



Criminal Investigation



CJA-241

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Development of Investigative Information

- We will be reviewing the required reading of chapters 5,6 & 7.
- The student will be aware of:
 - Types of surveillance in criminal investigation
 - Use of informants
 - Sources of police intelligence
 - Importance of search warrants
 - Significance of police line-ups

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Homework



- Read Chapter 8, Interrogation of Suspects
- Do you believe confessions can be trusted?
 - 300 words
 - 2+ references
 - APA format

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Major Investigative Techniques

- FOLLOW THE MONEY!!!
- Surveillance – the observation of people and places
 - The objective is to bring an investigation into focus by supplying detailed information about the activities of a person or place.
 - Some investigators because of their height, size, race or nationality may have difficulty in certain environments.
- GPS systems, the new toy, ... tool

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Major Investigative Techniques

- United States vs. Knotts
 - GPS does not violate 4th Amendment
- Most persons are not suspicious of a person carrying a bag of groceries
- A ruse that works for one, may not be effective for another
- Conduct/behavior is most effective disguise.

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Major Investigative Techniques

- Vehicle lighting at night is a dead give-away
- Vehicle color must blend effectively
- Copious notes are required by participants
- Audio Surveillance
 - It IS legal
 - As long as one of the parties is knowledgeable of the recording and approves

Major Investigative Techniques

- Dalia vs. United States
 - LE received warrant to bug a suspects locations
 - They did not specifically say that the LE could covertly enter the buildings
 - The court decided that it was not necessary to specify the method of placing the bugs
 - However, to covertly place a bug in a building is a violation of the 4th Amendment if done without a warrant



Major Investigative Techniques

- Katz vs. United States
 - Consolidated thinking about bugs
 - In this case a phone booth was bugged, the LE said since it was a public place, there should be no expectation of privacy.
 - The court ruled that, "The 4th Amendment protects people, not places"
 - Therefore, you can not bug a place without a warrant, if a person expects privacy there.





Major Investigative Techniques

- Electronic surveillance with the consent of one party is NOT a search per 4th Amend.
- Electronic surveillance in a public place is legal.
- Laser bugging requires a warrant.
- Properly “wired” bugs are very difficult to detect, “wireless” bugs are easy.
- Proper wire taps are also difficult.

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Major Investigative Techniques

- Information obtained from bugs is usually mitigated or eliminated completely because of the public perception of it being dirty and unfair
- Suspects will often say things that will cause the LE to “blow” the surveillance
- NEVER act on what you hear unless you can confirm it with another source first.

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Major Investigative Techniques

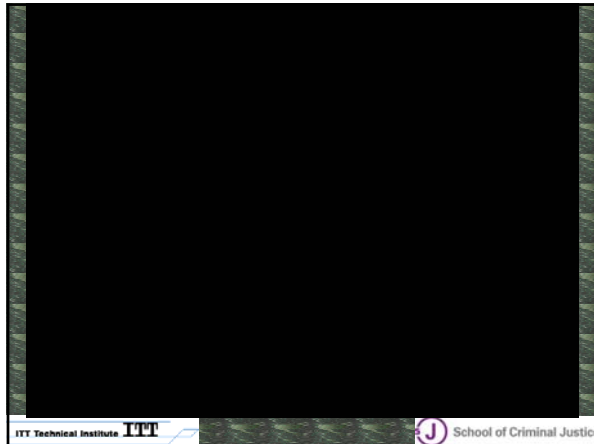
- Contact surveillance is legal without a warrant, but get one anyway.
- Place a stain on a person's body or clothing to prove a contact occurred.
- Trying to provide a reasonable explanation for a bright fluorescent stain is difficult
- Tracer dyes are usually invisible unless wet or under ultraviolet light, and are difficult to wash off.

Major Investigative Techniques

- Tracer additives are added to many objects, diesel fuel, federal fuel, food at state institutions, etc.
- The courts and Congress consider electronic surveillance as extremely invasive.
- Intelligence = Information about (crimes and criminals) not normally available through overt sources.

Major Investigative Techniques

- Police undercover agents are considered an ethical manner of obtaining inside information.
- Juries respect the undercover operative due to the danger of the position.
- Juries believe the agent is very credible, as opposed to the perception of a snitch.
- Often, new recruits are used as agents because they are not yet known.



Interviewing and Detecting Deception

- An Interview is a person-to-person conversation intended to obtain information
- The interview begins after the questioner has established rapport and relaxed the interviewee.
- Listening requires oral and visual stimulus
- Polygraph is NOT evidence and is an aid to interrogation only.

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Interviewing and Detecting Deception

- Interviews must be done in private, in a sterile room setting.
- Aids in building rapport
- Eliminates tension breakers
- Witness more likely to related intimate details to one than to several people
- Witness MUST be treated with respect and empathy during rapport building

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Interviewing and Detecting Deception

- Conduct friendly introductions
- Explain purpose of interview
- Reassure the safety issue of witness
- Address other personal needs
- Make them feel like a valuable asset
- Start by discussing unrelated topics
 - Like birthplace or weather or current events
- Use this to observe stress of witness

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Interviewing and Detecting Deception

- This also permits determination of competency and credibility of witness
 - Age, intoxication, intelligence, mental state, etc.
- None of these necessarily rule a witness out, it is the degree of involvement
- Racial or hateful references by the witness must be noted, because they may go towards credibility.

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Interviewing and Detecting Deception

- Also note physical impairments
 - Adverse conditions, lighting, weather, etc.
 - Witness's reputation and criminal history
- **AT THE SCENE**
 - Initially, what happened and what did you see or hear
 - No visible recording devices including note pad – It is intimidating and will cause witness to choose their words more carefully, that is what you do not want.

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Interviewing and Detecting Deception

- Initially, permit witness to tell story completely and uninterrupted.
- Then, have them repeat story, taking notes
- Ask additional questions at this point
- Ask disqualifying questions
 - How much to drink/drugs
 - Do you know the person
 - Do you wear glasses
- Next, review notes with witness, this allows the witness to review and think

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Interviewing and Detecting Deception

- Finally, Thank the witness and offer a final chance to add anything they think important,
- Provide a means of contact
- People speak at about 125 words a minute
- People think much faster (well some do)
 - This causes the mind to wander
 - Use this "time" to attempt to connect the witness's statements with prior info.
 - Only 65% of a conversation is verbal.

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Interviewing and Detecting Deception

- Gather meaning from:
 - Tone of voice
 - Eye contact
 - Facial expression
 - Hand gestures
 - Body language
 - Not just what is said, but how it is said

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Interviewing and Detecting Deception

- Detecting deception
 - Comfort/discomfort
 - Quickened heart rate, hair standing up, increased perspiration, quickened breathing (deception)
 - Move around, jiggle feet, fidget, drumming fingers, increased blink rate (deception)
 - Attempt to distance themselves from interviewer, leaning away, create barrier with arms or shoulders, with inanimate object in front of them.
 - Rub forehead near temple, squeeze face, rub neck, stroke the back of head.

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Interviewing and Detecting Deception

- Detecting deception
 - Emphasis
 - Normally, people emphasize what they say with body movements; eyebrows, head, hands, arms, legs, feet, torso, etc.
 - Liars work so hard to create the lie and try to sell it, they seldom think of the physical emphasis needed
 - Synchrony/asynchrony
 - Such as saying no, while shaking head yes
 - Interviewer and interviewee should have similar tone and behavior

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Interviewing and Detecting Deception

- Detecting deception
 - Perception Management
 - Attempt to deceive and influence the interviewer
 - Yawning, stretching out on couch, exhibited boredom
 - To be honest
 - To be perfectly truthful
 - I was always taught to tell the truth
 - To be Frank
 - Lying is below me

Sketching

- I took a photo of one of my bathrooms
- I then prepared a rough sketch
- I then prepared a scale diagram
- I then prepared a two dimensional animation base
- I then extrapolated into 3D

