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PRELIMINARY



INVESTIGATIONS

MANUAL

POLICE DEPARTMENT · ROCHESTER, N.Y.

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PRELIMINARY

INVESTIGATIONS

MANUAL

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ACKNOWLEDGEMENTS



Every member of the Rochester Police Department contributed to the Preliminary Investigations Manual. Officers, investigators, and supervisors together with our Research and Evaluation staff have toiled to examine closely and to identify the basic procedures for successful investigation. Due to the patience and dedication of these professionals those elements have been reduced to a practical format with universal applicability.

Special acknowledgement must be given to Lieutenant Terrence Rickard, Project Director of the "Managing Criminal Investigations Grant," for it was his exceptional leadership which pulled all the pieces together to finalize this manual and make it a reality.

In addition, special credit must be given to several individuals within our Department who worked tirelessly during the three years of this document's development. These individuals include Deputy Chief Delmar Leach, Major Anthony Fantigrossi, Lieutenant Norman Knapp, Sergeant Louis Fox, Sergeant James Bonnell, Officer Patti Kingston, Mr. Nicholas Byrd, Mr. Philip Parisi, and Miss Karen Harris.

Thomas J. Hastings

CHIEF OF POLICE
ROCHESTER, NEW YORK

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PRELIMINARY INVESTIGATION MANUAL

I. INTRODUCTION

The Preliminary Investigation Manual is a police officer's guide for conducting effective initial or preliminary criminal investigations. It attempts to place in their proper perspectives the options available to the investigating officer so that the total time spent in investigative activities will be minimum and results maximum.

The suggestions included do not deal with every conceivable type of initial investigation, but they will insure that investigations will have an increased chance of reaching their objectives: crime identification, crime solution with apprehension, and successful prosecution of the criminal.

The procedures recommended are based on Rochester Police Department research into the preliminary investigation process. This research was aimed at identifying investigative strategies which were most effective in solving crimes.

A series of previously conducted preliminary investigations which resulted in a crime clearance were studied to determine which factors led to the solution of the crime. In each case, we determined what factor or combination of factors helped to solve the crime: witness identification of a suspect and/or vehicle; fingerprint evaluation and identification; a "hunch" or random search; or some other factor. Through this research, (a detailed description of which is contained in Police Foundation documents)¹, we have been able to identify those investigative

¹Managing Investigations: The Rochester System, Peter B. Bloch and James Bell (Police Foundation)
Auditing Clearance Rates

strategies which have proven most productive.

We have found that investigations are most effective when the preliminary investigator views the work as a process rather than as a series of simple mechanical tasks. This process becomes the overall strategy providing guidance for the officer. This manual describes that process and provides guidance in selecting appropriate investigative procedures.

Rarely are two crimes exactly alike, so there cannot be one standard set of procedures which an officer must follow in each and every case. However, through creativity and flexibility the officer can be responsive to the many different factors which arise during a criminal investigation.

Thousands of preliminary investigations are conducted everyday by police officers across the country. However, only a few of these investigations result in an arrest or a crime being cleared.

Through our research in Rochester, we have discovered that the success of criminal investigations can be greatly improved by application of a new overall preliminary investigation strategy. Through improvement of the preliminary investigation the follow-up (where the preliminary investigation shows it is warranted) can be directed to avenues that will be most productive.

The preliminary investigation becomes the important first link in a total investigative effort by a police department. The quality of the initial effort will determine the department's overall success in crime solution.

II. OBJECTIVES OF A PRELIMINARY INVESTIGATION

The preliminary or initial investigation is the police agency's first response to a report that a crime has occurred. As in every investigative effort, the primary objective of the preliminary investigation is to determine who committed the crime and to apprehend the criminal. The preliminary investigator collects evidence which solidly supports: the crime, the identification of the person responsible for the crime, and the arrest and subsequent conviction of the criminal.

These objectives seem simple. Yet, they are vital. Unfortunately, they are often completely forgotten by preliminary investigators. All too often the preliminary investigator sees his role as no more than that of a mechanical report taker, when in fact the report is the vehicle for reporting the results of the preliminary investigation. The police officer should remember he is the preliminary investigator, and that his work at this early stage will uncover the majority of useable information about the case.

Framework

The framework of the preliminary investigation is based on the following major tasks.

1. Verification that an offense actually occurred,
2. Identification of the victim, the place of the crime, and the time the crime occurred.
3. Identification of solvability factors.
4. Communication of the circumstances of the crime.
5. Identification of those investigative tasks completed and of those yet to be done.

Completion of these actions is the total objective of the preliminary investigation and will guide the activities of the initial investigator during his work. Although there is no definitive order of priority by which these tasks must be done, the best investigative strategy dictates that the officer should first determine whether a crime occurred.

III. VERIFICATION OF OCCURRENCE

To verify the occurrence of a crime, the preliminary investigator must do four things, as follows:

- a. Respond to the scene.
- b. Document that a crime has actually happened.
- c. Determine when the crime occurred.
- d. Identify and assist the victim.

A. Responding to the Call

The preliminary investigation begins at the time the investigator receives the call to respond to the scene of the crime. As soon as the call is received, he should mentally prepare himself for arrival at the scene. He should be ready to begin asking questions and he should consider factors appropriate to the type of crime committed. In many types of crime, robbery for example, the preliminary investigator-as he travels to the area of the crime-should look for suspicious people or automobiles speeding away from the scene.

It is good practice for the preliminary investigator, immediately upon arrival, to make a quick visual survey of the scene to determine who is present, the location of objects, and what seems to have occurred. This visual picture may be very important at a later time when he tries to determine

exactly who was present at the crime scene, and who the witnesses may be.

The first priority that the preliminary investigator has to deal with is to determine if anyone is injured. However, even if a person is injured, and while first aid is being secured, the preliminary investigator must be aware of the immediate surroundings and of those people who are present, since eventually the priority will turn toward criminal apprehension.

One of the most important sources of information about the crime is witnesses--witnesses who may watch the investigator as he arrives, and then leave. Measures must be taken to insure that such parties remain at the scene until they have been interviewed.

B. Document Occurrence of Crime

Crime occurrence is relatively simple to loosely document. But the preliminary investigator must record the occurrence to the varying degrees and limitations of criminal law. Therefore, it is best for him to discover what has occurred and, after other facets of the investigation are completed, define the crime exactly; e.g., the degree of the offense.

Here are three determination hints to follow: 1) Thought should be given to whether the lapse in time between the offense and the notification to the police seems normal or questionable. 2) The investigator should be on the lookout for discrepancies in the victim's statement or between statements given by victim and witness(es). 3) Physical evidence should support the crime

facts related by victim.

C. Identify the Victim and Assist

Another important initial task of the preliminary investigator is victim identification. Often, the victim has the most useful information about an incident and about who is responsible for the crime. The victim usually is the complainant and will usually be the first person the officer interviews.

When victims are excited, the officer must first try to calm them enough to allow them to tell their story accurately. The officer should properly identify himself, then try to establish rapport with each victim. Before asking specific and detailed questions, he should obtain a general description of what happened. This permits the victim to calm down and provides the preliminary investigator with an understanding of the overall sequence of events. He should play a supportive role for the victim by remaining calm, sympathetic and understanding.

The officer should remain neutral and not offer moral or social criticisms. Victims of crime sometimes suffer long-term reactions of guilt and anxiety if they are not carefully dealt with. If they are questioned about why something happened, victims may feel such questions imply the crime was their fault. The officer then must be careful to avoid questions such as, "Why didn't you lock your windows?", or "Why were you carrying so much money?", since such questions may seem improperly punitive and judgemental. In other words, the preliminary investigator must take care not to set standards of morality

for the victim. For example, if the victim is pregnant and not married, the investigator must not let any personal feelings about unwed mothers enter into the interview. Personal comments in such situations can cause a victim to refuse to cooperate further in the interview. Eventually, the victim may refuse to file a report of the crime or prosecute if the criminal is apprehended. The preliminary investigator must remember his purpose is to obtain information concerning the crime. He should not do anything which will lessen his credibility or impair his ability to obtain the needed information. The preliminary investigator is in the unique position of rendering psychological first aid to the victim. Sympathy, sensitivity, competence and confidence displayed by him can be very important in building the required rapport between the investigator and the victim.

When a degree of rapport has been established, begin asking questions about the specifics of the crime. It is important that the interview be kept moving always toward obtaining useful information. This is sometimes difficult because people often tend to ramble once they have the sympathetic ear of the investigating officer. Comments such as, "That's interesting, ma'm. Now, to get back to that suspicious man . . .," can be useful in dealing with the problem.

IV. IDENTIFICATION OF SOLVABILITY FACTORS

A solvability factor is information about a crime which can provide the basis for determining who committed the crime. Or, simply a solvability factor is a lead, a clue, to who the criminal is.

Not all crimes can be solved, no matter how much investigative effort is put forth. There are so many crimes each day that many police agencies find themselves hard pressed to provide minimal investigative effort for all reported crimes. As a result of this resource utilization pressure, the number of crimes solved diminishes because few crimes receive sufficient investigative resources to produce a result unless, of course, an on-scene arrest is made.

Police resources are limited. Therefore, it makes sense that the effectiveness of police investigations will be increased only if resources are allocated to those occurrences which have a chance of solution. To direct resources to crimes which have little chance of solution is both wasteful and generally unproductive. This is why solvability factors are so important. They can provide a valid guide to the allocation of scarce resources.

Without a solvability factor the chances of crime solution are small. When the solvability factor is present, there is a reasonable chance for a solution. Solvability factors have been selected through extensive research into what information results in crime clearances. As a result of this research, at least one of twelve leads was present in each of the solved cases reviewed. If one of these leads was not present, the crime was not solved.

Throughout the investigation process, we search for leads upon which further investigative efforts can be based. And since only some leads later may become useful, preliminary investigators should concentrate their efforts on finding those

leads, or solvability factors. This is the objective of the preliminary investigation.

A. Twelve Solvability Factors

1. Witnesses to the crime;
2. Knowledge of a suspect's name;
3. Knowledge of where a suspect can be located;
4. Description of a suspect;
5. Identification of a suspect;
6. Property with identifiable characteristics, marks, or numbers so it can be traced;
7. Existence of a significant MO;
8. Presence of significant physical evidence;
9. Presence of a description which identifies the automobile used by the suspect;
10. Positive results from a crime scene evidence search;
11. Belief that a crime may be solved with publicity and/or reasonable additional investigative effort;
12. An opportunity for but one person to have committed the crime.

The preliminary investigator's job is to determine which, if any, of these solvability factors exist. Effective investigative strategy dictates that the investigator consider each solvability factor separately and thoroughly to see if evidence points to the solvability factor's existence.

A measure of success in a preliminary investigation is the identification and description of solvability factors. Adequate effort by the investigator has been expended when every possible avenue for identification of the solvability factors has been explored. At the conclusion of his investigation, the investi-

gator must feel secure that there is little chance than an unidentified solvability factor exists.

Since crimes have little chance of solution unless solvability factors have been identified, it should be clear why the preliminary investigator's work is so important. If preliminary investigative work is competently done and reported, and success in case solution is deemed possible, a police agency can assign follow-up investigators. To avoid duplication of effort, the preliminary investigator must convince the follow-up investigator that all leads or solvability factors have been explored. If the follow-up investigator is not convinced, then there will be duplication of much of the preliminary investigator's work. Thus, follow-up investigation efforts will not be directed toward areas with the highest payoff in terms of investigative success.

B. Utilization of Individual Solvability Factors

Every solvability factor has an identifiable relationship to crime solution. For example, when witnesses are identified, information about the perpetrators of the crime is usually available. When an unusual modus operandi (MO) is found, the crime can often be linked with similar crimes, thus permitting merging of investigative information and efforts.

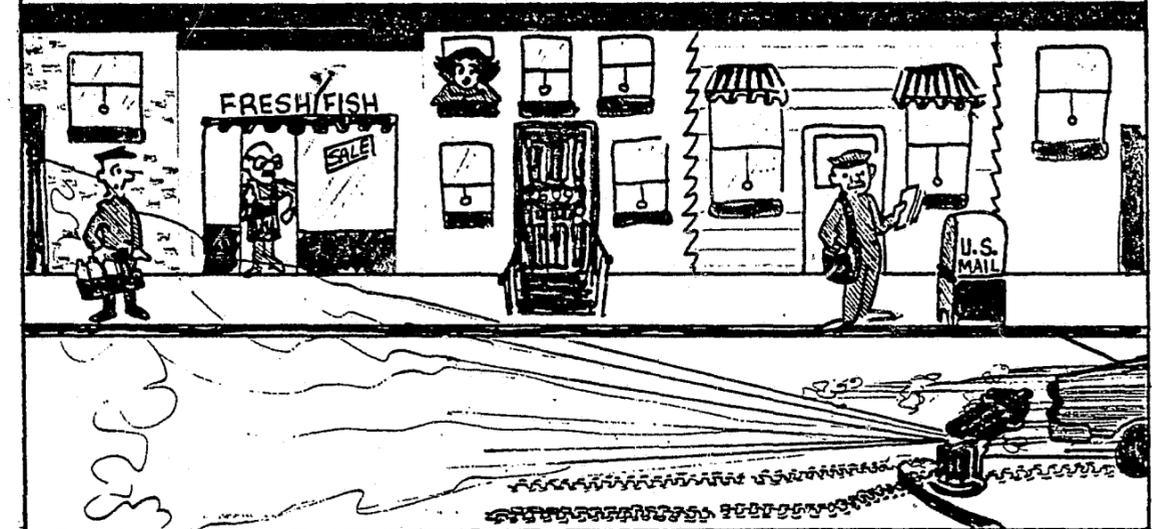
In working to identify solvability factors, the preliminary investigator must keep in mind why that solvability factor is important (its objective); the potential strategies which may be adopted in deciding whether it exists; and the actions which the investigator should take for identifying solvability factors.

The effective investigator knows these solvability factor objectives, strategies, procedures, and measures of accomplishment so well that he applies them automatically to each case.

On the following pages of this manual, each solvability factor is explored in the context of these important standards.

V. IDENTIFICATION OF WITNESSES

Objectives: Witnesses are usually the most important source of information about a crime. The preliminary investigator thoroughly searches the area surrounding the crime to identify



people who may have seen the crime occur, or who may have seen or heard something directly or indirectly related to the crime.

This solvability factor is important not only by itself, but also since it is the basis for several others. Suspect information and information about vehicles involved in the crime, for example, are usually obtained from witnesses.

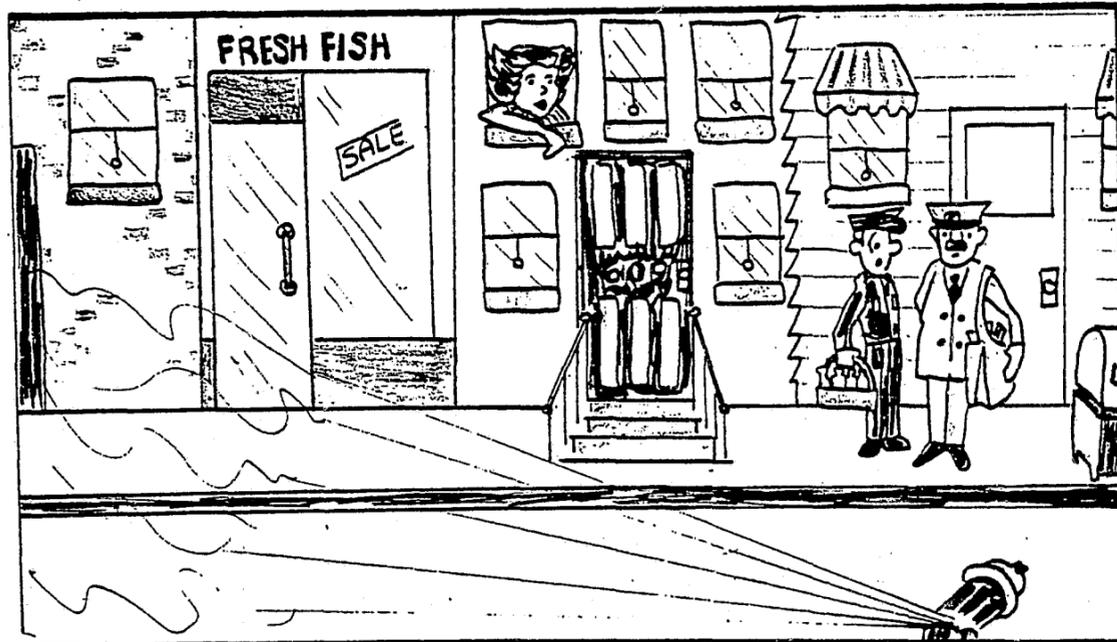
To find witnesses, the investigator must ask those present WHO ELSE may have seen what happened. If identified, these

people then become potential witnesses.

The investigator seeks those present when the crime occurred, those who may have been in the area when the crime occurred, and those who can identify others who may also be witnesses.

Strategies: There are two general places where witnesses may be found.

1) The most obvious place is the scene of the crime. Many of the on-scene witnesses will still be at the scene when the investigator arrives, but often, some witnesses will have left. It is, therefore, very important for the investigator to get to the scene of the crime quickly. 2) Another logical source for the witnesses is the area immediately surrounding the crime scene. One of the first tasks of the investigator is to determine what locations would be logical places for the witnesses to have been at the time the crime occurred, or where



they may have gone since the crime occurred.

Success often depends on the number of contacts the investigator makes in this task, his perseverance and ingenuity.

In seeking people who may know something about the crime, the investigator should consider the broad range of people who normally are in a given area on a regular basis, such as the postal person, telephone person, gas meter reader, landlords, and delivery persons.

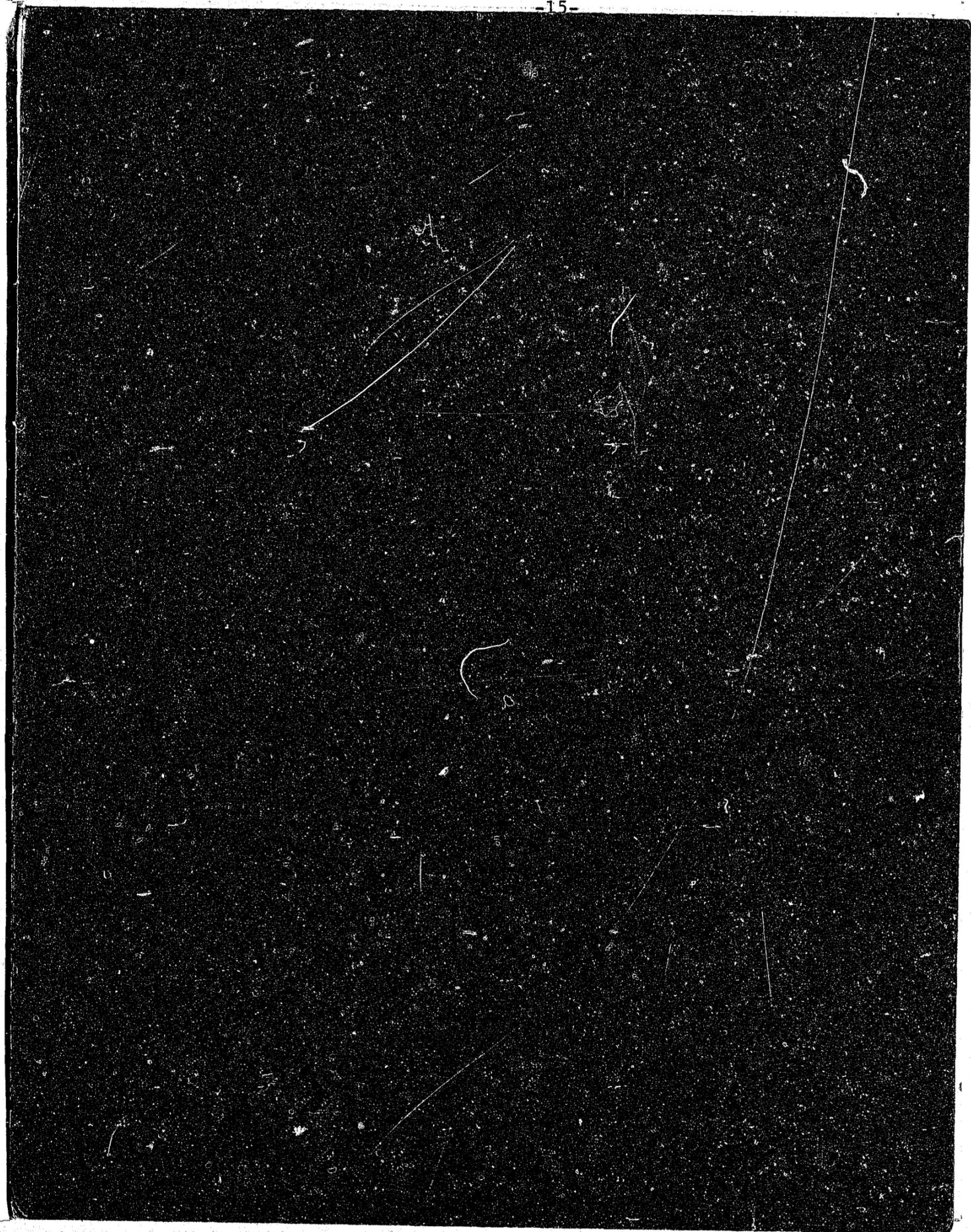
In asking for leads to other witnesses, the investigator must be careful to phrase his questions in a manner that will encourage information, rather than narrow his potential for information by asking a limiting question.

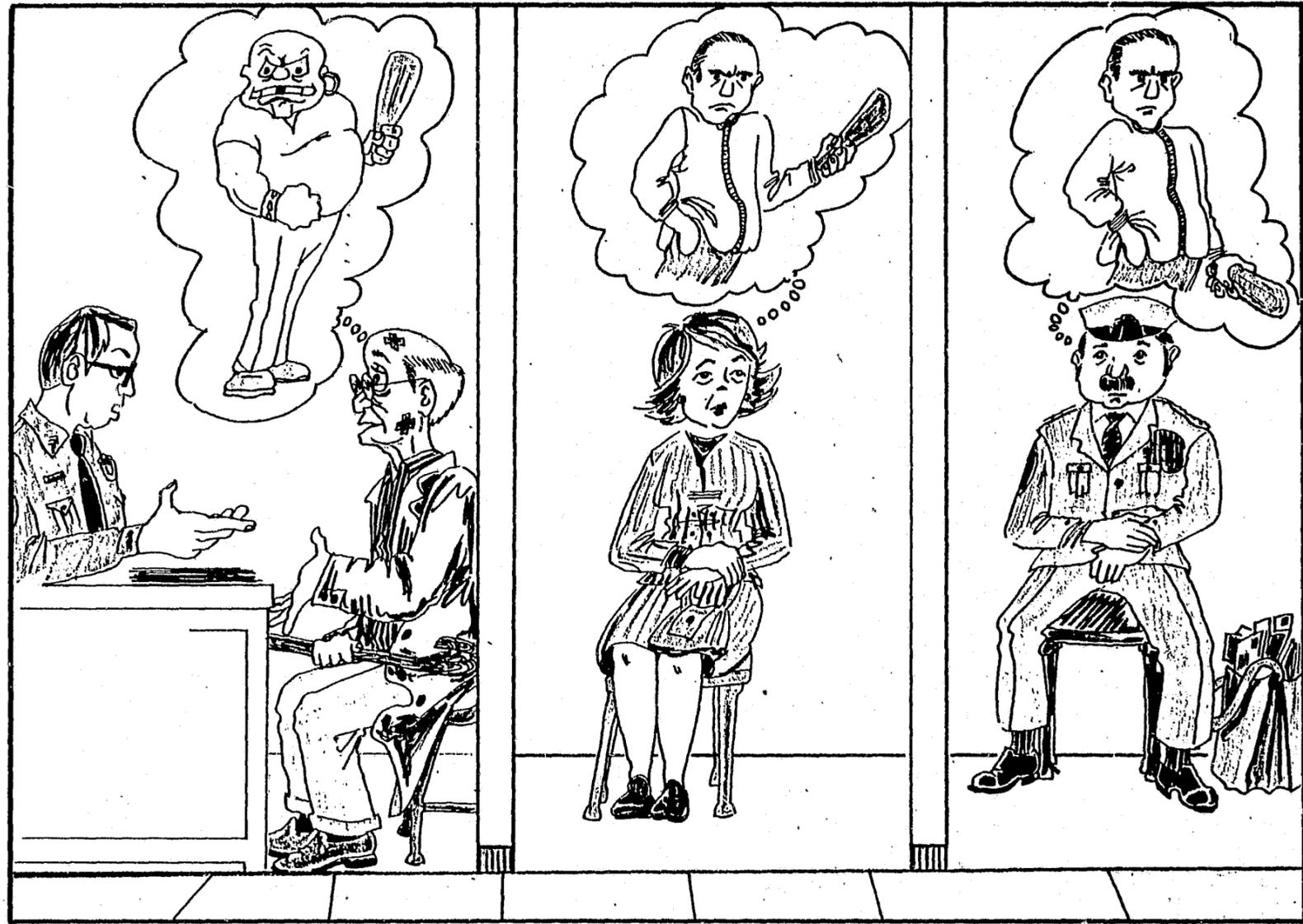
Procedures: To find witnesses, the investigator should start in the immediate area of the crime and determine where witnesses may be located.

The first witness discovered possibly may have all the facts. But, a second or third witness will be very important when the case eventually goes to court. So, it is important to find all the witnesses possible in the investigation.

Often, the victim is the best witness. But even if the victim is a witness to the crime, the investigator always should seek additional witnesses, since it is always advisable to obtain corroborating evidence.

Since crimes are usually emotional events and people's emotions often color their perceptions or memory of the crime, it is advisable never to rely solely on one source of information.





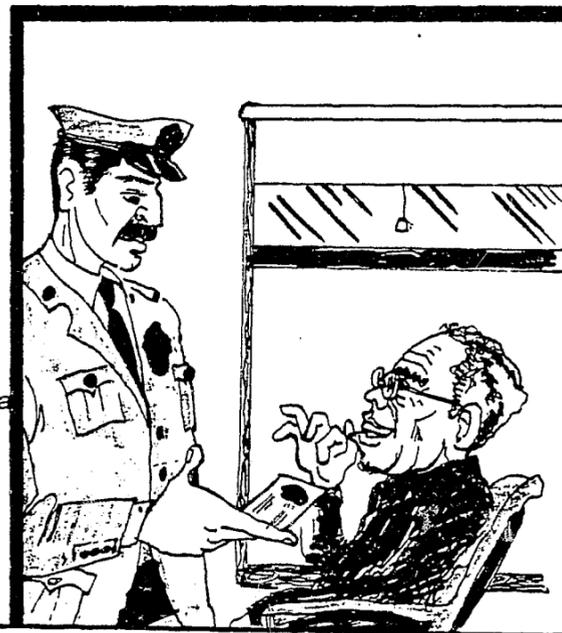


One effective means for identifying witnesses is for the investigator to go to the exact scene of the crime and to look carefully around to determine the best viewpoints for observation.

As part of the preliminary investigation of a burglary, for example, the investigator should recreate the crime through examination of the premises and determine the point of entry and the location of exit from the scene,

if the exit is different from point of entry. The investigator should then record what can be observed from each point. If the view takes in other occupied dwellings or buildings, the investigator may be able to locate additional valuable witnesses from those buildings.

As the investigator identifies locations of witnesses, he should approach each person in a positive way, and continually be aware that the person will have a natural curiosity regarding what has happened. Indeed, it should be no secret that a crime has



occurred. The investigator should be willing to explain to any interested person that a crime has occurred and where it happened. The investigator then may explain that he is trying to identify anyone who may have seen something concerning the crime.

Often, the persons questioned will not have information about the crime, but they may know of someone who does. In these instances, it is important to leave the citizen a card with the preliminary investigator's name and the appropriate Police Department phone number on it. The person may then be



able to provide information if it later becomes available. These people may have seen or heard something related to the crime but they may be unaware (at the moment of questioning) of the importance of what they had observed or heard because of their detachment from the event. The investigator should also make note of the contact on the preliminary investigation report so that a follow-up investigator may make a later contact.

Persons interviewed may also know of people who could have been involved in the crime. While such information is almost

always rumor, it can be the source of useful information. It can provide an important sense of direction in other aspects of the preliminary investigation.

Indicated Actions: The investigator should get witnesses' names, addresses, and telephone numbers. To assist follow-up investigators, the preliminary investigator should record whom he has contacted as a witness and what these witnesses saw, heard, or know about the crime. It is also important for the investigator to indicate clearly where other witnesses have been sought without success to avoid duplication by the follow-up investigator.

The quality of this data will largely determine whether supervisors and follow-up investigators will place credibility in the preliminary investigator's report. All such information should be clearly communicated to the follow-up investigator.

Measures of Success: The investigating officer will have completed his task if all witnesses have been located or actively sought. The test to measure the success of witness identification is in the following questions.

1. *Have all people present during the crime's occurrence been identified and questioned?*
2. *Have locations which have a plain view of the crime scene or its access and egress been thoroughly searched for witnesses?*
3. *Have serious attempts been made to identify others who may have been in the vicinity of the crime at the time it occurred?*

Crime Scene Search: A search for witnesses, however, is not a complete crime scene search.

The necessity for a thorough crime scene search to develop "best" and/or corroborating evidence is becoming more important everyday as confessions, admissions, and search warrants are becoming fragile evidence in court. The nature of the crime will of course determine the amount of time that should be spent on a crime scene search. Consequently, a search at a petit larceny scene will not warrant the same thoroughness as a search at a major armed robbery or a homicide scene.

As in searching for witnesses, the officer should immediately try to locate both a point of entry and the point of exit, used by the suspect.

An officer should have photographs taken of felony crime scenes. Dust for fingerprints at the point of entry and exit, at the location of the crime, and in any other locations which could be an integral part of the crime scene.

Search the area for evidence that might be associated with the offense. This should include a search for the implements used, for stolen property that possibly has been dropped, hidden or abandoned, for the suspect's personal effects and, for footprints.

There is much in the way of evidence that may be found out at or around the scene that by itself seems insignificant and will not identify the perpetrator. However, this may be of critical value in determining the over all crime picture. The identification of this type evidence and its itemization for future use

will in many instances identify a suspect, and when it is added to other information, it may subsequently lead to a conviction. Items such as footprints in snow, mud, or dust may not only tell you that it was a very small foot or large foot, but indicate a path of escape to be searched for witnesses. A crumpled pack of cigarettes may not identify the burglar but, at a later date, it might be an important piece of evidence if it were the suspect's brand of cigarettes. Cigarettes left in a house with a trace of lipstick would certainly reduce the number of suspects being sought. Similarly, a single fingerprint may not immediately identify the suspect, but once we have a suspect, the fingerprint is evidence that he was at the crime scene.

Valuable indicators are often available at the scene for the diligent officer to utilize. A stopped electric clock may tell the time the suspect was in the house if other electrical appliances were stolen and the clock's connection was disturbed. Or, the size of the point of entry may indicate the size of the suspect. An officer must be very thorough and use extreme care in his observations at a crime scene, for in most instances the evidence is sometimes so obvious that it may be overlooked in our hurriedness to accomplish all that is required.

Once again, the victim can be of great assistance to the officer for it is only the victim or another member of the family that can really identify whether items such as a piece of clothing, a flashlight, or a tool belongs in the house of the victim or is an item that was used by the suspect.

In addition to the search of the crime scene, you must make accurate records at the crime scene. The evidence obtained here may subsequently be used in court. In many of the major crimes, the recording will be accomplished by the evidence technician. But in some instances, when the crime scene does not warrant a technician or when a technician is not available, you will be called upon to accomplish this task yourself.

The need for an accurate sketch cannot be overemphasized. Many cases are lost on technicalities as defense attorneys struggle to find any loophole. Recently, a case was lost in the Grand Jury when an officer recorded that the weapon was in the back seat. In his testimony, he corrected himself and said that it was in the front seat. The officer had effected a good arrest; a weapon was found in the car. And yet, through a slight error, a loophole, the suspect beat the case.

It is important to keep in mind that nothing at a crime scene should be left to your memory. The great volume of work confronting us today and the lengthy delay before a case goes to court mandates that all information regarding investigations be reduced to accurate writing.

VI. PROPERTY IDENTIFICATION

Stolen property can also be a witness--a silent witness to commission of a crime and the suspect's identity. The collection and proper recording of complete property descriptions may, at a later time, prove to be the most critical aspect of the preliminary investigation.

Lacking exact descriptive information (serial number, color, size, markings or damage, etc.) suspected stolen property cannot definitively be linked to a crime scene for suspect prosecution or to an owner for its return. Search warrants for the recovery of stolen property and arrest of the possessor cannot be obtained if exact property descriptions are not available. Insurance frauds may also later come to light when, for example, an individual reports the loss of an expensive color television when in reality an antiquated black and white set was taken.

As the Rochester Police Department moves from a hand kept stolen property file into a computerized property inventory system, our ability to capture and easily retrieve stolen property data will substantially increase. But, that ability can only be realized if property identification information is sought after and recorded by our preliminary investigators.

Property descriptions should be considered as much more than make, model, and serial number. Damage to items (e.g., scratches, dents, missing parts, repair tags) further pinpoint identification. A freehand drawing of an unusual item (silver pattern, jewelry, object d'art, etc.) may later aid other officers with identifying the item's origin.

Certain questions may help jog a victim's memory, such as:

- 1) Are there any dents, scratches, marks, or pieces missing?
- 2) Has it been to a repairman?
- 3) Do you still have the bill of sale which may list the serial number? Or, an owner's manual which may picture it?

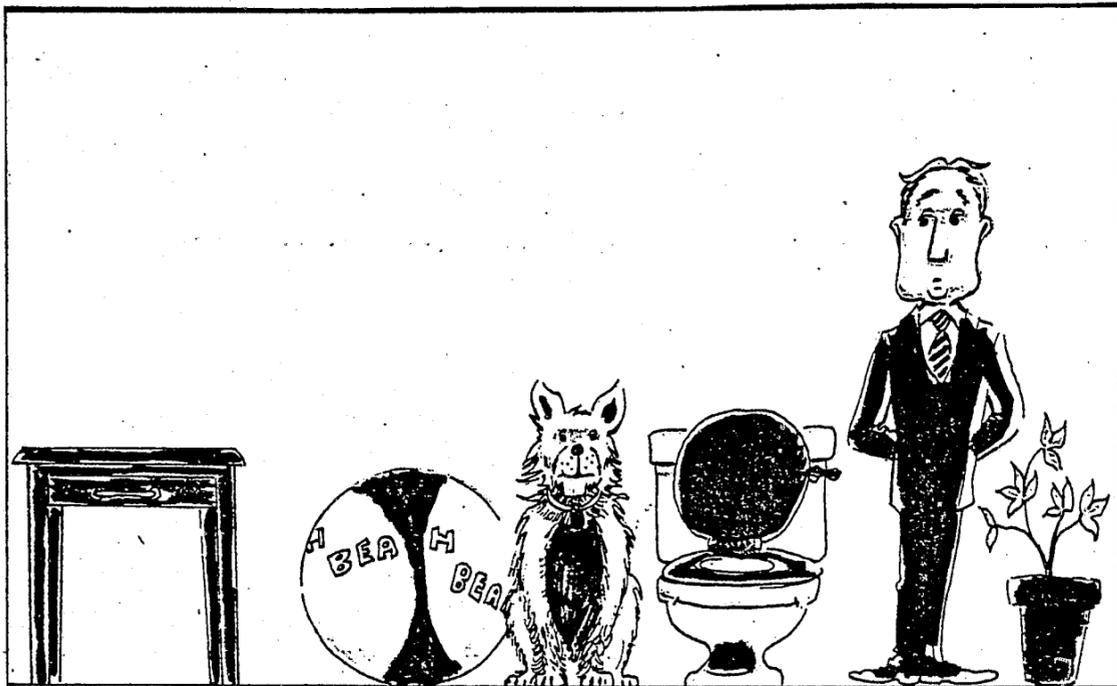
- 4) Do you have a photograph which may show the item?
- 5) Would anybody else in the family be able to identify it or, better describe it?
- 6) Has your property been marked with any personal identification number? If so, what was the number and where was it marked?

Be certain when recording stolen property to include credit cards, and check cashing or guarantee cards. Record the issuer of the card and the account number. A charge card number can be obtained from the person's last billing from the company (Sibley's, Mastercharge, etc.). Remind the victim(s) to report any missing credit cards immediately as being stolen. Inspect checkbooks to see if any checks are missing, especially from the back of the book.

In interviewing the family no one should be excluded because of his age, especially a young person who is usually very observant and quite possibly can give additional information on the description of property.

When leaving your business card remind the victim(s) to call the department with additional property description information. Quite possibly, other members of the family who are not present at the time of the investigation will have knowledge of serial numbers or, additional identifying features that will assist us in our investigation.

The information that the preliminary investigator actively seeks rather than passively accepts will beneficially impact the final outcome of the investigation.



VII. IDENTIFYING SUSPECTS

Objectives: The object of identifying suspects is to determine who the criminal is and to locate him.

Strategies: Most suspects are identified by people who observed the crime or who observed the crime scene before, during, or immediately after the crime's commission. The identification of witnesses is aimed at providing a valid source for suspect information.

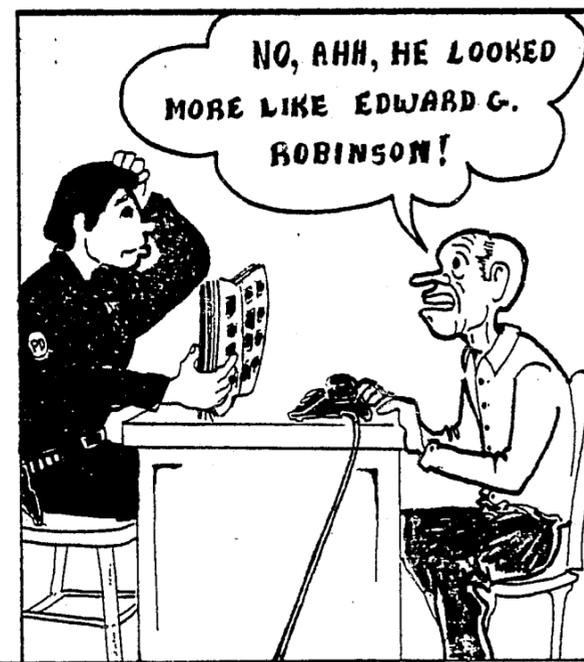
Through this solvability factor, the investigator should gather from witnesses and victims information that will be useful in locating the suspect.

When interviewing witnesses and victims, the preliminary investigator should indicate on the initial report whether future "ident" can be made and by whom. This information gives the follow-up investigator a projection of who can make a possible future identification if a suspect is apprehended.

This kind of reporting helps to eliminate duplication of efforts on the part of the follow-up investigator. It also saves valuable time.

Several methods for eliciting information from witnesses and victims follow:

1. Detailed physical description
2. Line-up identifications



3. *Photographic identifications*

4. *Composite descriptions*

5. *Police artist sketches*

6. *Look-alike identification*

7. *Modus Operandi identification*

It is the job of the investigator to select one or more of these techniques to develop and clarify whatever suspect information exists. This is best accomplished if the investigator selects the method appropriate to what he believes will best refresh the memory of or assist the victim or witness in describing what he saw.

Procedures: Once witnesses, victims, and other people with knowledge of the crime have been identified, the investigator must decide what is the most appropriate method of obtaining specific suspect identification data. One of the following methods should be used.

1. *If the victim or witness knows the name of the suspect, the investigation can proceed along routine and direct channels.*
2. *If the victim or witness knows where a suspect can be found, even though the name of the suspect is unknown, there is a good chance that the suspect can be located through a follow-up investigation.*
3. *If the witness/victim saw a suspect but can only identify him, a more detailed effort at exact identification is required.*

When only an identification is available, any combination

of the following may be used:

1. *Detailed Description*

The witness or victim, with help from the investigator can usually provide detailed physical description. However, the investigator must not be suggestive. Witnesses are often too willing to adopt suggestions innocently provided by an over-eager investigator. The disciplined and competent investigator will therefore ask clarifying questions only.

When compiling a physical description, it is advantageous to ask the victim or witness about distinctive features of the criminal. These are features which would cause a witness or victim to remember the criminal.

As the witness or victim is providing a description, the investigator should keep interruptions to a minimum to obtain the complete perception of the victim or witness before narrowing down information. In questioning witnesses or victims about suspects, the investigator should provide gauging assistance without being suggestive, as mentioned above.

The investigator should not ask "Were there three big men?" or "Was the man real big?". Rather, he should phrase the question to let the victims determine the answers; e.g., "How many were there?" and "How tall was he?". If the witness can not relate to height or weight measurements, the investigator should have

the witness relate it to the investigator's size.

2. Line-up identifications are helpful once a suspect has been identified and located. In those situations where a line-up is used, the investigator must take care to protect the suspect's and witness's rights. Based on the Wade Decision, an attorney for the suspect may be present at the line-up. The investigator arranging the line-up must insure that others in the line-up generally resemble the suspect.

3. Photographic identifications, usually from police "mug" files can assist the investigator in providing assistance to the witness or victim in suspect identifications. When having witnesses view "mug" shots, the investigator must be careful that the person selected by the witness has a real likeness to the description originally given.

When photos are used, they should resemble that of the suspect. Seven photos are adequate. A record of the I.D. number of each photo should be made and become part of the case file. When a photo is selected, the witness should initial it and mark time and date. The wise investigator always cross-checks "mug" file selections with MO data obtained from the crime investigation.

When using "mug" shots the investigator should have "photo albums" available for victim or witness viewing.

Photo albums are products of investigators working a particular sector of the City. It is a collection of photos of persons recently arrested for a Part I offense or of those suspected of being active in crime and currently "on the streets" and who frequent or operate in that particular area. It also contains photos of those persons "wanted" by detectives in the sector for other crimes. These albums can be easily purged and updated. They are portable and can be available to any investigator at a moment's notice. It is more productive to construct the album as a conglomerate and not as categories according to MO or physical description. People currently active in crime, recidivists, and drug abusers known to frequent the sector are best included.

4. When no photo shots are available, or when they do not produce a suspect, the police artist may then be used. In either case, one a composite and the other free-drawing, a likeness to the suspect based on the witness's observations is composed.

5. The MO data is another way of providing a suspect pool for witness consideration. Once a pattern of criminal activity is established, the known criminals utilizing that method of operation become suspects and their photos can be shown to the victim or witness. MO data within a neighborhood is often known by the uniform officers and the investigators in that area.

When witnesses or victims are not available, the investigator must proceed without that type of help. That requires intensive work to place suspects at the scene of the crime at the time it occurred. However, even when a suspect is named or selected from photos, the investigator must work toward placing the suspect at the scene, since this later will become a part of the prosecution.

If specific suspect data is not available, the witness should be asked if he can think of anyone who may have committed the offense. In some cases, the witness or victim may have knowledge of someone who may have had reason to commit the crime. Information gathered under the solvability factor, "Was there a definite limited opportunity for anyone except the suspect to commit the crime?", may be as useful as a vehicle license number which leads to a suspect. In other words, data which can lead to suspects can come from many sources.

Indicated Actions: If a description or name of a suspect is found, it should be broadcast immediately so that other units can be on the lookout for that suspect. Witnesses who have identified a suspect should be told to contact the police if they see the suspect again.

Suspect information should be detailed as soon as possible so that descriptions put out will be of best assistance in finding the suspect. This information, if available, also

must be clearly communicated to the follow-up investigator and to those officers coming on duty on the next shift so that they may continue the search effectively.

Measures of Success: A solvability factor has been identified if there is any information provided which may lead to the apprehension of a suspect. If descriptive information is so general that a multitude of people would fit the description, then a solvability factor would not exist.

The following questions can help the investigator decide whether a valid solvability factor exists:

1. If a person is named, is the name descriptive enough or complete enough that the person can be identified?
2. If a description is provided, is it narrow enough to fit a limited number of people?
3. If the location of the suspect is provided, is the information specific enough that follow-up investigation can lead to that suspect?



Affirmative answers to these questions indicate that the investigation has yielded the necessary information for continued investigative effort.

VIII. SUSPECT VEHICLE IDENTIFICATION

Objectives: When a vehicle is used in a crime, it may provide a means of identifying a suspect. Since vehicles are so much a part of daily life, the criminal who has exercised caution to assure his anonymity in other aspects of the crime may still fail to consider that using a vehicle can lead to his identification.

Many people today can accurately and completely identify automobiles, trucks, motorcycles, and bicycles. Some people, when they are suspicious of a vehicle, will note identifying data. When this information is obtained by police shortly after the commission of the crime, the potential for apprehension of the suspect is very good. Frequently, he will be found still in possession of evidence linking him to the crime.

Strategy: It is essential that the investigator avoids limiting his consideration of vehicle identification to automobiles and trucks. In some cases, bicycles, motorcycles, and even snowmobiles and boats



... IT WAS BLUE, HATCHBACK, 2 DOOR...

have been used to commit a crime.

Vehicle identification may be achieved in a number of ways: from witnesses; from physical evidence found at the crime scene; from police reports of accidents, traffic violations, stolen vehicles, etc.; and from a combination of these sources.

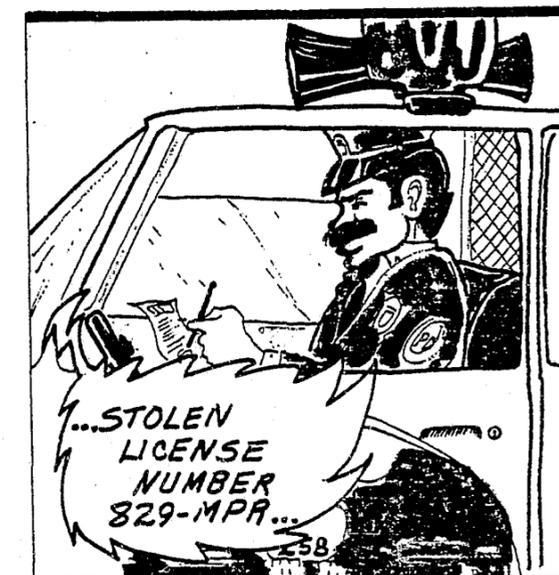
Use of a vehicle in the commission of a crime becomes a fact when witness information or physical evidence show that a vehicle was present.

Such would be the case when a rape or robbery occurred in a suspect's vehicle. The investigator may assume a vehicle was present in a crime when the nature or location of the crime suggest that probability. The theft of a heavy safe, or a crime occurring in a remote area are examples of this type of situation.

Even if it is not used in the criminal act, an automobile may have been used for the criminal's transportation.

Procedure: When the victim and/or witness know that a vehicle was used in a crime, the investigator can proceed to obtain straight forward descriptions. The following procedures are recommended:

1. Separate the witnesses from one another. This



assures that the description obtained from one witness does not influence the description provided by another.

2. Identify the type of vehicle (automobile, bicycle, motorcycle, etc.).
3. When possible obtain the registration plates' number and state of issue. A partial number can be of value as a computer printout can give a list of names. For example, "I know it was a Chevy with ABC as the letters." The 999 possibilities can be reduced to those that are Chevrolets, leaving only a few to be investigated.
4. Determine the year, make, model, and body style of vehicle.

The vehicle identification book can also aid in putting together the "pieces" until a complete vehicle description is obtained. For example, "I know there were four round lights on the rear of the car." or, "The rear bumper had a fancy

shape to it." Rear lights and custom bumpers are easily identifiable by dealers.

5. Determine the color or colors.
6. Identify distinctive markings (signs, decals, bumper

ALL CARS STAND BY, PREPARE TO COPY DESCRIPTION OF A STOLEN VEHICLE, 1970-BLUE-2 DOOR SEDAN,.... BUMPER STICKERS READ...
 "LOVE IT OR LEAVE IT," "I MAY BE SLOW, BUT I'M AHEAD OF YOU", "I DON'T HIT ANIMALS", "IF THERE'S A HELL BELOW WE ARE ALL GOING TO GO", LICENSE NUMBER 329-MPR...



stickers, damage, etc.) which would help pinpoint the vehicle.

7. Verify the description by comparing it with those provided by the witnesses, or by testing the ability of the witness to provide the identification.

When obtaining suspect vehicle description and a definite model and make, determine from the witness how he knows that information. For example, "I used to have a Chevy just like it. That's how I know," or, "I'm a foreign car buff and I know that the car was a Toyota G.T."

Take the witness to a used car lot to help identify the exact make and model of the vehicle. If the manufacturer is known but the particular model is not, go to a particular dealer and make use of their vehicle identification, e.g., "I know it was a Ford product, but I can't tell you the model."

The best available description of the suspect vehicle must be accurately communicated to the follow-up investigator so a search can be made for it. Since a vehicle is so often an important link to a suspect, it is also very important that descriptions of suspect vehicle be detailed and concise.

Measures of Success: A solvability factor has been identified if sufficient information has been provided about a suspect vehicle so that there is a reasonable chance it can be identified as the suspect's vehicle if it were seen again.

The following questions can assist the investigator to determine whether a valid solvability factor exists:

1. If a vehicle was involved, is the description of that

vehicle sufficiently limiting so that the vehicle could be identified if it were found or seen again?

- 2. If a specific vehicle description is known, will it fit only a limited number of vehicles:

If these questions are answered in the affirmative, a solvability factor has been identified and continued investigative effort is worthwhile.

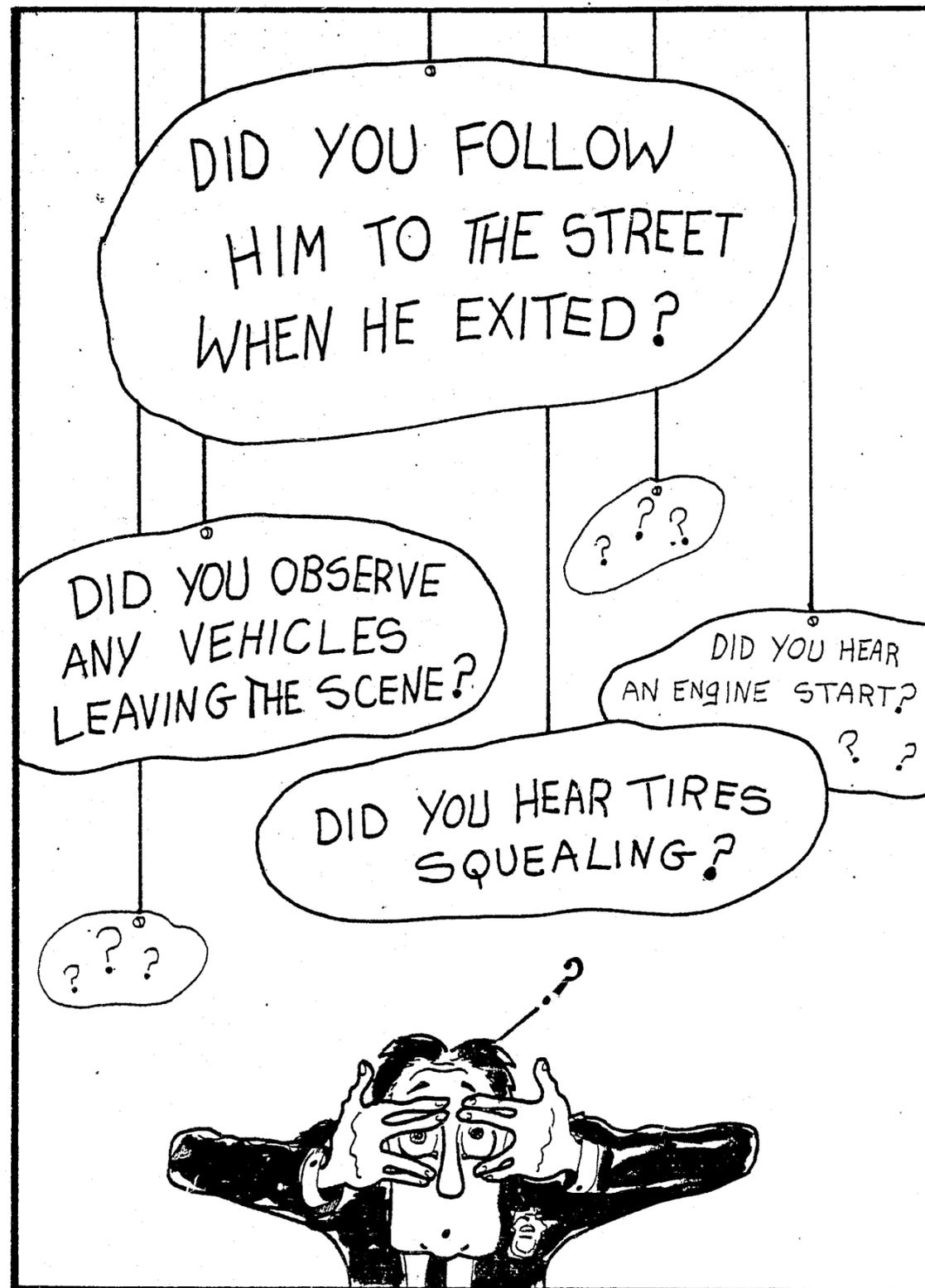
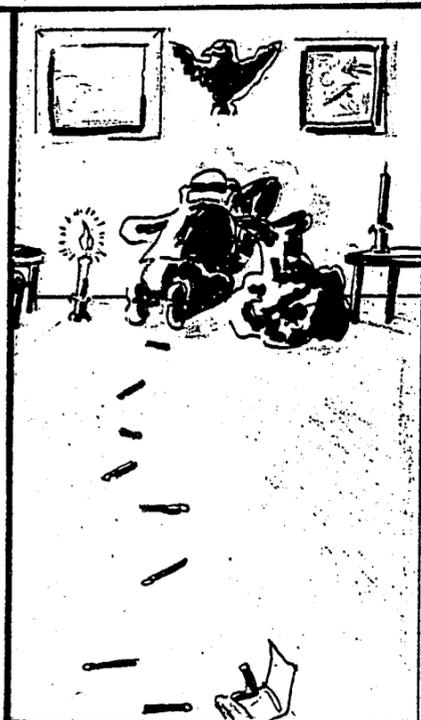
IX. IDENTIFYING MODUS OPERANDI

Objectives: The modus operandi is important because it can establish a pattern of activities between a series of criminal acts, thus permitting the investigator to use information from one crime for another investigation. In this sense, the MO is a trademark of a specific suspect or group of suspects who may be identified by their unique MO. This solvability factor has two objectives:

- 1. to link this crime with others, thus opening up additional useful investigative information and
- 2. to identify a suspect.

If a weapon was used, obtain complete description. Some offenders may be identified this way, while others are identified by the type of clothing they wear when they commit a crime.

Did you follow him to the street when he exited? If so,



did you observe any vehicles leaving the scene? Did you hear any squealing of tires or engine starting?

Strategies: The investigator must determine how the criminal worked.

He may do this by placing himself in the criminal's place, and by reproducing the crime from its beginning to its end, based upon the evidence he has of the criminal's thinking. The investigator should consider what the criminal's perception of the victim was, how the criminal selected this victim, and how time factors entered into the criminal act.

Determining a modus operandi can be done best after the basic facts about when the crime occurred, who the criminal was, and the sequence of events have been established.

Procedures: When the basic facts about the crime are established, the investigator should try to identify patterns about the criminal's behavior which are clearly unusual for that type of crime, e.g., the investigator should consider:

1. How was the entry made in a burglary?
2. What was taken and what was not taken?
3. How was the victim



approached in a robbery or crime of violence?

4. What time did the crime occur and why was that particular time selected?

Through questions and issues such as these, the investigator seeks those elements of the crime which set it apart from other crimes of that type. Again, the objective is to identify what is distinctive.

1. What were the actions of the suspect prior to the robbery?

Did he make a purchase? Was he observed hanging around prior to the robbery? Was he observed getting out of a vehicle before he entered the establishment? etc. Do you remember seeing him in the establishment before the robbery? If so, was he alone at the time?

2. Were there accomplices?
3. What words were spoken by the suspect? For example,

"This is a stick-up." or, "Give me all your money."

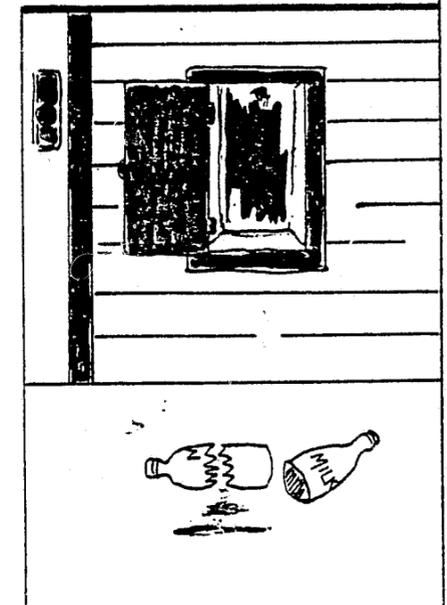
4. If the suspect was silent, did he use gestures or a note?

5. Did the suspect appear calm or excited?

6. Did he reach for the money?

If so, with which hand?

Did he instruct you to reach for the money?



- 7. Did he know money was kept under change tray?
Did he lift the tray, or did he instruct you to?
Did you hand him the money?
- 8. Was he aware of place where money was kept in the store?
- 9. Did he ask questions which indicated he had no prior knowledge of you or your premises?
For example, "Where do you keep your money?" or, "What's in the back room?"

All humans--law-breakers included--are creatures of habit and go about their business by routine and some are easily identifiable by experienced investigators. A suspect's calling card is his MO.

Indicated Action: There are two primary communication needs when this solvability factor is found. First, the investigator should initiate a "wanted" broadcast, or be sure to include in a "wanted" broadcast, identification of special equipment used to commit the crime or any unusual items which were taken. The information should be given in a format which will make sense to officers receiving it.

Second, the investigator must clearly identify the particulars of the indicated MO so that other investigators will be able to see immediately the link between this crime and other crimes they are investigating. Descriptions of MO should include sufficient peculiarities. The message to other investigators is, "What knowledge similar to this do you have?"

Measures of Success: A solvability factor has been identified if the investigator has indicated that there is something unusual about this crime which would associate it with other such crimes.

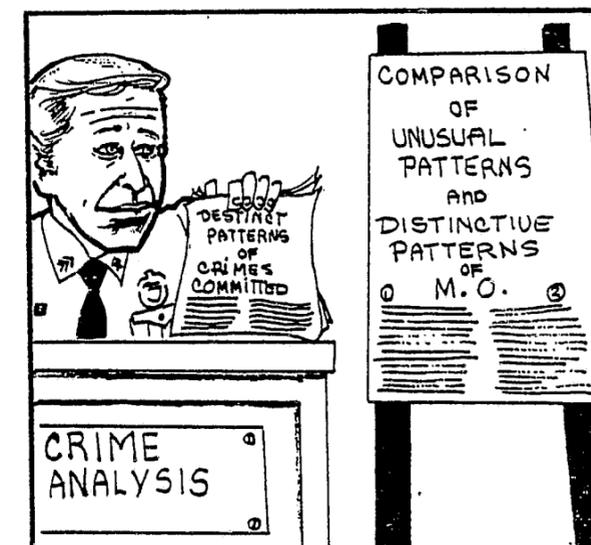
The following questions, if answered positively, indicate that a modus operandi has, in fact, been identified.

- 1. Is the identified method of operation sufficiently distinct so that every crime of this type would not include this factor?
- 2. If another crime of this type had been present, would the investigator feel comfortable in assuming that both crimes were committed by the same person.

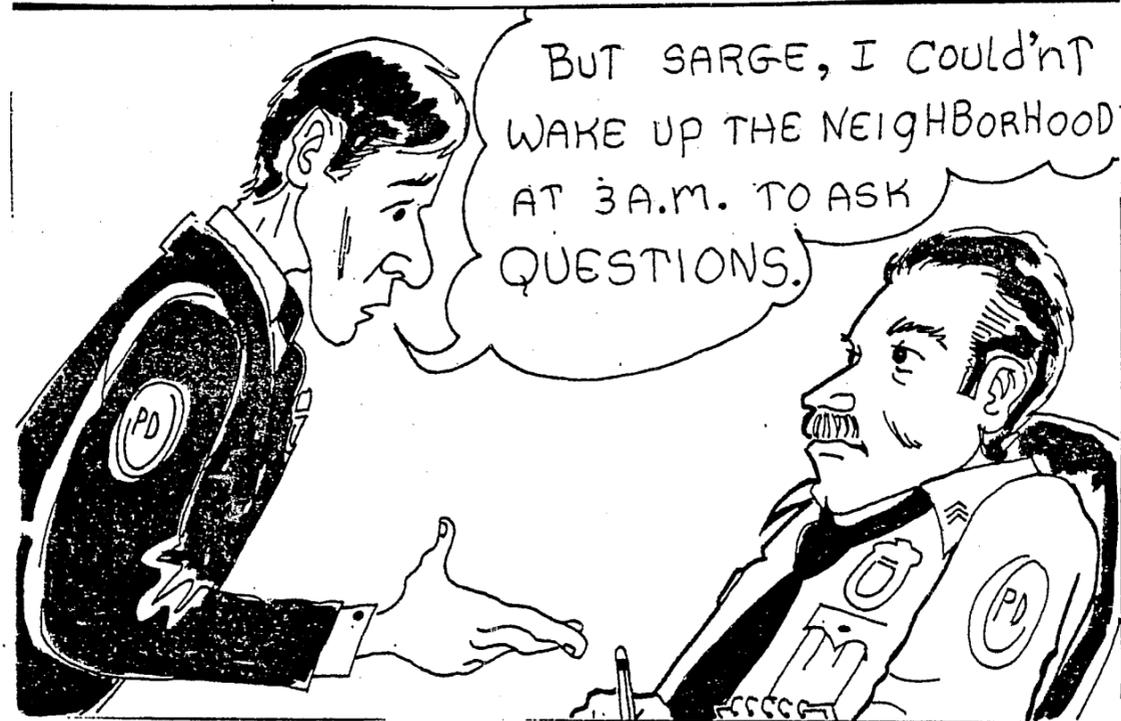
To be sure that all potential modus operandi identification efforts have been taken, the investigator should feel secure that every possible indicator of unusual activity or method has been considered. If they have been, then this solvability factor has been properly considered.

SIGNIFICANT REASON TO BELIEVE THE CRIME MAY BE SOLVED WITH REASONABLE ADDITIONAL INVESTIGATION

Objectives: In some cases, the investigator may be unable to identify any single solvability factor. For a number of reasons,



however, even if a case appears unsolvable, it should not be relegated to the office "file" status without additional action, e.g., when the witness has not been located at the time of the preliminary investigation, but who might be available at a later time.



Publicity about the crime may generate additional information which may then provide one or more solvability factors.

Consequently, it is essential that the preliminary investigator exercise discretion to keep open cases which, although no solvability factors are present, may warrant additional investigation. In such cases, the discretionary privilege itself becomes a solvability factor.

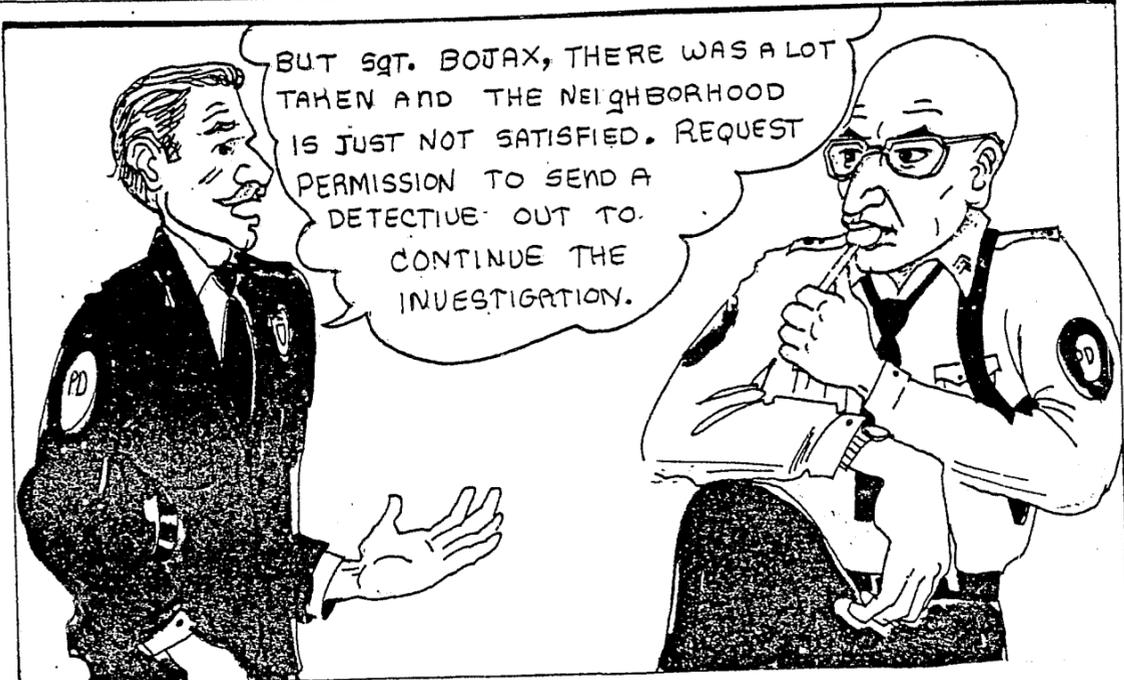
Strategies: Proper identification of this solvability factor requires an ability to analyze and evaluate a broad range of circumstances which appear at first to be unrelated to the case. For example, does the nature of the crime, the victim, or the MO imply

an impact upon the community which may produce a reaction helpful to investigative efforts? In short, will the news media feature the case, and if so, will it produce some public reaction that will make investigative effort practical? Will the reaction be expected to produce helpful information?

The investigator must review the available information in terms of the several other factors which may provide a relationship. He must proceed from the specific circumstances of this crime to considerations of its environment. For example, knowledge that a blue, later model car containing the suspect fled the scene at high speed is not a good solvability factor. Knowledge that a blue, later model vehicle was involved in a hit-and-run accident while speeding in the area shortly after the commission of the crime, may be related. The witnesses to the hit-and-run accident may become valuable witnesses in court even though they have no actual knowledge of the crime. Similarly, recovery after the accident of a blue, late model vehicle, which was reported stolen and which was damaged after its theft, would certainly warrant extension of the crime scene search to include the vehicle.

The suggestions about schedules of delivery men, service men, mail deliveries, etc., in the above section about witnesses, may be useful in considering strategies for identification. This is probably one of the most elusive of the solvability factors.

Another consideration here is the effect upon future investigations of a decision to discontinue efforts on this investigation. The investigator may see that the victim or another interested party is not satisfied with the investigation.



It will then be wise to gauge that person's response. If it is likely that this response will be a demand for a detailed explanation of why "his case" will not be investigated further, then, an explanation probably will be required. It will reassure the victim that his case will be reopened when any solvability factors are discovered. He should be informed, however, that investigative resources and energies will be directed to cases where criminal apprehension appears more promising.

Based on the presence or the lack of solvability factors, the investigating officer is the person best equipped to make the decision to suspend the case or recommend follow-up investigation.

Procedure: A careful review of the solvability factors is now required. If all other information is insufficient to constitute a solvability factor, the degree that it is insufficient must be considered.

If completion of the first step has produced no solvability factor, the preliminary investigator must decide if the sum total of bits and pieces of information, each insufficient to constitute a solvability factor, produces a basis upon which further investigation might be reasonably justified. At this stage, we are limiting our consideration to the immediate circumstances of the case.

Our first application of external factors involves weighing this investigation with our knowledge of other factors. If this crime is one of a series of like offenses, the data gained in its preliminary investigation may provide a viable lead when combined with data gained from other crimes in the series.

The next consideration is the impact of this crime on the neighborhood when the crime occurred. Speeding vehicles, the sound of gunshots, or loitering suspects, as the case may be, may have made an impression on neighbors or persons passing through the neighborhood. These persons are probably not available to the preliminary investigator, and they will not be able to relate their observations of the crime until they are located and made aware that a crime has been committed.

If it appears the knowledge of the crime will spread through the neighborhood, additional information from the neighborhood may be forthcoming. If the news media will feature reports of the crime, then additional information also may be generated from the community. Judgement here presupposes that an investigator knows the workings of the local news media, the mood of the neighborhood he serves, and the policies of his department.



The next step in this solvability factor is the application of the investigator's knowledge of general criminal conduct to this specific case. Perhaps some aspects of the crime indicate probable future action by the suspect. If a suspect is injured during the commission of the crime, for example, he may need medical treatment. A criminal who has stolen credit cards, checks, or other non-cash negotiables will need to convert them to cash, or in the case of addict crime, convert them to drugs. The investigative implication is limited to surveillance of places or persons likely to provide the required service or commodity.

The final consideration is that of the dissatisfaction of the victim or other interested party. If the preliminary investigator has done a thorough and complete job and conveyed this accomplishment, satisfaction should result. Careful



explanation of what has been learned and its value to the investigation will generally satisfy those concerned when communication with the preliminary investigator has been established. The investigator should inform the victim that the case is not a promising one for solution if the investigative efforts have reflected the genuine interest and concern of the investigator. On the other hand, if the investigator has not won confidence of the victim, the victim may be dissatisfied. When victim dissatisfaction becomes intense enough to require further investigator contact with the victim, the preliminary investigator should recommend follow-up investigation even when the case shows no promise.

An occasional recommendation of this type need not indicate poor performance of the preliminary investigator, since some people will not be satisfied under any circumstances.

Indicated Action: Communication is the key to the successful utilization of this or of any solvability factor. Vague hunches are seldom worthy of additional investigation. They are also difficult to communicate. If the preliminary investigator can effectively communicate the reasons why the case should be followed up, then it is probably a worthwhile investment of further investigative efforts.

The preliminary investigator should communicate the relationships described above and why they are important.

Measures of Success: The preliminary investigator has successfully identified this solvability factor when:

1. *Other solvability factors were not clearly established;*
2. *The relationships have been logically linked;*
3. *Conclusions are factually supported;*
4. *Communication has been effectively accomplished.*

When these four conditions exist, the solvability factor has been properly identified and continued investigation is probably justified.

X. COMMUNICATION AND DECISION-MAKING

Investigative Decision-Making: If the case is not closed immediately by arrest, the work of the preliminary investigator concludes when a decision is made to continue or halt the investigation. It is at this stage that the investigator must insure that his work is as complete as time and circumstances will permit, and is properly documented.

Further efforts by the police agency will depend upon this evaluation and upon the quality of his/her work.

As we have seen, the primary task in the preliminary investigation has been to: 1) identify solvability factors; 2) determine whether there was a chance the crime could be solved; and 3) insure that information obtained is of sufficient quality to be valuable in future court action. All these tasks must be properly documented and recorded.

At the end of the preliminary investigation process, the investigator should decide whether sufficient "leads" have been developed to make solution of the crime possible. This decision is based on whether solvability factors have been identified. If solvability factors are present, it is probable that future investigative effort may solve the case. Research has shown that if solvability factors are not present, there is little chance, if any, that additional investigative effort will solve the case.



For the preliminary investigator, the implications of this decision are obvious. If the initial investigation has been thorough, then the decision to terminate or continue investigative efforts will be based on valid data, and the collection of material for the later court presentation will have begun. However, if a proper preliminary investigation has not been conducted, a faulty decision may well be made or later court action may be unsuccessful.

Therefore, before the decision to terminate or continue is made, it is imperative that the investigator feels secure that the maximum possible effort has been made to identify solvability factors. The investigator should feel confident that all potential witnesses have been sought, that a crime scene search has been conducted in all cases where it is appropriate, and that no reasonable investigative effort has been avoided. At this stage, a decision for further investigative effort can be made, provided that the investigator feels secure that a follow-up investigator will not duplicate his work.

The decision whether to allocate additional resources is fairly simple. Basically, the question to be asked is:

"Will further investigation probably result in the clearance of the crime and/or the apprehension of the criminals?"

Research has shown that when one or more solvability factor is present, there is a good chance that further follow-up of those identified solvability factors may lead to a criminal apprehension. So in most instances, when solvability factors are identified, additional investigative effort is warranted. If no solvability factors have been found after a thorough preliminary investigation, the police agency is best advised to file the case without the

commitment of additional resources. This is the decision whether to follow-up or file. It can be made only when the preliminary investigator has made every effort possible to follow each lead as far as time will permit.

The success of every investigation then is totally dependent upon the quality of work done by the preliminary investigator.

END