CHAPTER 7 ■ ROLE OF FORENSIC SCIENCE 99

Cory Rodivich

SECTION 3 PROPERTY CRIMES AND FINANCIAL INVESTIGATIONS

CHAPTER 8 ■ VANDALISM	127
------------------------------	------------

Matthew O'Deane

CHAPTER 9 ■ LARCENY AND BURGLARY	155
---	------------

Walter J. Wywadis

CHAPTER 10 ■ AUTO THEFT	173
--------------------------------	------------

Donald Munday

CHAPTER 11 ■ ARSON INVESTIGATION	189
---	------------

Cliff Roberson

CHAPTER 12 ■ FINANCIAL INVESTIGATION	199
---	------------

Michael J. Palmiotto

SECTION 4 CRIMES AGAINST PERSONS

CHAPTER 13 ■ HOMICIDE AND ASSAULT	211
--	------------

Gregg W. Etter and Roger L. Pennel

CHAPTER 14 ■ SEX CRIMES	239
--------------------------------	------------

John Padgett

CHAPTER 15 ■ ROBBERY	261
-----------------------------	------------

J. Harrison Watts

SECTION 5 SPECIALIZED INVESTIGATIONS

CHAPTER 16 ■ NARCOTICS INVESTIGATION	273
---	------------

Donald F. Vespa

CHAPTER 17 ■ CYBERCRIME	301
--------------------------------	------------

Mark R. McCoy

CHAPTER 18 ■ GANG INVESTIGATION	313
--	------------

Gregg W. Etter

SECTION 6 PUTTING IT ALL TOGETHER

CHAPTER 19 ■ LEGAL ISSUES IN CRIMINAL INVESTIGATIONS 337

Frank DiMarino

CHAPTER 20 ■ PREPARING THE CASE FOR COURT 357

Cliff Roberson and Gwynne Birzer

Index, 373

1

Foundations

CHAPTER 1 ■ A BRIEF HISTORY OF CRIMINAL INVESTIGATION

CHAPTER 2 ■ INTRODUCING CRIMINAL INVESTIGATION
