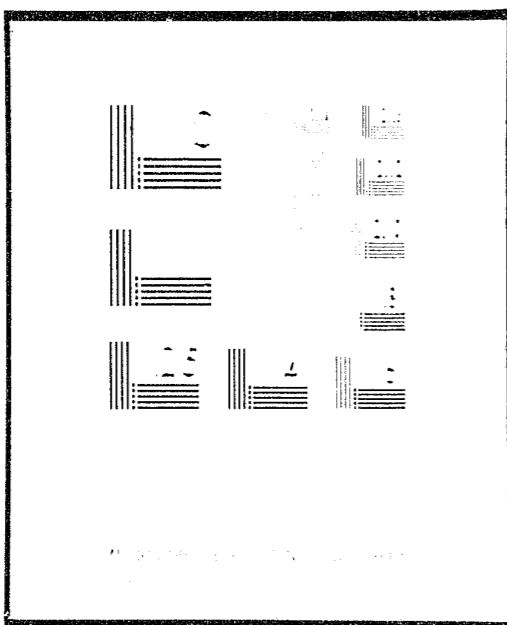


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## THE CRIMINAL INVESTIGATION PROCESS VOLUME I: SUMMARY AND POLICY IMPLICATIONS

PREPARED UNDER A GRANT FROM THE NATIONAL INSTITUTE OF LAW  
ENFORCEMENT AND CRIMINAL JUSTICE, U.S. DEPARTMENT OF JUSTICE

PETER W. GREENWOOD  
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**Rand**  
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# THE CRIMINAL INVESTIGATION PROCESS VOLUME I: SUMMARY AND POLICY IMPLICATIONS

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## PREFACE

This report is the first in a series of volumes resulting from a two-year study of police criminal investigation practices and their impacts. The study, supported by a grant from the National Institute of Law Enforcement and Criminal Justice of the Law Enforcement Assistance Administration, U.S. Department of Justice, had four objectives:

- To describe, on a national scale, current investigative organization and practices.
- To assess the contribution that police investigation makes to the achievement of criminal justice goals.
- To ascertain the effectiveness of new technology and systems being adopted to enhance investigative performance.
- To reveal how investigative effectiveness is related to differences in organizational form, staffing, procedures, etc.

The present volume, *The Criminal Investigation Process: Summary and Policy Implications*, summarizes and synthesizes the overall findings of the study and draws policy-relevant conclusions and recommendations. This report should be of interest to police officials and to other criminal justice practitioners, such as prosecutors and judges, whose work brings them in contact with criminal investigators.

Volume II of the series (R-1777-DOJ), *The Criminal Investigation Process: Survey of Municipal and County Police Departments*, reports on the responses of police departments with more than 150 employees to a national survey. Differences among departments with regard to policies, resources used, and operational characteristics are identified and then related to standard gross performance statistics such as crime, clearance, and arrest rates. This report should be of interest to both police officials and the criminal justice research community.

Volume III of the series (R-1778-DOJ), *The Criminal Investigation Process: Observations and Analysis*, presents a comprehensive description of the criminal investigation process (based on all data gathered in the course of the study) and an analysis of those issues that can be illuminated by quantitative evidence. This report is directed primarily to researchers but may also be of interest to police officials who wish to examine the details of the analysis supporting the findings reported in this volume.

## SUMMARY

### SCOPE AND OBJECTIVES

This report, the first of a series of three volumes, is the product of a two-year Rand study of police investigation funded by the National Institute of Law Enforcement and Criminal Justice of the Law Enforcement Assistance Administration, U.S. Department of Justice. The objectives of the research were:

- To describe, on a national scale, current investigative organization and practices.
- To assess the contribution that police investigation makes to the achievement of criminal justice goals.
- To ascertain the effectiveness of new technology and systems being adopted to enhance investigative performance.
- To reveal how investigative effectiveness is related to differences in organizational form, staffing, procedures, etc.

The scope of the Rand study was limited to police investigation of serious reported crime: homicide, rape, assault, robbery, burglary, and theft. Our work did not address misdemeanor offenses or victimless and organized crimes whose investigation is substantially different from the felony offenses that were our primary concern.

The present volume summarizes and synthesizes the overall findings of the study and draws policy-relevant conclusions. Throughout the report the collective "we" is used to describe the work of the entire project staff.

### SOURCES OF INFORMATION

The information used in this study was obtained in several ways. First, we examined the literature on the investigative performance of police departments in American cities and used some of their findings as hypotheses to be explored in our work.

We developed a comprehensive survey questionnaire which was distributed to all municipal or county law enforcement departments that had 150 or more full-time employees or that served a jurisdiction whose 1970 population exceeded 100,000. This survey produced extensive information from 153 jurisdictions (of the 300 solicited) on such topics as department characteristics, investigator deployment, investigator training and status, use of evidence technicians, nature of specialization, evaluation criteria, prosecutorial interaction, case assignment, use of computer files, and crime, clearance, and arrest rates.

On the basis of the survey responses, together with the consensus of our project advisory panel,<sup>1</sup> more than 25 police agencies were selected for more detailed study.

<sup>1</sup> A panel of distinguished police personnel were selected to serve in an advisory capacity to the project. The group consisted of Cornelius (Neil) J. Behan (New York City Police Department); James Fisk (Mem-

Our project staff visited each of these departments, observing and participating in the operations of the investigative units and discussing their procedures with personnel at various departmental levels. In some cities we monitored individual investigators and their supervisors continuously over a period of several days to obtain realistic profiles of their activities.

From some departments we obtained studies that they had made to evaluate novel investigative programs. Several departments cooperated closely with the Rand staff and provided us access to samples of completed or suspended cases, whose folders enabled us to trace case progress and disposition as related to the specific investigative inputs.

One very useful data source made available to us was the Kansas City Detective Case Assignment File, which has been maintained in that department since 1971. On the basis of daily information submitted by individual detectives, this computer file permitted us to determine, for each investigator and each investigative unit, a description of the time spent on various activities, the number of cases handled, and the number of arrests and clearances produced. This information source greatly facilitated our analyses of how detectives spend their time and to what purposes and effects.

From the FBI we obtained a computer readable file of 1972 Uniform Crime Report (UCR) data, by reporting departments; these data and information from the survey were used to develop inferences about the relationship between investigative activities and reported crime rates, arrest rates, and clearance rates.

Finally, to provide a data source for a special study of information feedback to crime victims, a limited telephone survey was made of robbery and burglary victims in a single jurisdiction.

## MAJOR FINDINGS

- *On investigative effectiveness: Differences in investigative training, staffing, workload, and procedures appear to have no appreciable effect on crime, arrest, or clearance rates.*

As part of our analysis of the survey questionnaire, we attempted to correlate (by means of standard statistical tests) crime, arrest, and clearance rates with the wide differences in organization, staffing, and procedures by which those departments reported that they performed the investigation function. This analysis shows that variations in crime, arrest, and clearance rates among these communities were weakly, if at all, related to the disparities in investigation inputs.

- *The method by which police investigators are organized (i.e., team policing, specialists vs. generalists, patrolmen-investigators) cannot be related to variations in crime, arrest, and clearance rates.*

Detailed analysis of case samples, combined with FBI-UCR and Rand survey data, shows that crimes are solved similarly across departments, regardless of how the investigators are organized.

ber of the Los Angeles Police Commission); Thomas Hastings (Rochester, New York Police Department); Jerry Wilson (Former Chief, Washington, D.C. Police Department); and Eugene Zoglio (Professor, Prince George's Community College).

- *On the use of investigators' time: Substantially more than half of all serious reported crimes receive no more than superficial attention from investigators.*

From an analysis of a computer-readable case assignment file maintained by the Kansas City (Missouri) Police Department, and observations during site visits, we determined that although a large proportion of reported crimes are assigned to an investigator, many of these receive no more attention than the reading of the initial crime incident report; that is, many cases are suspended at once. The data show that homicide, rape, and suicide invariably resulted in investigative activity. Overall, however, less than half of the reported felonies could be said to be worked on by an investigator, and the great majority of cases that are actively investigated receive less than one day's attention.

- *Our data consistently reveal that an investigator's time is largely consumed in reviewing reports, documenting files, and attempting to locate and interview victims on cases that experience shows will not be solved. For cases that are solved (i.e., a suspect is identified), an investigator spends more time in post-clearance processing than he does in identifying the perpetrator.*

From our analyses of a variety of crime types, it was determined that, in more than half of the cleared cases, the identity of the perpetrator is known or readily determinable at the time the crime report is made. The investigator needs to devote little time to the solution of these cases, but post-arrest processing frequently requires him to perform a number of administrative tasks. Difficult cases that are finally solved after a substantial application of investigative effort are relatively uncommon. Most of the work done by investigators on cases that are solved is a consequence of the fact that an arrest has already been made. Furthermore, much of the investigator's time is consumed by administrative duties, services to the public, and other activities not immediately directed to assigned cases.

- *On how cases are solved: The single most important determinant of whether or not a case will be solved is the information the victim supplies to the immediately responding patrol officer. If information that uniquely identifies the perpetrator is not presented at the time the crime is reported, the perpetrator, by and large, will not be subsequently identified.*

In an analysis of a large sample of combined crime types, it was determined that the perpetrator's identity became immediately known in more than one-half of the cases that were eventually cleared, chiefly because (1) the offender was arrested at the scene; (2) the victim or other witness identified him by name and address even though he was not arrested at the scene; or (3) he was identifiable by some unique evidence apparent at the crime scene, for example, a witness observed the license plate on the perpetrator's car or his employee badge number.

- *On how cases are solved: Of those cases that are ultimately cleared but in which the perpetrator is not identifiable at the time of the initial police incident report, almost all are cleared as a result of routine police procedures.*

A finding from our examination of the cleared cases in a sample drawn from six cities was that in nearly all cases where the perpetrator's identity was not apparent at the time of the offense, the clearances were produced by routine police procedures; that is, they required no imaginative exercise of investigative experience and skills. Typically, fingerprint search, random informant tips, mug shot showups, or stolen property recovery were instrumental in producing clearances. Investigative "special action" made a perceptible difference in only three types of crimes: commercial burglary, robbery, and homicide. In these crimes, we found that roughly 10 percent of the cases were solved as the result of nonroutine initiatives taken by investigators.

- *On collecting physical evidence: Most police departments collect more physical evidence than can be productively processed. Our analysis shows that allocating more resources to increasing the processing capabilities of the department can lead to more identifications than some other investigative actions.*

From our comparative analysis of the physical evidence collection and processing activities of six police departments which employ different procedures, we found that a department can assure a relatively high recovery rate of latent prints from crime scenes by a sufficient investment in evidence technicians and by routinely dispatching technicians to the scene of felonies. The latent print recovery rate is also increased by processing the crime scene immediately following the report of the incident. But, unless the department's print processing capability is commensurately improved, the rate of suspect identifications does not increase significantly.

- *On the use of physical evidence: Latent fingerprints rarely provide the only basis for identifying a suspect.*

Comparisons among fingerprint identification sections in four contrasting departments showed that although 4 to 9 percent of all latent prints are eventually matched with a suspect's inked prints, they rarely provide the basis for initial identification. Although the use of "cold search" (no other evidence) and its success rate varied substantially among departments, fingerprint identification did not have a significant effect on overall arrest rates in any department.

- *On investigative thoroughness: In relatively few departments do investigators consistently and thoroughly document the key evidentiary facts that reasonably assure that the prosecutor can obtain a conviction on the most serious applicable charges.*

This finding derives from a combination of observations of police departments made throughout the country and some of the results obtained in the study of post-arrest investigation practices. In the latter study our analysis of robbery cases showed that the department confronted by a stringent prosecutorial filing policy was significantly more thorough in performing and reporting post-arrest investigative work than the department in which cases were more permissively filed. Yet, even the former department fell short of supplying the prosecutor with all of the information he desired; the data show that each of 39 evidentiary questions considered by a prosecutor to be necessary for effective case presentation was on the average covered in only 45 percent of the cases, while 26 percent were addressed by the latter department.

- *On investigative thoroughness: Police failure to document a case investigation thoroughly may have contributed to a higher case dismissal rate and a weakening of the prosecutor's plea bargaining position.*

In relating case disposition to investigative thoroughness, our analysis showed significant differences between the two study jurisdictions that displayed differences in investigative thoroughness and prosecutorial screening practices. For example, none of the sampled cases were dismissed in the jurisdiction with more stringent case screening and greater investigative thoroughness; furthermore, 60 percent of the defendants pled guilty to the charges as filed. By comparison, in the second jurisdiction, about one-quarter of the sampled cases were dismissed after filing, and only one-third of the defendants pled guilty to the charges as filed.

- *On relations between victims and police: Crime victims in general strongly desire to be notified officially as to whether or not the police have "solved" their case, and what progress has been made toward convicting the suspect after his arrest.*

The Rand telephone survey indicated a strong desire on the part of victims to receive official notification when a suspect had been arrested, and of the disposition of the case. Few victims, no matter how distressed by the information conveyed to them by the police (e.g., that investigation into their case had been suspended), would act to redress their grievances by making a formal complaint.

- *On investigative organization and procedure: Investigative strike forces have a significant potential to increase arrest rates for a few difficult target offenses, provided they remain concentrated on activities for which they are uniquely qualified; in practice, however, they are frequently diverted elsewhere.*

Rand analyzed the performance of such units in general, and the Long Beach Suppression of Burglary (SOB) Unit and the Miami STOP Robbery Unit in particular. In these instances, the formation of an investigative strike force did tend to produce higher arrest rates for the targeted offense; yet, a significant proportion of the arrests in which these investigators participated did not result from the special efforts and skills exercised by them.

## PROPOSED REFORMS

The above findings imply that traditional approaches to criminal investigation by police departments do not significantly affect the rate at which cases are solved. It appears, rather, that most cases are solved by the application of routine administrative procedures. If these implications are valid, then several policy changes are suggested. We set forth a number of such "reforms" whose rationale is consistent with our findings. We do not expect a police department to adopt them uncritically. Rather, it should first assure itself of the relevance of our work to its situation and then introduce the changes on an experimental basis, together with a careful evaluation program that enables their effects to be identified and assessed. If these experimental implementations have favorable outcomes in several departments, then the change(s) involved could be promoted for national adoption.

We believe that the recommended reforms should lead to a somewhat greater number of arrests, more successful prosecutions, and savings in resources. But they will not necessarily lead to a *substantial* improvement in apprehension rates, which our work indicates are more dependent on other factors, for example, victim and witness cooperation.

On their face, our study findings suggest that the effectiveness of criminal investigation would not be unduly lessened if approximately half of the investigative effort were eliminated or shifted to more productive uses. The remaining investigative force should suffice to handle routine cases, which give rise to most of the clearances that now occur, and to perform the post-arrest processing involved in a patrol arrest. These findings also indicate that significant increases in criminal apprehension rates are much more likely to be produced by more alert patrol units and improved citizen cooperation than by refinements in investigative work.

1. *Reduce follow-up investigation on all cases except those involving the most serious offenses.*

*Rationale:* Our data consistently reveal that a regular investigator's time is preponderantly used in reviewing reports, documenting files, and attempting to locate and interview victims and witnesses on cases that experience shows will not be solved. Our data show, moreover, that most cases that are solved are solved by means of information spontaneously provided by a source other than those developed by the investigator. It follows that a significant reduction in follow-up investigative efforts would be appropriate for all but the most serious offenses for which public confidence demands some type of response. If a thorough preliminary investigation fails to establish a suspect's identity, then the victim should be notified that active investigation is being suspended until new leads appear, for example, as a result of an arrest in another matter.

2. *Assign generalist-investigators (who would handle the obvious leads in routine cases) to the local operations commander.*

*Rationale:* Under the investigation policy suggested above, the main duty of the generalist-investigator is to respond to information developed by the patrol units at the crime scene or volunteered by the public, rather than to develop new leads on his own initiative. This role emphasizes the public service function of the investigator, and the men performing it should be responsible to the local commander who is concerned with all aspects of police-community relations.

Our research suggests that this type of investigative duty does not entail a requirement for specialized skills or centralized coordination. The officers performing it could readily shift between patrol and investigative duties. In departments with team policing, such investigation of routine cases could be a duty rotated among team members.

3. *Establish a Major Offenders Unit to investigate serious crimes.*

*Rationale:* Because of their importance to society, serious crimes (homicide, rape, assault with great bodily injury, robbery, or first-degree burglary) may warrant some special investigative efforts. These efforts can best be provided by a Major Offenders Unit, manned by investigators who are well trained and experienced in examining crime scenes, interpreting physical evidence, and interrogating hostile

suspects and fearful witnesses, and who are aided by modern information systems. One reason to establish such a unit is to clearly identify the investigative positions that require special skills and training and that demand knowledge of citywide crime patterns and developments. Our analysis of traditional investigation workloads suggests, by way of contrast, that with current staffing patterns, most investigators rarely see these highly serious cases. Therefore, when they arise, the investigators are frequently ill equipped to cope with them and unduly distracted by the burden of paperwork on their routine cases.

The Major Offenders Unit would concentrate efforts on a few *unsolved* serious felonies. The team would consist of a relatively small number of experienced investigators who would be closely supervised by a team commander.

4. *Assign serious-offense investigations to closely supervised teams, rather than to individual investigators.*

*Rationale:* The most serious impediment to high-quality investigative work appears to us to be the traditional method of case assignment and supervision. In nearly every department, cases are normally assigned to an individual investigator and become his sole responsibility whether he is a generalist, specialist, or engaged in team policing. Supervisors do not normally review the decisions he makes on how to pursue the case investigation—decisions that are largely unrecorded in the case file. Consequently, the relative priority an investigator gives to the tasks on one case assigned to him results largely from the number and nature of his other case assignments and from his personal predilections and biases. It may frequently turn out that caseload conflicts and personal predilections lead an investigator to unduly postpone or improperly perform important elements of a particular case assignment.

Assigning cases to investigative teams rather than to individuals could eliminate this impediment. For effective operations, this team should number approximately six men and be led by a senior investigator who is knowledgeable in the local crime situation, in criminal law, and in police management. The leader's primary responsibility would be to keep informed of progress on the cases assigned to his team and make the broad tactical decisions on the team's expenditure of effort. Each day the subordinate investigators would perform individually assigned tasks. A clerk delegated to the team would prepare progress reports to document the daily accomplishment on open cases and to assist the leader in making the allocation for the following day. These reports would also help the leader identify which of his men was most effective at which tasks. This approach should assure that significant steps in an investigation are objectively decided by a senior experienced investigator. This proposed reform is especially applicable to those cases handled by the Major Offenders Unit, described in Reform 3, and by those investigators assigned to the prosecutor, described in Reform 8.

5. *Strengthen evidence-processing capabilities.*

*Rationale:* Many police departments collect far more evidence (primarily fingerprints) than they can productively process. Our work shows that cold searches of latent fingerprints are far more effective in increasing the apprehension rate than are routine follow-up investigations.

The fingerprint-processing capabilities should be strengthened as follows: First,

the reference print files should be organized by geographic area, with a fingerprint specialist assigned to each area, of no more than 4000 to 5000 sets of inked prints. Second, to assure a large number of "request searches," which imply a cooperative effort between investigator and fingerprint specialist, some communication links should be devised to help motivate and facilitate the reciprocal exchange of information between these two parties. And third, the persons performing this function should be highly trained, highly motivated, and not overloaded with other tasks which detract from their primary function.

6. *Increase the use of information processing systems in lieu of investigators.*

*Rationale:* Much of the scanning and monitoring of the huge volume of information concerning crime incidents and arrests could instead be done by means of an information processing system that would involve clerks and routine procedures in small departments, and electronic computers in large ones. Rand's nationwide survey indicates that computerized information systems are not nearly as prevalent as would be justified by their potential to save manpower in this area.

7. *Employ strike forces selectively and judiciously.*

*Rationale:* The few investigative strike force operations we examined support the view that strike forces can be relatively productive, particularly against burglary and fencing offenses. But to achieve an advantage, these units must be manned by motivated and innovative personnel. The gain in employing them becomes illusory when mere quantity of arrests is emphasized, for then the efforts of this force tend to be diverted into making arrests that are not the result of its own unique capabilities. The operation of strike forces necessitates careful procedural and legal planning to protect the involved officers and to ensure that the defendants they identify can be successfully prosecuted. They also require close monitoring by senior officials to ensure that they do not become overly aggressive and infringe on individual privacy.

In all likelihood, the relative advantage of strike force operations in a particular department will not persist; so the department must accustom itself to creating and then terminating strike forces, as circumstances may dictate.

8. *Place post-arrest (i.e., suspect in custody) investigations under the authority of the prosecutor.*

*Rationale:* Our analyses of workload data reveal that most investigative effort on cleared cases is made after the arrest, and that most arrests are made by a responding patrol unit without prior investigator involvement. But many of these cases necessitate post-arrest investigation to strengthen the evidence to meet the "beyond a reasonable doubt" standard for conviction. Also, the investigator may be impelled to post-arrest efforts in an attempt to achieve clearances in other cases by the present arrest, or to satisfy the documentation requirements of the department.

Most prosecutors do not have investigators on their staff. If they do, these investigators are usually occupied with relatively complex "white-collar" offenses. Generally, then, the prosecutor relies on police investigators to provide the evidence needed to prosecute and convict the suspect. But this situation contains an inherent conflict between prosecutor and police. A police arrest is justified by *probable cause*—i.e., an articulable reasonable belief that a crime was committed and that the arrest-

ee was the offender. But generally, because of the pressure of new cases and the expectation that the case will be bargained rather than tried, the police are reluctant to expend further investigative efforts to strengthen the evidence in the case. The prosecutor, on the other hand, may be reluctant to file the charges that the police prefer, or to file at all, if he believes the evidence would not suffice for a conviction, i.e., *proof beyond a reasonable doubt*. It is clear that many cases are affected by the conflicting incentives of police and prosecutor, as reflected in failures to file, lenient filing, early dismissals, or imbalanced bargaining.

A promising remedy for this problem would be to place *post-arrest* investigations under the authority of the prosecutor's office, under assignment or as an integral part of his staff, depending on the local situation. They would be used to implement the policy that post-arrest investigation should seek to demonstrate the culpability of the suspect beyond a reasonable doubt. We feel this arrangement would be a more effective way of assuring that the evidentiary needs for a successful prosecution are met.

9. *Initiate programs designed to impress on the citizen the crucial role he plays in crime solution.*

*Rationale:* All our data show that the most important factor in crime solution is the information provided by the victim to the responding police officer. If information that uniquely identifies the perpetrator is not presented at the time the crime is reported, the perpetrator, by and large, will not be subsequently identified.

Police departments must initiate programs designed to increase the victim's desire to cooperate fully with the police. Resources allocated to such programs may serve to increase apprehension rates. Specifically, police departments should widely disseminate the findings uncovered by this study. The realistic picture of how crimes are solved will help eliminate the public's distorted stereotype images of detectives and will impress on them the importance of their cooperation with police in order to solve crimes.

## CONCLUDING REMARKS

Rand began this study prepared to find great variability in the criminal investigation procedures employed by police departments across the country and in their effectiveness. We hoped to identify and describe those key program factors which led to improved effectiveness and to suggest how other police departments might modify their investigative practices to achieve the identified benefits. These hopes were not realized.

Despite our finding apparently diverse investigation practices, organization, and official procedures, we conclude that most detectives work similarly everywhere. Special projects established to test new operating concepts in some communities usually seemed to us to be poorly designed to test the underlying concept on which they were based, or to provide reliable proof of their eventual impact.<sup>2</sup> We found few departments seriously undertaking the use of electronic data processing equipment

<sup>2</sup> Exceptions were the Long Beach SOB Unit, the New York City Anti-Fencing Unit, and Rochester's Team Policing experiment.



to help solve their cases; and in those departments where computing systems were used, few objective data were available to assess their contribution.

In general, we ascertained that investigator activities have only a marginal impact on the overall level of identifications and arrests achieved by a major police department. Although investigators may sometimes concentrate sustained investigative efforts on particular cases, nearly all case solutions result from simple routine processing of information available at the time of the initial police report.

It would not be prudent for a department to materially reduce its level of investigative effort on the strength of our findings alone. For many inescapable reasons, a police chief would be sharply criticized by crime victims and others if he failed to respond with some degree of investigative effort on most cases. Rather, we recommend that a series of closely monitored experiments or demonstrations be conducted in different types of jurisdictions. These undertakings should provide for a carefully controlled reduction in follow-up investigative efforts and for an increase in efforts to accomplish identifications and arrests by other means. These demonstrations should be aimed at testing the substantive findings of our study and at demonstrating practical alternatives for enhancing police capability to apprehend criminals.

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from different police departments to discuss our preliminary findings and determine how the findings conformed to their views based on experience. We are grateful to the following investigators for participation in these discussions and sharing their unique insights: Sergeant Gary Arnold, Sergeant Ted Bach, and Sergeant Frank Gravante (Los Angeles Police Department); Inspector Frank Sabatini and Officer Patrick Phelps (Berkeley Police Department); and Sergeant Jack Greenleaf (Long Beach Police Department).

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## CONTENTS

|  |     |
|--|-----|
| PREFACE.....   | iii |
| SUMMARY .....  | v   |
| ACKNOWLEDGMENTS.....   | xv  |
| Chapter  |     |
| 1. INTRODUCTION .....  | 1   |
| Sources of Information.....  | 3   |
| Component Studies .....  | 3   |
| 2. A REALISTIC VIEW OF INVESTIGATIVE ACTIVITIES .....                                | 5   |
| Stereotypes of the Investigator's Role .....   | 5   |
| Current Investigative Activities.....  | 7   |
| 3. THE RESULTS OF INVESTIGATIVE ACTIVITIES .....                                     | 12  |
| How Cases Are Solved .....   | 13  |
| Analysis of the Collection and Processing of Physical Evidence....                   | 15  |
| The Daily Routine.....   | 18  |
| The Relationship Between Thoroughness of Investigation and Case<br>Disposition ..... | 20  |
| Investigative Strike Forces .....  | 22  |
| Information Feedback to Crime Victims.....   | 25  |
| 4. POLICY IMPLICATIONS.....  | 26  |
| How Reliable Are Our Findings?.....  | 26  |
| What Are the Policy Implications of Our Findings? .....                              | 27  |
| Proposed Reforms .....   | 27  |

## Chapter 1

### INTRODUCTION

Over the years it has become increasingly evident that the crime problem is exceeding the capabilities of the criminal justice system to control or even contain it. If official statistics are to be believed, the increase in crime assumed epidemic proportions in the first few years of the 1960s. Since 1961, the rate for all serious crimes has more than doubled. From 1973 to 1974 this rate jumped 17 percent, the largest annual increase in the 44 years that national statistics have been collected. The rise in criminal statistics has prompted a public awareness of the seriousness of the problem. The observation was made in 1970 that "Suddenly, sometime in the 1960s, crime and race and lawlessness and civil rights became the most important domestic issues in America."<sup>1</sup> The mounting crime issue led to the formation of the President's Commission on Law Enforcement and The Administration of Justice in 1967, which formally identified crime as a prime, nonpartisan, domestic problem.

Congress subsequently created the Law Enforcement Assistance Administration to authorize grants to state and local governments "in order to improve and strengthen law enforcement and encourage research directed toward the improvement and development of new methods for the prevention and reduction of crime and detection and apprehension of criminals."<sup>2</sup> Each state planning agency was charged with developing a comprehensive plan for reducing crime throughout its state and allocating resources under these guidelines. The allocation of such funds, which rose to almost \$900 million during FY 1975, was often shaped by the individual philosophies of local administrators. Some, who had "liberal" views, emphasized projects whose aims were to remedy the effects of poverty, racism, or other social inequities on the potential offender. Others, regarded as "conservatives," while acknowledging the contribution of poverty and social injustice to criminal behavior, placed more reliance on public measures that would increase the capabilities of agencies more directly concerned with combatting crime—the police, prosecution, courts, and corrections.

During the past decade, both ideological postures have helped to justify the formation of a myriad of corrections, courts, and police action programs. Billions of dollars have been allocated to state and local governmental agencies for the purpose of reducing crime. Unfortunately, if one is to judge from the available evidence, such expectations have not been realized.

The persistence of the national crime problem has compelled proponents of competing remedies to combine their approaches. For example, all sides seem to agree that even if the goal of rehabilitating criminals cannot be achieved, the public, at least, has a right to demand that dangerous criminals be somehow restrained.

Leading criminologists now take the position that some individuals will not be readily deterred from criminal activity by any reasonable preventive measures. For

<sup>1</sup> Richard Scammon and Ben Wattenberg, *The Real Majority*, Coward, McCann, and Geoghegan, New York, 1970, p. 39.

<sup>2</sup> Omnibus Crime Control and Safe Streets Act, Public Law 90-351, June 19, 1968.

them the criminal justice system is not a credible deterrent; they do not find that the penalties of criminal conduct outweigh its benefits; and they are prepared to act accordingly. If this is the case, as research leads us to believe, then police programs designed to increase the likelihood that criminals will be identified and apprehended are probably the only effective means of directly attacking the criminal behavior of this select offender population. However, responsible public administrators recognize that unselective increases of resources to policing are likely to be inefficiently used. Millions of dollars have recently been expended on research to explore specific programs or activities by which the police may best contribute to crime reduction. This research has uncovered a number of important findings in the area of policing, but mostly of a negative nature, i.e., it has shown what does not work.

For example, the Kansas City Patrol Experiment demonstrated that, for all practical purposes, changes in the level of preventive patrol made no difference at all in a number of crime indexes. After one year of this experiment, no differences were observed in criminal activity, amount of recorded crime, rate of victimization as revealed in a follow-up survey, level of citizen fear, or degree of citizen satisfaction with the police among city areas where preventive patrol was varied.<sup>3</sup> Such findings have led police administrators to question the traditional allocation of police personnel. If it is not productive to assign substantial numbers of uniformed officers to routine car patrols on the streets, then this police manpower, often as much as one-third of all patrol man-hours, might be better used in other tasks, such as investigation, surveillance, or community services. Unfortunately, the effectiveness of these alternative uses of police has never been clearly demonstrated.

The National Institute of Law Enforcement and Criminal Justice, the research arm of LEAA, has been confronted by indecisive or negative research results on the effectiveness of traditional police patrol activities; a public that is becoming more vocal in its demands that violent criminals be apprehended and swiftly prosecuted; and police personnel who are disillusioned and frustrated by their inability, because of manpower shortages and strict legal statutes, to convict strongly suspicious suspects in court. One effect of these pressures has been a fresh focusing of attention on the investigation function in policing. If police investigation were demonstrated to be a relatively effective means of identifying and apprehending criminal offenders in general, and a reliable means to assure swift and certain prosecution of dangerous offenders in particular, then public safety would be enhanced by allocating more resources to this police function. To this end, the National Institute sponsored The Rand Corporation in a two-year study of criminal investigation as practiced throughout the country. Study objectives included the following:

- To describe, on a national scale, current investigative organization and practices.
- To assess the contribution that police investigation makes to the achievement of criminal justice goals.
- To ascertain the effectiveness of new technology and systems being adopted to enhance investigative performance.

<sup>3</sup> For complete results of the Kansas City Patrol Experiment, see *The Kansas City Preventive Patrol Experiment*, by George Kelling, Tony Pate, Duane Dieckman, and Charles E. Brown, published by the Police Foundation, Washington, D.C., 1975.

- To reveal how investigative effectiveness is related to differences in organizational form, staffing, procedures, etc.

In the conduct of this study, Rand has limited its attention to police investigation of the serious reported crimes—homicides, rape, robberies, burglaries, larceny, and auto theft—used by the FBI to establish its crime index. Investigation aimed at such offenses as the sale and use of narcotics, vice, gambling, or organized crimes has been excluded as they pose an entirely different set of issues from those presented by the investigation of street crimes.

## SOURCES OF INFORMATION

The information used in this study was obtained in several ways. First, we examined literature on the investigative performance of police departments in American cities and used their findings as hypotheses to be explored in our work.

We developed a comprehensive survey questionnaire which was distributed to all municipal or county law enforcement departments that had 150 or more full-time employees or that served a jurisdiction whose 1970 population exceeded 100,000.<sup>4</sup> This survey produced extensive information from 153 jurisdictions (of the 300 solicited) on such topics as department characteristics, investigator deployment, investigator training and status, use of evidence technicians, nature of specialization, evaluation criteria, prosecutorial interaction, case assignment, use of computer files, and crime, clearance, and arrest rates.

On the basis of the survey responses, together with the consensus of an advisory panel of experienced law enforcement personnel, more than 25 police agencies were selected for more detailed study. Our project staff visited each of these departments, observing and participating in the operations of the investigative units and discussing their procedures with personnel at various departmental levels. In some cities we monitored individual investigators and their supervisors continuously over a period of several days to obtain realistic profiles of their activities.

From some departments we obtained studies that they had made to evaluate novel investigative programs. In addition, several departments cooperated closely with the Rand staff and provided access to data that were subsequently used in one of the component studies.

## COMPONENT STUDIES

The components of Rand's criminal investigation study are summarized in this volume, with the exception of our national survey of police departments which is discussed in Volume II. We do not need to repeat such summaries here; however, to facilitate our presentation of representative findings from the component studies in this volume, we enumerate and briefly identify these studies:

- *The Literature Review*—a comprehensive search for, and the analysis of, reports of previous studies concerning the police investigative function,

<sup>4</sup> The complete results of the Rand survey are reported in R-1777-DOJ, Volume II of this study, *The Criminal Investigation Process: Survey of Municipal and County Police Departments*, October 1975.

- concentrating on work done in the past decade.
- *Description of the Investigative Function*—a full characterization of what the criminal investigation seeks to accomplish, how it is organized and managed, how it operates, how personnel are assigned and trained, what forms of support are given, etc. This description mainly derives from information obtained from Rand's national survey to which 153 police departments responded and from our extensive field work within more than 25 departments.
  - *How Detectives Spend Their Time*—a reconstruction of the daily routine of investigators, concomitantly relating the uses of their time to various measures of accomplishment. This analytical portrayal is based on a program of personal observations by Rand researchers, on inferences from the numerous criminal case files collected and reviewed for many purposes in this study, and on a computer-readable data file maintained by the Kansas City Police Department.
  - *How Crimes Are Solved*—an analysis of cleared case samples from the police departments of six contrasting cities, to ascertain what factors were responsible for the identification of the suspect and what contribution the investigators made to the case solution.
  - *The Role of Physical Evidence Collection and Processing*—a comparison of the physical evidence collection and processing efforts in six police departments, seeking to show how the type and amount of such efforts, and the procedures for applying them, affect the clearance of robbery and burglary cases. The role of the evidence technician is extensively explored, including differences in his productivity among the six departments studied.
  - *Investigative Thoroughness*—a comparison of robbery case samples from two prosecutors' offices to illuminate several issues about the thoroughness of performing and reporting follow-on investigations; namely, What effect does the stringency of the prosecutor's charging policy have on such thoroughness? and How does investigative thoroughness affect case disposition?
  - *Information Feedback to Victims*—an assessment of how the feedback of information from police to robbery and burglary victims affects their attitudes, as revealed by a small telephone survey in a single jurisdiction.
  - *The Investigative Strike Force*—an examination of proactive investigation methods purporting to enhance overall arrest effectiveness. The nature, use, and performance of strike forces are considered both in general and for the instances of the Miami STOP Unit and the Long Beach SOB Unit in particular.

## Chapter 2

### A REALISTIC VIEW OF INVESTIGATIVE ACTIVITIES

A primary objective of this study has been to develop a realistic description of the activities in which police investigators are routinely engaged. At its beginning we had considerable doubts about whether we could ever resolve the many conflicting views concerning what detectives really accomplish.

#### STEREOTYPES OF THE INVESTIGATOR'S ROLE

Three common stereotypes influence the public's perception of investigative effectiveness. First is the media image, which many detectives would claim for themselves—the resourceful, streetwise cop, who always gets his man. Next is the historical stereotype, the image that old-timers on the force have of the detective's contribution to law and order. Finally, the critical stereotype—which recent objective studies have tended to develop. Some combination of these alternative stereotypes provides the basis for current investigative policies in most police departments today.

The media image of the working detective, particularly pervasive in widely viewed television series, is that of a clever, imaginative, perseverant, streetwise cop who consorts with glamorous women and duels with crafty criminals. He and his partners roam the entire city for days or weeks trying to break a single case, which is ultimately solved by means of the investigator's deductive powers. This image is the one that many investigators prefer—perhaps with a degree of sanitizing. They would concede that criminals are rarely as crafty or diabolical as depicted in the media, but may not quarrel with the media characterization of their own capabilities.

Some current investigative practices appear mainly as a means to preserve a media-like image or to give a victim the kind of services he expects largely because of that image. That is, fingerprint dusting, mug shot showing, or questioning witnesses are often done without any hope of developing leads, but simply for public relations.

The stereotyped images held by older police administrators are influenced by the special status that detectives once held in earlier times.<sup>1</sup> Not too many years ago various forms of illicit activity such as vice, gambling, prostitution, and speakeasies were much more openly tolerated by city governments than they are today. The existence of these illegal, but accepted, enterprises created problems for the city police. How could they keep such institutions under control without driving them completely out of business? The police dealings with these institutions were frequently carried on by detectives. The detectives ensured that the businesses were

<sup>1</sup> This brief historical account was compiled from information presented in: Bruce Smith, *Police Systems in the United States*, Harper & Row, New York, 1960; Raymond Fosdick, *American Police Systems*, The Century Company, New York, 1921; and Charles Franklin, *The Third Degree*, Robert Hale, London, 1970.

run in a somewhat orderly fashion and that "undesirables" who attempted to take part were driven out. By this delicate handling of a troublesome situation the detectives often won the favor of the business leaders and politicians connected with these activities. Such political connections made the detective a man of respect and influence.

Allowing these illegal enterprises to continue had special investigation benefits for the police. When serious crimes did occur or when public pressure was brought to bear on the police to deal with a particular problem, these illegal activities provided a valuable source of information to which the detectives could turn. Not surprisingly, thieves and con men would often be customers of the vice and gambling operations, or have close contacts with people engaged in such business. If the police really wanted information on a particular criminal activity, the detectives could turn to their contacts within the illicit activities and either solicit information as a favor or extort it by threatening the safety of the illegal operation. Thus the "effectiveness" of detective operations frequently depended on maintaining close contacts with a select group of potential informers.

Another role detectives played in addition to that of policing illicit activities was that of dispensing street-corner justice. A good cop was expected to maintain order without resorting to the courts. He did this by persuasion, and by threats, and by actual physical force, if necessary. Only in those instances where it was clear that his presence alone would not deter crime did he bring in a suspect for criminal proceedings.

Detectives played a prominent role in the exercise of this discretionary justice because they were less visible than a uniformed patrolman when it came to breaking down doors or pummeling offenders on the street. Because of their experience they were expected to be more diplomatic in handling these incidents—part of the detective's basic working knowledge included which individuals could be treated roughly without getting the department into trouble. The detectives who could handle or clear up delicate situations without causing a commotion were highly valued by police and city administrators.

Another method formerly available to help a detective close cases was the third-degree or the extended interrogation. *Miranda*,<sup>2</sup> increased enforcement of civil liberties, and the rise of community review boards put a limitation on this type of activity. It is no longer acceptable for detectives to arrest a suspect and keep him in custody simply for investigative purposes. The use of physical or psychological force in an attempt to extort a confession or to get information about other suspects in a case is no longer permissible under current due process requirements.

We have no empirical evidence concerning the results produced by these various techniques; therefore any comparisons between the effectiveness of historical and current approaches is purely speculative. However, it is obvious that investigators once possessed a number of investigative tactics that are no longer permissible.

A more critical stereotype of investigative effectiveness can be gleaned from a number of studies which attempt to analyze how detectives go about their work.

The earliest critic was probably Raymond Fosdick in his *American Police Systems* (The Century Company, New York, 1921). After visiting police departments in all of the major cities of the United States, he criticized detectives for:

<sup>2</sup> The rights enumerated in *Miranda v. Arizona*, 384, U.S. 436 (1966).

- Lack of civil service standards in selection.
- Lack of training.
- Poor coordination with patrol operation.
- Lack of effective supervision.
- Lack of ordinary "business systems" for handling their administrative work.

In many departments, these criticisms are equally appropriate today. More recent analysts have argued that:<sup>3</sup>

- Police agencies do not routinely collect and summarize data that can be used to determine the effectiveness of investigation activities. Clearance and arrest statistics in particular are unsuitable because they fail to distinguish outputs of investigative efforts from those of other units in the department. Clearance data alone are also extremely unreliable indicators of police performance because of their subjective nature.
- The solution rate of crimes assigned to detectives appears insensitive to the number assigned, implying that detectives can accurately predict which cases can be solved and work on only those, or that the cases solve themselves.
- A high proportion of cases are closed when a patrol unit makes an arrest at the scene of the crime.
- Investigators make scant use of indirect evidence such as fingerprints, toolmarks, etc.

Uncomplimentary views are also being espoused by a number of progressive police chiefs who have seen reforms and new initiatives take hold in every other area of policing, but find their detectives the last bastion of the status quo. In their departments, an appointment to the detective bureau is no longer viewed as the best path to promotion. In some departments (Los Angeles Police Department, for instance) an independent detective bureau no longer exists. Investigators are now assigned directly to a local operations commander.

Many of these chiefs are quite candidly critical of the old freewheeling detective style of operation. They see their detectives as simply trying to preserve the freedom and prerequisites of their jobs without making any efforts to adapt to the rapidly shifting community and legal climate in which they must work.

## CURRENT INVESTIGATIVE ACTIVITIES

Since the purpose of this volume is to propose major changes in how future criminal investigations are conducted, the reader should be well acquainted with the current investigative process. We now turn our attention to providing a realistic perspective of current investigative activities. An expanded version is given in Volume III (R-1778-DOJ), together with data showing how investigative efforts are allocated among various investigative activities.

A realistic view of investigative activities can most easily be portrayed by de-

<sup>3</sup> For a more complete discussion of these findings, see Chapter 2, Volume III, of this study—*The Criminal Investigation Process: Observations and Analysis*, R-1778-DOJ, October 1975.

scribing how a typical case is handled. We also present some variations that frequently occur in this typical pattern, as well as some departmental policies that govern how cases are handled. Finally, we discuss the supporting activities that police perform to increase the likelihood of identification and apprehension.

### Incident Report and Preliminary Investigation

Most cases involving major felonies are initiated by a citizen calling the police to report the crime or a police patrol unit responding to evidence that a crime is in progress. In either case, the first police representative on the scene will usually be a uniformed patrolman. His duties are to provide aid to the victim, to secure the crime scene for later investigation, and to begin documenting the facts of the crime. In a very few departments, investigators may be dispatched simultaneously with the patrol unit to begin an immediate investigation of the crime scene, but in most departments investigation by detectives does not take place until after a patrol unit has filed its report. The patrolman's initial incident report usually contains the basic facts of the crime, the identity of the victim, a description of the suspect, and the identity and location of any potential witnesses, as well as a description of the crime scene and any pertinent statements by witnesses or the victim.

In most departments, patrol units are under considerable pressure to cut short their investigation and get back on patrol. These departments regard the investigator as responsible for developing potential leads and continuing the case. In a few departments, patrolmen are encouraged to use their own initiative to conduct such additional investigative activities as house-to-house canvasses or other attempts to track down suspects.

The product of the responding patrolman's activities will be a report which passes to the detective unit. Depending on departmental policies and the thoroughness of the patrolman, it will be something between a cryptic incident report providing only the essential facts of the case and a complete preliminary report of all pertinent information available at the time the patrolman responded, with most departments tending toward the former. This document, then, provides the basis for any further investigative activity by the detective.

### Evidence Collection and Processing

Studies have shown that most crime scenes contain physical evidence that could conceivably be used to link a suspect to the crime scene and that in approximately 50 percent of the crime scenes there are usable latent fingerprints. To collect this potential evidence—primarily the fingerprints—many departments now use specially trained evidence technicians, whose sole task is to process crime scenes. They may be available for dispatch at the time of the crime report or may be sent out following the initial report if in the responding patrolman's judgment there is a potential for finding any usable evidence. The evidence technicians examine the crime scene, lift any usable latent prints, and submit a report of their results to the responsible investigation unit.

In most departments latent prints will not be used unless an investigator asks the print examiner to compare them against the inked prints of a specific suspect. In a very few departments the print examiner may attempt "cold" searches, using the lifted prints to compare against files of known or suspected offenders.

### Screening and Case Assignment

Every morning (about 7 o'clock) the previous day's incident reports are assembled and distributed to the responsible investigation unit. Assignments are determined by the organizational pattern of the department, which may be by crime type specialties (robbery, burglary, sex offenses, etc.) or by geographic areas of the city. The specialization may be so detailed that the assignment personnel can direct the incident report to the specific investigator who is supposed to handle that case. Otherwise, the incident report will go to a unit supervisor who will then assign the case to an individual detective, based on previous patterns of offenses or individual workloads. Each detective usually receives one or two new cases a day. Workload assignments are lower for crimes against the person and higher for minor property crimes.

In some departments formal "solvability factors" or the judgment of the unit supervisor may be used to determine whether or not a specific case should be followed up by the investigators assigned, or simply suspended until any new facts develop. In most departments every case is assigned to a responsible investigator with some minimal attempt at follow-up expected. This minimal effort is usually an attempt to re-contact the victim and see whether he can remember any other facts in addition to those recorded on the incident report. Although most investigators will have twenty or thirty open cases on their desks at any one time, only two or three are really considered active. Our workload data showed that most cases are closed within the first day of activity. Very few remain active after two or three days.

### Follow-up Investigation

The new cases assigned to an investigator can generally be sorted into one of three categories. Receiving first priority are those in which the investigative steps are obvious from the facts related in the incident report. These are the cases in which the victim names the suspect, gives a license number, where the suspect can be found, or additional witnesses are indicated who were never interviewed by the responding patrolman. Investigators are always expected to track down these obvious leads.

Second in priority are those cases which require attention, not because any obvious leads are indicated, but because of the seriousness of the offense or the notoriety it receives in the press or in the community. Because the investigators want to avoid charges by the community that they are not doing their job or simply because an investigator is outraged by the offense and wants to help the victim, additional efforts on the case are expected. This may involve re-contacting victims and witnesses and going over their prior statements.

In the lowest category of priority are the routine cases that offer no indication of additional leads. In all departments these cases receive nothing more than perfunctory attention. The Kansas City Case Load Assignment File indicates that approximately 70 percent of all residential burglaries may fall into this third category.

The first task of the investigator when he comes to work is to plan his activities for the day. Most of the morning is usually devoted to reviewing his new cases, accomplishing the paperwork required for the cases to which he has been assigned, processing prisoners who are in custody from the previous night, and making re-

quired court appearances. Late morning and afternoon are usually free for conducting interviews or street patrol. Although he must make his required court appearances and he must process arrestees, usually within narrowly prescribed time schedules, how he uses the rest of his time is determined by his own judgment.

He conducts interviews and checks around the community according to his own sense of priority about each case, the difficulty or attractiveness of conducting the various interviews, transportation difficulties, and fellow investigators' activities.

It is rare to see an investigator take detailed written notes as a result of any of his interviews. He only records telephone numbers, addresses, nicknames, as necessary, on scraps of paper. Information put into the official case folder is only what is required. Transcripts of witness statements are made in only the most important cases.

#### Clearance and Arrest

A major demand on the investigator's time is made when a suspect is finally taken into custody—usually as a result of patrol activity. In most departments a concerted effort is made to clear additional crimes in addition to the one for which the suspect has been arrested. This effort is purely the investigator's. If the suspect is willing, the investigator may talk to him concerning a number of similar offenses, or if the suspect is not willing to talk, the investigator may rely on his own judgment about the similarity of the cases. If the suspect has been involved in crimes where he was seen by the victim, such as sex crimes or robbery, earlier victims may be brought in to view the suspect in a lineup. The results of these efforts must then be conveyed to the prosecutor in written reports.

In many jurisdictions the prosecutor will require the investigator to consult with him about the facts of the case at the time of filing. If he helped solve the case, the investigator will have to be a witness in court.

#### Supporting Activities

In addition to their regular investigative activities, most departments expend additional resources in attempts to develop leads for investigators by other means or to provide alternative means for identifying the suspect. All departments maintain a variety of information files which are sources of investigative leads. These may include: a file of crimes of a similar type or in similar locations in a specific time period; a file of the addresses, description, and modus operandi of known offenders; mug shot files, usually organized by crime type and basic descriptors; fingerprint files for all past arrestees; intelligence files on specific individuals suspected of particular criminal activity; field interrogation files to indicate the location and reason for stopping a specific individual or vehicle, along with the description of a person and his vehicle; and files of stolen or pawned property.

In some departments, special details or strike forces may be operated in an attempt to provide investigative leads that would never come in through normal incident reports. The most commonly encountered example of such activity is a pawnshop detail which routinely inspects items taken in by pawnshops and compares them with stolen property lists. Another type of strike force uses investigators to buy stolen property in an attempt to identify fences or frequent burglars.

#### Selection, Training, and Supervision

In most departments the investigators occupy a unique position and job title, often with civil service status. Our survey indicated that in the average department, 14.5 percent of the sworn personnel have positions designated as investigators.

The men selected for investigators usually have spent three to five years on patrol assignments. Where selection is not based strictly on civil service criteria, the more aggressive patrolmen are usually selected for investigative assignments, presumably because a patrolman who makes a large number of arrests has the appropriate type of initiative and insight to make a good investigator.

Whatever training new investigators get is usually on the job. When new recruits join the department, they are given some investigative training to help them in their patrol work, but there are usually no special classes for men recently assigned to investigation units. Only a few departments offer continuing education for people in investigative assignments.

Most investigators operate out of special units that are separate from patrol, except in those team policing jurisdictions where the investigators have been integrated into the patrol/team concept. The units themselves have only administrative significance. Each investigator or investigator-pair operates fairly independently. The supervisor worries about vacation schedules, timeliness of reports, and tidiness of paperwork, but he does not usually enter into substantive decisions about the case. In departments where men are encouraged to spend a good deal of their time on the street, the supervisor may be only vaguely aware of what his men are doing on a day-to-day basis.

This brief description represents our attempt to portray how investigation activities are carried out on a daily basis and to furnish the reader with some appreciation of the activities we evaluate in Chapter 3, as well as some understanding of the difficulties an administrator would face if he tried to introduce greater accountability into investigation activities or to eliminate unproductive efforts. A more detailed description of daily activities is provided in Volume III (R-1778-DOJ), along with data that show how investigative time is distributed over such activities as interviewing victims, making court appearances, and attempting to locate witnesses.



## Chapter 3

### THE RESULTS OF INVESTIGATIVE ACTIVITIES

We have described how the activities that make up the investigative function are most frequently carried out; in some sense, these activities represent inputs to a production process—the investigation of reported crimes. This chapter is concerned with the outputs of those activities, that is, what society gains in return for the resources expended.<sup>1</sup>

The departments we interviewed did not keep records that permitted us to determine this input-output relationship directly, and traditional methods proved unsuitable as a means of measuring the results obtained from investigative, as opposed to noninvestigative, activities. For example, clearance rates are calculated by combining *all* cleared cases, regardless of which police function is actually responsible for their clearance; and no department kept records that enabled the clearance rate to be broken down by police function. Therefore, our study approach was to first define the outputs of the investigative function, and subsequently to develop criteria of effectiveness and productivity for each output.

Top-ranking police personnel and detectives concurred that the outputs sought from police investigations are:

1. The identification and apprehension of suspects.
2. The conviction of defendants.
3. The satisfaction of the victim's demand for police attention.

Once these three output goals were identified, we designed individual pieces of research to estimate how various investigative activities contributed to them. In each piece of our research, with the exception of the victim survey, we collected data from several police departments so that we could compare departments and determine whether various investigative activities and organizational arrangements made a difference in output measures. Where possible we attempted to control for other factors that may also make a difference.<sup>2</sup> In addition, we were interested in determining how much of the overall level of police effectiveness is associated with investigative, as opposed to noninvestigative, efforts.

The remainder of this chapter summarizes the results of the individual pieces of research:<sup>3</sup>

<sup>1</sup> The researchers primarily responsible for the material summarized in this chapter are: "How Cases Are Solved," Jan M. Chaiken and Linda Prusoff; "Analysis of the Collection and Processing of Physical Evidence," Joan Petersilia; "The Daily Routine," Jan M. Chaiken and Konrad Kellen; "The Relationship Between Thoroughness of Investigation and Case Disposition," Joan Petersilia; "Investigative Strike Forces," Peter Greenwood; and "Information Feedback to Crime Victims," Robert Castro and Marvin Lavin.

<sup>2</sup> Analysis of our survey data showed that organizational differences among investigative units cannot be directly related to differences in clearance rate, arrest rate, or crime rate. The intention of the more detailed pieces of analysis was to attempt to isolate departmental characteristics that could be said to account for differences in investigative effectiveness.

<sup>3</sup> The complete analysis of our research appears in Volume III, *The Criminal Investigation Process: Observations and Analysis* (R-1778-DOJ).

- The contribution of investigation to case clearance (identification and, where possible, arrest) was explored in several studies. We analyzed a large sample of cleared crimes from a variety of crime types to determine what factors contributed to case solution. The contribution of physical evidence collection and processing efforts was determined by examining case records and departmental statistics from a number of departments employing different collection and processing strategies. These records were used to determine what role, if any, physical evidence played in the solution of each case and to infer if departmental differences could be directly related to the rate at which suspects are identified through latent prints.
- Employing a data file from the Kansas City Police Department, we developed workload indexes of possible use to all departments, drew a portrait of how an investigator's time is spent, and analyzed the relationship between time spent and case solution.
- The impact of investigative efforts on court dispositions was determined by examining a sample of cases from two jurisdictions which demonstrated markedly different approaches to the post-arrest investigative function. The quantity of information provided by one department to the prosecutor greatly exceeded that provided by the other.
- To determine the impact of special investigative strike force operations, we examined the case histories of two such units and evaluated data which purported to demonstrate their productivity.
- And finally, to explore the attitudes of victims toward various investigative policies, we conducted a survey of recent burglary and robbery victims to find out how they would respond to a variety of possible investigative policies.

### HOW CASES ARE SOLVED

A police investigation is initiated when the patrolman responds to the crime scene and records preliminary information. That crime report is subsequently forwarded to the investigative division, where the case is assigned to a detective so that the investigation may be completed. This method of operation suggests that in determining the involvement of a detective in a case solution, we should distinguish between those cases in which the solution was essentially established before the detective received the case and those where the solution occurred afterward. Also, to determine the type of investigative skills and effort required to solve a case, for those cases where no initial identification was available, it was desirable to distinguish those cases solved through simple routine investigative activities from those that required special investigative initiative or skills.

To control for the variability one encounters across distinct crime types, we examined cases from a number of typical specialized investigative units, including: forgery and fraud, automobile theft, theft, commercial burglary, robbery, felony morals (sex crimes), aggravated assault, and homicide.

For each of these crime types we examined a sample of cleared cases, first classifying them as to whether there was or was not an initial identification at the time the investigator received the report, and then, for those cases in which there

was no initial identification, determining how the case was eventually solved. The results of this analysis were as follows:<sup>4</sup>

- In more than half of the cleared cases, the identification of the offender was available at the time of the initial report because (1) the offender was arrested at the scene; (2) the victim or witness identified the suspect by name and address; or (3) some evidence available at the crime scene, such as a license plate or employee badge number, uniquely determined the identity of the suspect.
- Most of the remaining cases that were eventually cleared were done so through simple routine administrative actions: fingerprint search, informant tips, reviewing of mug shots, or arrests in connection with the recovery of stolen property. In only three crime categories were any special action cases observed. These were commercial burglary, robbery, and homicide; in each of these categories special action cases accounted for about 10 percent of the solved cases.

Given these findings, it is easy to see that clearance rates cannot be expected to vary substantially according to the organization of investigative units, the training and selection of investigators, whether they specialize by crime type or not, their workload, and other variables that were explored in our survey. Basically, with the possible exception of homicide, if investigators performed only the obvious and routine tasks needed to clear the "easy" cases, they would solve the vast majority (97 percent) of crimes that now get cleared. All their efforts in relation to other cases have a very marginal effect on the number of crimes cleared.

Thus, it is not appropriate to view the role of investigators as that of solving crimes. They do not spend much time on activities that lead to clearances, and much of their work in this connection could be performed by clerical personnel.

Our findings also highlight the importance of patrol officers in producing clearances. A substantial fraction of clearances are produced by patrol arrests at the scene of crimes. In other cases, it is the patrol officer who records the information that we labeled as "initial identification." The efforts that many departments are making to structure their crime reports so that this information is properly recorded appear to be highly desirable. Such information can make a routine case out of an otherwise difficult one.

Technology has also converted many previously difficult investigative tasks into routine ones. The ability of patrol officers to check rapidly whether a car is stolen, or the driver is wanted, made possible many spontaneous clearances that we classified as routine. Well-organized and maintained mug shot or modus operandi files also helped produce routine clearances that either would never have occurred or would have been nonroutine in the absence of such files.

Finally, our review of individual case folders persuaded us that actions by members of the public can strongly influence the outcome of cases. Sometimes private citizens, by ruse or restraint, held the perpetrator at the scene of the crime. Some-

<sup>4</sup> Initially, we analyzed 63 robbery cases, divided among four police departments (Berkeley, Los Angeles, Miami, and Washington, D.C.). We then expanded the analysis to include 109 cleared cases for crimes other than robbery from Long Beach, California. The sample was again expanded to include an additional 92 cases from the Kansas City, Missouri Police Department, selected according to a different sampling design.

times they recognized the suspect or stolen property at a later time and called the investigator. In other cases, the victim or his relatives conducted a full-scale investigation on their own and eventually presented the investigator with a solution. Collectively, these types of citizen involvement constitute a sizable fraction of cleared cases. Possibly many more cases could be solved if the public were made aware that they cannot depend on the police to solve cases magically but rather must provide the police with as much information as possible.

#### ANALYSIS OF THE COLLECTION AND PROCESSING OF PHYSICAL EVIDENCE

The ability of a police agency to properly collect and process the physical evidence retrieved from crime scenes is thought to be important to the process of successful police investigation. Police departments across the country are emphasizing more efficient collection and processing efforts by allocating more personnel to them, establishing crime scene search units, purchasing sophisticated equipment, and processing a larger percentage of crime scenes for physical evidence. These policy decisions are based on the assumption that there is a positive correlation between the amount of physical evidence retrieved and the number of suspects identified from such evidence. The research reported here was undertaken to see whether or not such a relationship exists. Our primary purpose was to conduct a comparative analysis of the physical evidence collection and processing efforts in six police departments (Long Beach, Berkeley, Los Angeles, and Richmond, California; Washington, D.C.; and Miami, Florida), selected on the basis of their contrasting evidence collection and processing efforts. In each of the six police departments we visited, data were collected from the evidence-gathering unit so that the role of physical evidence could be assessed under different methods of operation.<sup>5</sup>

To get an overall indication of the frequency with which a technician responds to residential burglaries, how frequently he lifts prints, and how frequently the prints result in an identification, we took a sample of cleared and uncleared cases. This sample, consisting of 200 residential burglary cases per department in three cities, indicated that in only about 1 percent of the cases in each department were latent prints matched with the inked prints of the suspect. Our results show that in Richmond, California, where evidence technicians are dispatched to nearly 90 percent of the reported burglaries, and recover prints from 70 percent of the scenes they process, their *hit rate* (or percentage of all cases where an identification resulted) is the same as in Long Beach and Berkeley which dispatch evidence technicians to the scene less frequently and lift prints less often.

From these data, we infer that a heavier investment in evidence technicians and a policy of routinely dispatching technicians to all felony crime scenes produces a higher print recovery rate; yet, they appear not to affect the rate at which finger-

<sup>5</sup> The Berkeley technicians are dispatched at the patrolman's discretion; in Long Beach the technician is required to process only specified types of felony crime scenes; Los Angeles technicians process only violent crime scenes, whereas the patrolmen lift prints at others; Miami technicians are requested at the patrolman's discretion at felony crime scenes; Richmond technicians are required to process a felony crime immediately following the report of the incident; in Washington, D.C., the technicians are cruising the streets in mobile evidence vans and when a felony is reported, they are automatically dispatched to the scene.

print identifications serve to clear burglary cases. The data also suggest a higher print recovery rate in Richmond, where the crime site is processed immediately following the report of the incident.

There are several plausible explanations as to why lifting more prints does not actually result in a higher rate of burglary suspect identifications. The most reasonable explanation appears to involve the fingerprint searching capabilities of the individual department. That is, a high proportion of recovered latents are never used to search fingerprint files and to attempt to make identifications from comparisons.

We compared the effectiveness of fingerprint identification sections in four police departments (Washington, Los Angeles, Miami, and Richmond), which differ significantly in terms of size, fingerprint files maintained, and types of fingerprint services performed. We used the identification success rates of the fingerprint sections as a measure of their effectiveness.

We compared the productivity of fingerprint identification operations in the four cities we examined in several ways. By looking at the approximate number of crime scenes processed per year (all crimes combined), the percentage of crime sites where prints were lifted, and the number of identifications which resulted, we were able to draw the following conclusions regarding the productivity of physical evidence processing:

- Miami, Richmond, and Los Angeles make approximately the same percentage of identifications from retrieved latent prints—approximately 9 percent of the prints retrieved are subsequently used to help identify a suspect. In Washington, D.C., only about 4 percent of the retrieved prints (all crime types combined) will be matched with those of a suspect.
- In Washington, D.C., a majority of identifications result from *request searches*.<sup>6</sup> Miami specialists produce nearly half of their identifications from *own initiative* searches;<sup>7</sup> Richmond is able to make nearly 20 percent of their identifications from *cold searches*.<sup>8</sup>
- When the manpower devoted to identification efforts is considered, it is clear that the productivity levels of different fingerprint units differ significantly. A fingerprint specialist in Washington, D.C., averages 42 suspect identifications per year (assuming 70 percent of his time is spent searching prints); whereas Richmond averages 397. In terms of cost, an identification in Washington, D.C., entails 140 hours of manpower at a cost of \$875 per identification. In the other three cities the cost for each identification is less than \$100.

Plausible explanations that account for some of the very wide differences observed in the productivity levels of these four fingerprint identification sections include the following:

<sup>6</sup> A request search is initiated when an investigator submits the name of a possible suspect and requests that the suspect's inked prints be compared with the latents from a specified crime site.

<sup>7</sup> An "own initiative" search occurs when the fingerprint specialist acts "as his own detective." As such, he attempts to match MOs by reading arrest reports, independently searching arrestees' prints with recently lifted latents, etc., in an attempt to match latent prints.

<sup>8</sup> A cold search usually consists of taking latents and trying to match them with the inked prints in a specialized, career-offender file.

- The Washington, D.C. specialist is responsible for several fingerprint-related activities, more so than in the other three cities. These additional activities may prevent the D.C. specialist from becoming as thoroughly familiar with latent fingerprints and the various files maintained as someone who is involved solely in this activity.
- In all four departments, the majority of the suspect identifications result from a request made by an investigator to have the fingerprint specialist compare a certain latent print with those of a named suspect. This implies that the productivity of the fingerprint specialist depends primarily on the quantity and quality of the leads or requests made by the investigator.

Does identification productivity depend on the number of requests made by investigators? A Washington investigator averaged two requests for searches per year; in Richmond, we estimate that on the average an investigator requests fifteen searches per year. So, such dependence may be significant.

- The absolute number of prints maintained in the different fingerprint files certainly affects the productivity of the specialist. In Richmond and Miami, the specialized criminal file (usually repeat offenders) contains the prints of 4000 persons; in the District of Columbia, a similar file contains the prints of over 30,000 career offenders. In practical terms, D.C.'s career file cannot be cold-searched. This limitation makes the D.C. technician dependent on his own initiative or on request searches.
- Miami fingerprint specialists, maintaining close contact with the rest of the police department, are able to associate several crime scenes based on similar MO, and then proceed on their own initiative to search latents. So in Miami, their own "detective" work has proved most profitable in leading to suspect identifications.

The current organization of the Washington Fingerprint Examination Section makes a situation similar to Miami's impossible. The D.C. Section receives latents from eight police districts, and with the large volume of criminal activity in each of these districts, it is doubtful that any specialists could follow the criminal activities in all of these districts. Therefore, "own initiative" searches in D.C. are limited primarily to situations where a suspect has been arrested and the specialist chooses to search the latents retrieved from the area in which he was arrested.

The collection of physical evidence is emphasized in many police departments because it is believed that the greater the amount of physical evidence retrieved, the greater will be the number of suspect identifications from such evidence. Our study fails to confirm so simple a relationship. For example, our sample of burglary and robbery cases reveals that within the range of variation exhibited in the departments we studied, collecting fingerprints at a higher percentage of crime scenes does not necessarily lead to more suspect identifications. We are led rather to the inference that an improved fingerprint identification capability is more productive of identifications than a more intensive print collection effort.

But simply increasing resources devoted to fingerprint identification activities does not necessarily assure that more identifications will be produced. We have observed that fingerprint files may become inoperable because of excessive size. Therefore, the print identification process in larger police departments could be

facilitated by keeping the print files by geographical area, with a fingerprint specialist assigned to each area. To make cold searches more practical, we estimate area subfiles should contain the prints of no more than several thousand persons. Some experimentation in this area is required.

Request searches, which imply cooperative effort between investigator and fingerprint specialist, clearly appear to be the most productive type. An information system should be devised to link investigators and fingerprint specialists in an efficient manner. This should help motivate and facilitate the reciprocal exchange of information.

The overall conclusion to be drawn from this analysis is that the relatively small contribution that physical evidence currently makes to police investigation is not likely to increase significantly under current procedures, although there are some areas of physical evidence collection and processing where improvements can be made which are likely to result in additional suspect identifications. Regardless of a department's size, organization, training, or processing technology, our analysis again shows that crimes are most frequently solved as a result of information the victim is able to supply the responding patrol officer, and not as a result of physical evidence directly traceable to a suspect. Most frequently, when latents are matched to a suspect's prints, the suspect has confessed and the lifted prints are subsequently identified as the perpetrator's. This process allows additional evidence to be presented to the prosecutor, but cannot be seen as contributing to the initial identification of a perpetrator.

We cannot determine whether efforts to identify perpetrators through physical evidence are thwarted by the countermeasures adopted by the more careful criminal offenders; or whether technological advances in processing equipment are not keeping pace with the growth of the criminal population; or whether the mobility of the criminal population is such that purely localized systems are unable to keep track of an offender, and that only a national centralized system would enhance identification through fingerprints significantly. Each of these hypotheses merits further consideration.

### THE DAILY ROUTINE

Since investigators have considerable autonomy in determining how they will spend their working day and are not subject to the hour-by-hour supervision imposed on other police personnel, we felt it would be useful if our research could explore their daily routine. Such information might assist in developing rational methods for allocation of investigative personnel and perhaps also provide information for inferences concerning the relationship between time spent and case solution.

All of the quantitative information for the study of investigators' activities was gathered by means of a computer-readable case assignment file maintained by the Kansas City (Missouri) Police Department. The file describes, for each investigator and for each unit, the number of hours spent on various activities, the number of cases handled and the number of arrests and clearances produced.

Our analysis of this case file shows that for all units together, 55.7 percent of the detective's time is devoted to case work; 13.8 percent to administrative details

which are clearly unrelated to case work; 1.9 percent to surveillance, crime prevention, warrants, youths, etc.; and 28.6 percent of their time is unaccounted for. From both the data and observations we conclude that detectives are not involved in a single-minded pursuit of solutions to crimes; rather, they spend some 40 percent of their time in an interruptible fashion on other activities.

Because of the nature of the computerized file, we were able to determine not only the average workload of cases per investigator, but also whether or not the workload was directly related to case solution. The data in this file show that a large percentage of the reported crimes are assigned to an investigator but that many receive no more attention from the investigator than a cursory reading of the crime report. Certain cases are selected for inattention from the start, while other cases are worked on.

The data show that only homicide and rape (and suicide, because it is potentially homicide) are invariably worked on. A few other types of crimes that are universally regarded as serious are worked on in over 60 percent of cases, but many types of crimes are more likely than not to receive less than a half-hour's attention from an investigator (thereby counting as "not worked on"). Since the bulk of crimes fall into these latter categories, *well under half of all reported crimes receive any serious attention by an investigator.*

The net result is that the average detective does not actually work on a large number of cases each month, even though he may have a backlog of hundreds of cases that were assigned to him at some time in the past and are still theoretically his responsibility. *The number of worked-on cases per detective in the Kansas City Police Department is generally under one per day.*

In many departments, arrestees for serious crimes are processed by investigators, which means that investigators necessarily have some work to do on all cleared crimes. Other crimes are reported to the investigator with such strong leads that the investigator is nearly compelled to pursue them. Such crimes are very likely to be cleared, and then the investigator has additional work to do. As a result, worked-on cases by investigators have two important characteristics. First, the majority of crimes that an investigator works on are cleared, and, second, most of the time spent on cleared crimes occurs after the arrest is made.

Moreover, for every type of case except bank robbery (which is often handled by the FBI), the amount of effort devoted to cleared cases prior to the arrest is less than the amount of effort devoted to those uncleared crimes that are worked on. We conclude, then, that detective work is not characterized by hard work leading to case solutions. If this were so, the more effort that was devoted to a case, the more likely it would be to be cleared. On the contrary, the data suggest that the cases that get cleared are primarily the easy ones to solve, and that most of the investigator's work is a consequence of the fact that an arrest has been made.

In addition, the vast majority of cases that a detective works on are handled in the course of a single day, after which they are either completed or suspended. Only a few types of crimes fail to follow this pattern: homicide, rape, safe burglary, commercial robbery, and forgery/counterfeiting.

The number of investigative man-hours devoted to crimes other than those just listed is quite small in Kansas City, averaging under five man-hours for those that are actually worked on; those hours are not spread out over a long period of time, but are concentrated in the first day or two after the crime is reported. Over 86 percent of cases are suspended by the end of the first week.

In summary, our analysis has shown that the investigator's daily routine cannot be characterized as devoted primarily to piecing together clues for the purpose of solving crimes. For the most part he operates in a reactive mode, responding to externally generated events that require an action on his part. Administrative activities, service to the public, and other work not related to cases consume nearly half of his time.

A large number of incidents come to his attention, but many of them receive little or no work and simply sit on his desk constituting part of his caseload. If an arrest has already been made, or it is apparent from the crime report that a limited amount of work will result in an arrest, then the case is pursued and most of the work involves post-arrest processing, writing reports, documenting evidence, and the like. A small number of cases are pursued simply because of their seriousness or importance, but it does not appear that the chances of clearance are enhanced in proportion to the amount of work.

#### THE RELATIONSHIP BETWEEN THOROUGHNESS OF INVESTIGATION AND CASE DISPOSITION

A police investigator is responsible for gathering evidence, identifying it in court, and testifying about the circumstances of its collection. Subsequent court disposition of the case often depends on how well the investigator has performed these tasks. Prosecutors frequently complain that the police have provided them with insufficient evidence upon which to proceed, compelling them to reject cases, to suffer dismissals, or to make undue concessions to defendants to obtain a plea of guilty, rather than go to trial at a serious disadvantage.

The research described here was undertaken to illuminate two facets of the controversy between police and prosecutor:

- What was the investigative completeness (i.e., the "thoroughness") in robbery cases presented by the police to the prosecutor for filing in two local jurisdictions during the first four months of 1974?
- What seemed to be the effect of the degree of completeness of the police-provided information on the disposition of the defendant?

To reflect different prosecutorial practices in felony case screening, we selected two California prosecutors' offices for this study. We took from each office a sample of approximately 20 robbery cases presented to them by the police during the first four months of 1974. The information from these sampled cases enabled us to draw inferences about the *thoroughness*<sup>9</sup> of the police investigation behind them. They also served as a basis for our assessment of how the disposition of defendants appears to depend on the quality of investigation.

One of the offices (denoted A) tends to be extremely strict in screening cases for filing. The standard it follows is that of filing only those charges it believes can be proved to a jury. The other office (denoted B) appears to operate with significantly

<sup>9</sup> The term *thoroughness* is used here to designate investigative completeness, i.e., how much of the information that the prosecutor deems desirable is provided in written documentation given him by the police.

greater accommodation to routine police procedures, accepting their practice of presenting minimal information to substantiate the filing of a case.

To assess the completeness of investigation in each sampled case, we examined all of the documents presented to the prosecutor by the police. For this purpose, we developed a data collection form which was divided into subject areas pertaining respectively to the offense, the suspect, the victim or witnesses, and the arrest (Fig. 8-1, Volume III).<sup>10</sup> Within each area, questions were listed that an experienced prosecutor believed should be addressed by a police investigation to facilitate prosecution of the case. A total of 39 questions were listed on the form.

A comparison of the reports provided by the police to the prosecutor in our two samples of robbery cases demonstrated, as anticipated, that the thoroughness of police investigation in Jurisdiction A was perceptibly better than in Jurisdiction B. In A, the reports to the prosecutor were typewritten, painstaking in detail, and documented each investigative activity in chronological order. The police reports provided to the B prosecutor were generally handwritten, were difficult to read and understand, and generally contained only the major facts of the case.

The information provided to the A prosecutor at the time of screening would always include a crime report, an arrest report, and at least one follow-up investigation report. In A, the crime report would usually include a verbatim account of the incident from the victim and from each witness, a detailed description of the property taken in the robbery (and if it was money, the denominations of the bills); a description of the physical injury, if any, sustained by the victim; and a description of the physical evidence retrieved from the crime scene, including latent fingerprints.

In our sample of robbery cases from B we found that a crime report and an arrest report were given to the prosecutor, but no separate report of a follow-up investigation (even though the transcript of the preliminary hearing might indicate that some investigative activity of this nature had been conducted). The B crime report typically contained the identity of the victim and the witnesses, together with the victim's account of the crime, but seldom more than this single account of the event, which the responding patrolman would record as volunteered. Consequently, B crime reports tended to be short, as well as fragmentary in details.

On their face, the statistical results on the comparison of robbery investigation seem to support the prosecutor's view that his needs for information are not fully and consistently met by law enforcement agencies. The data show that each of the 39 questions was on the average covered in 45 percent of the cases in our A sample; and only 26 percent of the cases in our B sample. Each of the "offense items" of information was covered on the average in 57 percent of the cases in our A sample, but only 36 percent of the cases in our B sample. Investigative reporting in A more frequently revealed the extent of force used, the victim's injuries, and the nature of the property taken. Both A and B reports often contained information on the type of weapon used, but seldom answered more detailed questions. Information about the suspect averaged 39.3 percent coverage for the cases in the A sample, but only 14.0 percent in B.

<sup>10</sup> One useful by-product of our study is the instrument that we employed to analyze the information content of police reports. This data form contains a list of 39 questions that a prosecutor desires the police to address in conducting a robbery investigation. This form is comprehensive and as such could be useful for investigator training; as a checklist in conducting an investigation; as a performance measure for the needs of investigator supervisors; and as an aid the prosecutor's office in making decisions on complaint filing. The form should be readily modifiable to crimes other than robbery.

The second phase of this study, seeking to relate case disposition to the thoroughness of police investigation and reporting, required us to trace the judicial processing of each sampled case. This was accomplished by examining the court files. Our comparisons between A and B concerning the rate of dismissals, the heaviness of plea bargaining, and the type of sentences imposed are based on an examination of these materials.

No cases in our A sample were dismissed, but nearly 23 percent were dismissed in our B sample. It is not clear that any of these dismissals could have been avoided by better police investigation and reporting in B. Yet, if the investigation had been more thorough in B, the charges might not have been filed, and valuable court resources not wasted.

A comparison between A and B as to the degree of plea bargaining showed that about 60 percent of the defendants in A pled guilty to original charges, whereas only 32 percent in B did. Further analysis revealed that defendants in Jurisdiction B were often allowed to plead guilty to a lesser included offense or a lesser degree of robbery than originally charged. While on their face these results appear to show that plea bargaining was lighter in A than in B, this may simply reflect that the gravity of criminal conduct in the A cases was less than in the B cases, i.e., to begin with, special allegations were considerably more frequent in B. One cannot conclude that only the quality of police investigation accounted for the difference. No clear pattern of differences was observed in the severity of sentences imposed.

In summary, our analysis suggested that more thorough documentation of essential facts is associated with fewer dismissals and more frequent pleas to original charges. Since court congestion currently represents a major obstacle to the administration of swift and considered justice, and a majority of those arrested for serious crimes are never convicted, more thorough investigation could conceivably result in the reduction of currently wasted efforts. A possible next step in the further evaluation of the importance of investigative thoroughness might be an analysis of how court dispositions are affected by varying levels of investigative thoroughness within a particular jurisdiction where prosecution policies are relatively consistent.

### INVESTIGATIVE STRIKE FORCES

Investigative strike forces are units that attempt to circumvent the routine (and often unproductive) follow-up case loads which usually consume most of an investigator's time. Strike force investigators receive no routine case assignments. Instead, they are left on their own to focus on targets of opportunity such as second-hand stores, a suspect who is alleged to be buying stolen property, or a suspect who is attempting to sell suspicious merchandise. Strike force detectives also develop informants or pursue major cases for which regular investigators do not have enough time.

The purpose of our research was to explore the potential advantages and disadvantages of this type of unit and to evaluate the performance to date of two such units—the Long Beach SOB Unit and the Miami Police Department's STOP Robbery Unit. Data for this discussion are based on documents and records compiled by the units, review of their cases, and interviews with strike force investigators.

### Miami—STOP Robbery

The Miami Police Department put an investigative strike force into operation under its Robbery Control Project which commenced on October 1, 1971. This project was intended to provide a comprehensive improvement in the department's capability to deal with robbery offenders and to result in a significant drop in robbery offenses.

The primary objective of the unit was to focus on known offenders, and a list was compiled of wanted fugitives. Since few attempts had been made to apprehend these fugitives after the first attempt to serve an arrest warrant had failed, the execution of active warrants became a principal focus of the unit.

Other tactics used to increase the output of the unit in making arrests included stake-outs, informants, surveillance, and new equipment. They carried no case load and were responsible for responding to all possible robbery calls while on duty, as well as for other activities designed to identify and apprehend wanted robbery offenders.

The principal criterion for determining the overall impact of the total robbery control project was to have been the robbery offense rate. During the four years immediately preceding the instigation of the project, robbery offenses had increased at an average annual rate exceeding 25 percent. During the first 27 months of the project a substantial decrease in the reported robbery offense rate did occur. In 1971, robbery offenses (2,829) declined 1.3 percent compared to the previous years. In 1972 and 1973 the rates of decline were 9.6 percent and 6.4 percent, respectively.<sup>11</sup> The project was acclaimed a success.

However, by 1974 the robbery offense rate was no longer on the decline. By October the department was reporting a 35 percent increase over the same time period in 1973.<sup>12</sup> Total departmental clearances and arrests showed a consistent pattern of increase over the life of the project. The clearance rate increased from 17.6 percent in 1971<sup>13</sup> to 26.2 percent in 1973. Robbery arrests increased from 408 in 1971 to 526 in 1973—a 29 percent increase.

For a sample<sup>14</sup> of 30 robbery arrest cases examined by our staff, the STOP Robbery officers were involved in 11 of the arrests. However, in nine of these cases, the arrest resulted from executing an arrest warrant resulting from the regular detective's investigative activity. In another case, STOP Robbery men were accompanying the assigned investigator when he made an arrest. Apparently in only one case in 11 were STOP Robbery officers operating on their own initiative (in response to a description of the suspect, of a bar he frequented, and of his associates) when they apprehended a suspect.

The overall impact of the robbery control project on crime rates is difficult to

<sup>11</sup> According to the FBI's Annual Reports, substantial decreases in robbery offense rates were being reported in about one-third of the nation's major counties and cities during this same time period. The national rate of change for robbery offenses in the years 1971, 1972, and 1973 were +11 percent, -3 percent, and +2 percent, respectively.

<sup>12</sup> The Uniform Crime Reports 1974 Preliminary Annual Release shows that the national robbery offense rate increased by 14 percent in 1974.

<sup>13</sup> During the previous eight years, the robbery clearance rate had shown considerable random fluctuation between a high of 30.0 percent and a low of 14.1 percent. It was 24.5 percent in 1969.

<sup>14</sup> The sample consists of a random selection of cases assigned to either of two robbery detectives during 1973 and 1974. Cases were limited to these two detectives so that they could be interviewed to fill in missing data.

interpret. One could argue that the project initially did have a large impact on robbery offense rates, which diminished over time as either external factors caused an increase in the underlying base rate or offenders became more used to the project and its deterrent effect lessened.

Another explanation could be that the robbery offense rate is determined by factors beyond the reach of the police and that the initial decrease was simply a fortuitous coincidence. Some support for this theory can be found in the fact that the trend in robbery offenses began to decline even before the project was fully operational (1971).

### Long Beach—SOB

The Long Beach, California Police Department formed an investigative strike force called the Suppression of Burglary (SOB) Unit in April 1972 to deal with their burglary problem. Its primary focus was the identification, arrest, and filing of charges against burglars and receivers of stolen property, and the recovery of stolen property for the victims. The standard operating procedure of the SOB Unit allows each man to work on his own cases against suspected major offenders. The unit is never assigned routine cases for follow-up. Each SOB investigator may engage in a number of activities, including operating a secondhand storefront to buy stolen property, checking property identification, as well as maintaining surveillance stake-outs and developing informants.

The overall impact of the SOB Unit during its first three years' existence was that total arrests increased from 167 in 1972 to 291 in 1974. This increasing trend is more apparent than real, for the unit operated only nine months in 1972, for most of that period with less than eight men, and in 1974 the size of the unit was increased to ten.

Overall arrest productivity is better assessed by looking at the averaged individual officer's performance. In 1972 each officer averaged 3.2 felony arrests per month. In 1973 and 1974 this figure declined to 2.4. Apparent reductions in the average arrest productivity per officer over time might be due to any of the following explanations: (1) The high arrest rate during the first year was simply due to chance. (2) If the best officers had been initially selected to man the unit, manpower changes over time might dilute the average capability of the unit's officers. (3) Criminals may have adjusted to the unit's novel techniques.

High arrest productivity was maintained without sacrificing the quality of arrests. During 1972 and 1973 the percentage of cases filed by the prosecutor was exactly the same for SOB as the department average. The unit's average monthly property recovery rate fluctuated between \$10,000 and \$23,000 over the last three years.

Examination of similar units in the past has shown that their arrest rates were often inflated because they were allowed to make many simple arrests which some other police unit could just as easily have made.

Our research shows that about half of their assigned cases or 27 percent of their total arrests really represent payoffs from the unique type of investigative practices that this kind of unit is supposed to employ. Their other arrests come about because they represent a pool of skilled officers, available on short notice to arrest identified suspects, or because departmental policy gives them the opportunity to pursue some specific types of leads (pertaining to receivers) developed by other units.

These findings should not be interpreted in any way as disparaging the efforts of SOB officers. As our analysis of how cases get solved shows, regular investigators are seldom able to make arrests in which the identity of the suspect is not readily apparent from the facts available at the time of completing the incident report. Experimental projects intended to allow the investigators more time to investigate cases have not shown any increase in arrests. Therefore, the SOB-initiated arrests represent a real gain in the effectiveness of the department, both in suspects apprehended and property recovered. Whether or not this gain is enough to justify the expense of the unit is a judgment each department must make for itself.

### INFORMATION FEEDBACK TO CRIME VICTIMS

Many investigators, as well as top-ranking police officials, have defended the investigative function, not only because it contributes significantly to the identification of perpetrators, but also because it is one of the principal contacts the police maintain with the victims of serious crimes.

If the public's confidence in their local police department is to be strengthened, it seems reasonable that when the perpetrator has been identified, the victim should be notified. However, a policy of routinely providing case information feedback to crime victims poses some risk of being self-defeating. For example, if a victim is informed that the perpetrator of his crime has been apprehended but is being prosecuted on another offense, not his, the victim may be resentful of the police or the criminal justice system. We conducted a limited telephone survey (36 interviews) of recent robbery and burglary victims concerning information feedback. The questions of how much information to convey to victims, and when to convey it, were addressed.

Data from our survey suggested that victims desired very strongly to learn officially whether or not the police had "solved" their case, when a suspect on their case had been arrested, and what progress had been made toward conviction of the defendant. Victims were divided as to their wish to be informed when the person believed responsible for their victimization was released from custody. Our survey also suggested that the greater the involvement of a victim in the prosecution of the suspect in his case, the greater his desire to be informed about events in the later stages of the proceedings. The majority of victims surveyed also preferred to be informed when the police decided to suspend investigation in their case. Even though a sizable minority of victims said they would react unfavorably to this news, few victims would act to express their grievances in official complaints.

To the extent that our survey results may reach beyond the confines of our small and special sample, they broadly underscored a belief that there exists a strong market for information feedback to victims from the police. But they also tend to confirm the view that giving unfavorable information to victims creates undesirable reactions in attitudes toward the police in some of these victims. (We have no evidence of how widely the feelings of resentful victims might be propagated among the general public.) Few victims, no matter how much distressed by information coming to them from the police, would act inimicably to police interests.

## Chapter 4

### POLICY IMPLICATIONS

#### HOW RELIABLE ARE OUR FINDINGS?

The data collected and analyzed in our study imply that traditional approaches to criminal investigation by police departments do not significantly affect the rate at which cases are solved. It appears, rather, that the solutions result from the application of routine administrative procedures. If these implications are valid, then some changes in current investigative policy can be considered. But first we should reflect on the reliability of our data and its related implications.

To begin with, our data embody a relatively small quantity of cases and police departments from the total national population. Only the Kansas City data constitute a significant proportion of a complete departmental workload. Should similar analyses be performed in other cities whose departments deal with a different mixture of crime types? We feel that such research would indeed strengthen the inferences about criminal investigation that could be drawn; furthermore, we believe that these additional studies should be done by the police themselves, primarily to forestall the difficulties that outsiders encounter in extracting the type of case data required. Such inquiries should involve only a nominal expenditure of effort, the bulk of which would be to code case samples (as we did in our analysis of how cases are solved).

It may be contended that the data we collected by means of the Rand survey and the case samples do not reflect sufficiently controlled experiments, wherein one pure program is contrasted with an alternative. Rather, they purport only to characterize, for purposes of comparison, departments that were pursuing loosely defined programs containing some experimental concepts along with many traditional methods of operation. This limitation on our data base should be recognized, but we feel that its effect is moderated by the fact that the departments we examined represented a wide diversity of approaches to the performance of criminal investigation. In a practical sense, the data used in our study embody differences that are about as large as one could find among police departments that modify their operations in an effort to improve the investigative function.

The credibility of our findings is enhanced by the consistency with which they are supported across a variety of crime types and police departments. Moreover, they are consistent with our personal observations as well as with the collected data; and consistent with the findings of earlier researchers. We have sought and failed to find contradictory evidence. Senior police officials familiar with the departments we studied have supported our inferences about the practice of criminal investigation and about its output.

In sum, we feel that our work is sufficiently reliable, despite limitations in the scope and amount of data collected, to support the fundamental findings that many current investigation practices should be sharply challenged because of their ineffectiveness. This finding justifies our central recommendation that police departments concerned about making the most productive use of their manpower should proceed

to ascertain whether or not our detailed findings apply to their circumstances and whether or not our policy recommendations are appropriate.

#### WHAT ARE THE POLICY IMPLICATIONS OF OUR FINDINGS?

On their face, our study findings suggest that the effectiveness of criminal investigation would not be unduly lessened if roughly half<sup>1</sup> of the investigation effort were eliminated or shifted to more productive uses. The remaining investigative force should suffice to handle the routine cases, which give rise to most of the clearances that now occur, and to perform the post-arrest processing involved in patrol arrests. These findings also indicate that significant increases in criminal apprehension rates are much more likely to be produced by improved patrol tactics and expanded citizen response and cooperation than by refinements in investigative work.

If these findings are valid, then they should prompt numerous policy changes affecting the criminal investigation function of the police. In the remainder of this section, we set forth a number of such reforms<sup>2</sup> whose rationale is consistent with our findings. As discussed above, we feel that a police department should not adopt them uncritically. Rather, it should first assure itself of the relevance of our work to its situation and then introduce the changes on an experimental basis, together with a careful evaluation program that enables their effects to be identified and assessed. If these experimental implementations have favorable outcomes in several departments, then the change(s) involved could be promoted for national adoption.<sup>3</sup>

The recommended reforms should lead to a greater number of arrests, more successful prosecutions, and savings in resources. But they will not necessarily lead to a *substantial* improvement in apprehension rates, which our work leads us to believe are more dependent on other factors such as victim behavior.

#### PROPOSED REFORMS

1. *Reduce follow-up investigation on all cases except those involving the most serious offenses.*

*Rationale:* Our data consistently reveal that a regular investigator's time is preponderantly consumed in reviewing reports, documenting files, and attempting to locate and interview victims and witnesses on cases that experience shows will not be solved. Our data show, moreover, that most cases that are solved are solved by means of information spontaneously provided by a source other than those developed by the investigator. It follows that a significant reduction in follow-up investigative efforts would be appropriate for all but the most serious offenses in which public confidence demands some type of response. If a thorough preliminary investigation failed to establish a suspect's identity, then the victim could be notified that active investigation was being suspended until new leads appeared, for example, as

<sup>1</sup> Based on our analysis of how cases are solved and of investigators' daily routines.

<sup>2</sup> The proposed reforms could be adopted individually or as a complete package.

<sup>3</sup> To allow for adequate planning and refinements during the implementation process, an experimental adoption of a suggested reform should be in operation at least two years before a conclusive judgment about its merits is made.



a result of an arrest in another matter. Our understanding, from departments that employ a victim-notice procedure, is that the public will generally accept such a policy once it is established. Future contacts with the victim would be oriented more toward securing their cooperation in community protection programs to deter and prevent further crimes.

2. *Assign the generalist-investigators (who would handle the obvious leads in routine cases) to the local operations commander.*

*Rationale:* Under the investigation policy suggested above, the main duty of the generalist-investigator is to respond to information developed by the patrol units at the crime scene or volunteered by the public, rather than to develop new leads on his own initiative. This role emphasizes the public service function of the investigator, and the men performing it should be responsible to the local commander who is concerned with all aspects of police-community relations.

Our research suggests that this type of investigative duty does not entail a requirement for specialized skills or centralized coordination. The officers performing it could readily shift between patrol and investigative duties. In departments with team policing, such investigation of routine cases could be a duty rotated among team members.

3. *Establish a Major Offenders Unit to investigate serious crimes.*

*Rationale:* Although there will be much fewer follow-up investigations on cases with no clear leads as to the identity of a suspect, most departments will continue to conduct extensive follow-up investigations on a small number of serious or inter-related cases. These special efforts can be most effectively provided by a single Major Offenders Unit, manned by investigators who are well trained and experienced in examining crime scenes, interpreting physical evidence, and interrogating hostile suspects and fearful witnesses. One reason for establishing such a unit is to clearly identify the investigative positions that require special skills and training and that demand knowledge of citywide crime patterns and developments. Our analysis of traditional investigation workloads suggests, by way of contrast, that most investigators are rarely confronted with these serious and demanding cases; and when they are, most investigators are ill equipped to cope with them and unduly distracted by the burden of paperwork on their routine cases.

4. *Assign serious-offense investigations to closely supervised teams, rather than to individual investigators.*

*Rationale:* The Rand analyses described under "How Cases Are Solved" and "The Daily Routine" (see Chapter 3) revealed that, in the great majority of cases, the factors governing whether or not a case is solved are largely independent of the amount of investigative effort expended; that is, clearances typically result from factors external to the investigator's activities. Concomitantly, our consideration of "Investigative Thoroughness" (see Chapter 3) suggests that when a suspect has been arrested, particularly in a complex case, the disposition of his case may be importantly affected by the quality of the investigative documentation, as well as of the work it describes. At least in this class of cases (where an arrest is made), the amount and quality of investigative effort may be relevant.

The most serious impediment to high-quality investigative work appears to be the traditional method of case assignment and supervision. In nearly every department, cases are normally assigned to an individual investigator and become his sole responsibility, whether he is a generalist, specialist, or engaged in team policing. Supervisors may review his activities to make sure that paperwork requirements are on schedule, but they do not normally review the decisions he makes on how to pursue the case investigation—decisions that are largely unrecorded in the case file. Consequently, the relative priority an investigator gives to the tasks on any one case assigned to him results largely from the number and nature of his other case assignments and from his personal predilections and biases. (The latter factors are surely not considered in the making of assignments, which is done on the basis of a geographic or offense specialization.) It may frequently turn out that caseload conflicts and personal considerations lead an investigator to unduly postpone or improperly perform important elements of a particular case assignment.

Case assignment to investigative teams could eliminate this impediment. For effective operations, this team of about five to seven men should be led by a senior investigator knowledgeable in the local crime situation, in criminal law, and in police management. The leader's primary responsibility would be to keep informed of progress on cases assigned to his team and to make broad tactical decisions on the team's expenditure of effort. Each day the subordinate investigators would perform individually assigned tasks. A clerk delegated to the team would prepare progress reports to document the daily accomplishments on open cases and to assist the leader in making the allocation for the following day. This proposed reform is especially applicable to those cases handled by the Major Offenders Unit, described in Reform 3, and those investigators assigned to the prosecutor, described in Reform 8. This approach should assure that significant steps in an investigation are objectively decided by an experienced senior investigator.

5. *Strengthen evidence-processing capabilities.*

*Rationale:* Many police departments collect far more evidence, primarily fingerprints, than they can productively process—so runs a finding from our study of the "Collection and Processing of Physical Evidence" (see Chapter 3). And our work shows that the processing of evidence can be more valuable than other investigative actions; for example, where adequate processing capabilities exist, cold searches of latent fingerprints are far more effective in increasing the apprehension rate than are routine follow-up investigations.

Several important aspects must be considered in strengthening fingerprint processing capabilities. First, the print identification process in larger police departments should be facilitated by keeping the print files by geographic area, with a fingerprint specialist assigned to each area. Career offender files are particularly amenable to this sort of decentralization, and in order to make cold searches practical, this file should contain no more than 4000 or 5000 sets of inked prints. Second, since request searches, which imply a cooperative effort between investigator and fingerprint specialist, are clearly the most productive type of search, some communication links should be devised to help motivate and facilitate the exchange of information between these two parties. And third, the persons performing this function should be highly trained, highly motivated, and not overloaded with other related tasks which detract from their primary function.

6. *Increase the use of information processing systems in lieu of investigators.*

*Rationale:* The Kansas City Detective Case Assignment File, which was intensively examined in our study, suggests that a substantial part of an investigator's working day is taken up by the scanning and monitoring of huge volumes of information on crime incidents and arrests that pass through the department. In doing this, he seeks to make connections between cases, or between suspects and cases, or between recovered weapons or property and past cases, etc. Success is infrequent. Much of the scanning and monitoring could instead be done by means of an information processing system which would involve clerks and routine procedures in small departments and electronic computers in large ones. Rand's nationwide survey indicates that computerized information systems are not nearly as prevalent as would be justified by their potential to save manpower in this area.

7. *Employ strike forces selectively and judiciously.*

*Rationale:* The few investigative strike force operations we examined support the view that strike forces can be relatively productive, particularly against burglary and fencing offenses. But to achieve an advantage, these units must be manned by motivated and innovative personnel. The gain in employing them becomes illusory when mere quantity of arrests is emphasized, for then the efforts of this force tend to be diverted into making arrests that are not the result of its own unique capabilities. The operation of strike forces necessitates careful procedural and legal planning to protect the involved officers and to ensure that the defendants they identify can be successfully prosecuted. They also require close monitoring by senior officials to ensure that they do not become overly aggressive and infringe on individual privacy.

In all likelihood, the relative advantage of strike force operations in a particular department will not persist; so the department must accustom itself to creating and then terminating strike forces, as circumstances may dictate.

8. *Place post-arrest (i.e., suspect in custody) investigations under the authority of the prosecutor.*

*Rationale:* Our analyses of workload data reveal that most investigative effort on cleared cases is made after the arrest. Most arrests are made by a responding patrol unit without prior investigator involvement or by investigators who have had to invest only a minor amount of work. But many of these cases necessitate post-arrest investigation to strengthen the evidence to meet the "beyond a reasonable doubt" standard for conviction. Also, the investigator may be impelled to post-arrest efforts in an attempt to achieve clearances in other cases by the present arrest, or to satisfy the documentation requirements of the department.

Most prosecutors do not have investigators on their staff. If they do, these investigators are usually occupied with relatively complex "white-collar" offenses—such as consumer fraud—and not with street crime. Generally, then, the prosecutor relies on police investigators to provide the evidence needed to prosecute and convict the suspect. But this situation contains an inherent conflict between prosecutor and police.

A police arrest is justified by *probable cause*—i.e., an articulable reasonable belief that a crime was committed and that the arrestee was the offender. Once they have made an arrest, the police desire that the case be filed by the prosecutor on the

basis of the most serious criminal charge(s) applicable, both to vindicate their actions and to improve their clearance record. But generally, because of the pressure of new cases and the expectation that the case will be bargained rather than tried, the police are reluctant to expend further investigative efforts to strengthen the evidence in the case.

The prosecutor, on the other hand, may be reluctant to file the charges that the police prefer, or even to file at all, if he believes the evidence would not suffice for a conviction, i.e., proof beyond a reasonable doubt; or even if the evidence simply places him at a serious disadvantage in plea bargaining. He needs more and better police investigation both at the time of the arrest and afterward. While the police have various means of creating pressure on the prosecutor to file a case, still the latter has the final discretion in the matter. It is clear that many cases are affected by the conflicting incentives of police and prosecutor, as reflected in failures to file, lenient filing, early dismissals, or imbalanced bargaining.

A promising remedy for this problem would be to place post-arrest investigations under the authority of the prosecutor's office,<sup>4</sup> under assignment or as an integral part of his staff, depending on the local situation. They would be used to implement the policy that post-arrest investigation should seek to demonstrate the culpability of the suspect by the standard of conviction, i.e., beyond a reasonable doubt. Because of his responsibilities in the criminal proceedings, the prosecutor is clearly the appropriate official to direct such investigative efforts.

Is this too drastic a measure? Would it not suffice for the prosecutor to prepare an investigation manual and help train police investigators? We believe that the latter would be a less satisfactory solution, given the dynamic character of criminal case law and the inherent conflicts between two relatively independent agencies. Giving the prosecutor responsibility and authority over post-arrest investigation would be a more effective way of assuring that the evidentiary needs for a successful prosecution are met. This is not to assert that the police should be foreclosed from post-arrest investigations for their own intelligence purposes or to effect clearances on other cases, but only that they would relinquish the responsibility of follow-on investigation of the instant case for prosecutorial purposes.

9. *Initiate programs designed to impress on the citizen the crucial role he contributes to crime solution.*

*Rationale:* All our data show that the most important factor in crime solution is the information provided by the victim to the responding police officer. If information that uniquely identifies the perpetrator is not presented at the time the crime is reported, the perpetrator, by and large, will not be subsequently identified.

Police departments must initiate programs designed to increase the victim's desire to cooperate fully with the police. Resources allocated to such programs may serve to increase apprehension rates. Specifically, police departments should widely disseminate the findings uncovered by this study. The realistic picture of how crimes are solved will help eliminate people's distorted stereotype images of detectives and will impress on them the importance of their cooperation with police in order to solve crimes.

<sup>4</sup> Our analysis of investigators' workloads suggests that this detailing of post-arrest investigators could be made from those investigators remaining after the 50 percent cut and reduction in follow-up efforts suggested under the proposed reforms. Post-arrest efforts would clearly account for at least half of the remaining total investigation workload.

**END**