Criminal Justice | Section 4.4: Investigations and Specialized Units

Criminal Justice

An Overview of the System

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Section 4.4: Investigations and Specialized Units

Hollywood is responsible for several archetypical "investigators." Most of these are merely Hollywood myths that reflect nothing of what criminal investigators actually do. Perhaps the most unrealistic myth is the super sleuth that "always gets his man." In reality, police clear only about 20% of index crimes. The next most unrealistic myth is that detective live a professional life if danger and excitement. The reality is that detectives do a huge amount of boring paperwork.

What Investigators Do

Many crimes that result in arrest do so because of the "detective work" of the patrol officer that responded to the call for service. If the patrol officer cannot conclude the investigation with an arrest, the case is turned over to a criminal investigator. The primary job of the investigator is to gather information. A good detective is a jack of all trades. Much knowledge about a wide array of subjects and many skills are required. These are needed to accomplish three major functions: Conducting interviews of victims, witnesses, and

suspects is perhaps the most common and most important. Second, a good investigator must have the necessary knowledge and skill to properly conduct a crime scene investigation. Finally, good detectives must have the ability to develop and maintain informants.

The research suggests that the traditional investigator's role is not that important in solving crimes. According to the National Institute of Justice (NIJ), no amount of investigation will solve many of the serious crimes that occur in America's communities. There simply is not enough evidence to go on. Other studies have found that the majority of cleared cases are cleared because of the work of patrol officers. Arrests of offenders at the scene are more common that offenders being apprehended after lengthy investigations. These findings have led to much discussion of how to improve investigations. As one would expect in an era of community policing, much of that discussion has been centered on how to make detectives a more proactive part of the police department.

THE PATROL FUNCTION

While detectives are usually assigned cases in the form of a follow-up investigation, the first responder is most often a uniformed patrol officer. The early stages of a criminal investigation, often called a *preliminary investigation*, begins when dispatchers receive a call, most often through a 911 system. In many small departments, the patrol officer conducting the preliminary investigation will see the investigation through to the end. This is because either the small number of detectives available are otherwise engaged, or because the department is so small that no one is assigned permanently to investigations.

The first priority of every officer arriving at every crime scene is officer safety. The safety of the public is a close but secondary concern. This may seem counterintuitive, but wounded officers cannot protect the safety of the public and investigate crimes. Logically, officer safety must be the first priority. This is why most "active shooter" training dictates that officers first eliminate the threat before attending to the medical needs of victims. After safety issues have been adequately dealt with, the focus shifts to discovering what happened. This requires rapid assessment of the scene and the quick identification of any potential witnesses. An ongoing goal of the first responder is the security and integrity of the scene. It is vital to the preservation of evidence that absolutely no unnecessary personnel (law enforcement or civilian) enter the scene.

Once dangers have been eliminated, witnesses have been identified, and the scene has been secured, the first responder will evaluate what further (if any) investigative actions should

be taken. This can mean conducting further investigations, calling in technicians, or calling in an investigator. Some crimes will fall into the jurisdiction of another agency (e.g., state police or FBI). The decision to turn an investigation over to another department or agency will usually be made at the administrative level. Patrol officers may be required to make this judgment call, however, when the public safety demands immediate action. Acts of terrorism and hazardous material spills are examples of circumstances where outside agencies should be notified immediately.

A critical aspect of all investigative activity is the meticulous keeping of accurate records. These records will take the form of departmental forms and reports, written notes, sketches, and photographs. Many patrol officers fail at this important task, mistakenly believing that crime scene documentation is a task for investigators. It must be remembered that if the job of the first responder is not done well, the chances of an investigator being able to salvage the investigation are slim.

Specialized Units

There is a strong correlation between the size of an agency's jurisdiction (in terms of population, not land area), and the existence of specialized units. That is, the bigger a city, the more specialized officers tend to be within that city's police department. The most common specialized units within American police departments are traffic units and drug enforcement units. How such units operate depends largely on departmental policy, but national priorities can also be important because the national government often funds law enforcement initiatives through grants.

Many larger departments divide investigative duties between *crimes against persons* and *crimes against property*. Each of these major categories may involve types of cases that require investigators to have special knowledge or skills. Most criminal investigators, however, are generalists. They develop a wide array of skills to perform a wide array of criminal investigations efficiently. When agencies do create specialized investigative units, they often target a specific type of crime. Domestic violence, vice, organized crimes, and sex crimes are common divisions.

DOMESTIC VIOLENCE

Violence against intimate partners was a social problem long before that fact was widely recognized by the public. In days past, abuse of women by husbands and boyfriends was considered a "family matter," and the criminal justice system ignored most cases. Today, things have changed for the better as far as public awareness and the mandate for an

appropriate police response go. The problem is still present at a level many find disturbing. Domestic violence tends to be cyclical (repeating), and the magnitude of the violence tends to increase as time goes on. In about one-third of homicide cases where the victim is female, the killer was a husband or boyfriend. Myriad acts fall under the heading of domestic violence, but the definitions used by social and behavioral scientists tend to be much broader than those used in criminal codes. Officers that subscribe to the code enforcer paradigm will often respond inappropriately or much too late.

In response to this persistent and tragic problem, many police departments have created specialized units to deal with this particular crime. These departments are in essence acknowledging that normal police tools (i.e., arrest) do not work well in domestic violence cases and that officers need specialized training to understand the dynamics of domestic violence, and they need outside help if victims are to be assisted. In progressive departments, investigators are paired with social workers to place victim assistance on an equal footing with the criminal investigation. Aside from the obvious virtue of helping the victim escape a life of abuse, this problem-oriented approach tends to reduce dramatically the number of calls for service stemming from the same abusive relationship. Investigation and arrest alone are woefully inefficient at ending the problem of domestic violence.

VICE

The term **vice** is used to designate a category of criminal acts that are considered victimless crimes by most people. Prostitution, gambling, and drug use are common examples. Not all police departments have vice units, and specialized drug units are another common way of dealing with that particular problem. The legal codes that make these types of activities criminal are under fire from a growing number of citizens. Because the laws are unpopular, enforcement is often unpopular as well. The movement toward legalization of marijuana is currently the most commonly discussed of these issues. Several states have made the recreational use and possession of marijuana legal, contrary to the federal government's stance. For this reason, the likelihood of being arrested for possession of marijuana depends largely on the jurisdiction.

ORGANIZED CRIME

The basic characteristic of *organized crime* is a group of people working together to achieve some criminal purpose. This definition includes the **mafia** but goes far beyond it. Organized

crime can be centered on supplying illegal goods and services, such as gambling and drugs. It can also include predatory crimes, such as theft, burglary, and murder. When criminal organizations are large and complex, criminal investigations become large and complex as well. Often, criminal organizations will stretch beyond state and local borders, complicating the idea of jurisdiction. Often state and local agencies become involved in these types of investigations because of the extra resources they have and their expanded jurisdiction. In addition, investigators often need special financial expertise (examining records of financial crimes) that is beyond the capability of local police. Electronic surveillance is common in the investigation of organized crime, and the technical and legal issues are often better suited to the resources and skills of state and federal investigators. The use of **confidential informants** is also common, and this adds an additional layer of legal complexity to such cases.

INTERNAL AFFAIRS

The question of exactly who polices the police has been controversial throughout the history of policing in America. Starting in the late 1950s, many departments set up special units within the department to investigate allegations of police misconduct. This trend continued through the 1960s, and by the end of the decade, many of America's largest police forces had **internal affairs** divisions. This development took place against a backdrop of social turmoil and the civil rights revolution that was taking place in the federal courts. The use of excessive force and corruption are perhaps the most common issues considered by internal affairs, but all violations of the law and police codes of conduct are possible targets. Internal affairs officers are usually placed outside of the usual police command structure, answering directly to the chief.

Juveniles and the Police

Crime statistics demonstrate that juveniles are responsible for a disproportionate amount of crime. This suggests that dealing with juveniles represents a disproportionate amount of police work. The juvenile impact on police workload is enhanced due to the existence of *status offenses*. Status offenses are acts that would not be criminal if done by an adult, but are prohibited for minors. Common status offenses that the police must deal with are *truancy*, running away from home, and **juvenile curfew** violations. Additionally, police are called upon to deal with juveniles in matters that are not criminal (at least on the part of the child), such as missing persons, **child abuse**, and **child neglect**. The impact of juveniles on police work is so great that many large, urban police departments have established specialized juvenile units.

Police officers encounter a wide array of problems involving juveniles; these range from dealing with status offenses to investigating serious crimes such as murder. Most police encounters with juveniles involve what policing experts refer to as **order maintenance**. Order maintenance activities include things like asking loiterers to "move along" and crowd control at large events. Research has shown that juveniles are less likely than adults to respect the police and the law, and that authoritarian rule enforcement causes resentment among juveniles. This mistrust and resentment mean that policing juveniles is a difficult task.

Community policing holds promise to mend the divide between juveniles and the police. Recall that the community policing philosophy maintains that communities and police can work together to solve community problems. These problem-solving efforts can only be successful with the participation and input of all community members, including juveniles. Despite the advice of community policing experts, community policing tends to be implemented in a programmatic way. The two most common community policing programs targeting juveniles are D.A.R.E. (Drug Awareness Resistance Education) programs and the emergence of School Resource Officers (SROs) working in an increasing number of schools throughout the United States.

The D.A.R.E. program had its beginnings in Los Angeles but quickly spread throughout the United States. In most jurisdictions, specialized juvenile officers undergo weeks of intensive training before they can become D.A.R.E. officers. This training focuses on educational material targeting mostly fifth and sixth graders. D.A.R.E. was unique in its collaborative approach between educational institutions and police departments. A common element of most D.A.R.E. programs is teaching upper elementary school children peer resistance strategies that consist of different ways of saying "no." Empirical research has shown that the programs have little long-term impact on later drug use. Despite the disappointing research findings, the programs remain quite popular and have undergone substantial revision to improve effectiveness. Perhaps the most valuable aspect of D.A.R.E. programs was demonstrating to the nation that collaboration between police and schools was possible.

An additional community policing strategy is to place uniformed police officers in the schools. This practice is more common in large urban areas, but School Resource Officers (SROs) can be found in any size school. The Omnibus Crime Control and Safe Streets Act of 1968 defines the SRO as "a career law enforcement officer, with sworn authority, deployed in community-oriented policing, and assigned by the employing police department or agency to work in collaboration with school and community-based organizations." In practice, the community policing philosophy is often not put into practice. Rather than

community collaborators that build relationships and solve problems, many SROs are relegated to the function of a security guard.

The U.S. Department of Justice's Office of Community Oriented Policing Services (COPS) provided $68 million that was awarded to hire and train 599 SROs in 289 communities throughout the United States. The special funding signaled a recognition that the SRO's complex role as law enforcement officer, counselor, teachers, and liaison between police, schools, and other community elements requires training beyond that traditionally offered in police academies. Research has shown that a least some SRO programs have been successful at reducing disruptive and illegal student conduct. Prosocial relationships formed between officers and students have also led to a phenomenon that community policing advocates would have predicted: School Resource Officers obtain information concerning crime in the broader community from students, improving the overall effectiveness of the police department.

Key Terms

Active Shooter, Child Abuse, Child Neglect, Clearance Rate, Confidential Informant, Crime Scene Investigation (CSI), Domestic Violence, Drug Awareness Resistance Education (D.A.R.E.), Drug Enforcement Unit, Informant, Internal Affairs, Juvenile Curfew, Mafia, Scene Integrity, School Resource Officer (SRO), Specialized Units, Traffic Unit, Vice

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[Back | Contents | Next]

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