The words of Sherlock Holmes illustrate that very often it is the first rule of criminal investigation. It is of the highest importance in the art of detection to be able to recognize out of a number of facts, which are incidental and which vital. Otherwise your energy and attention must be dissipated instead of being concentrated.

("Sherlock Holmes" in The Black Peter by Sir Arthur Conan Doyle)

KEY TERMS

Investigation: The process of discovering, collecting, preparing, identifying, and presenting evidence to determine what happened and who is responsible.

Identifying a Criminal Investigator: The significance of information to an investigation if it assists in the identification/apprehension of an offender.

Modus Operandi: An offender's mode of operating, which includes those acts that needed to be carried out for the crime to be completed.

Signature Behavior: Those acts committed by an offender that are not necessary to complete the offense.

Victimology: A victim profile which includes but is not limited to the victim's history, associates, criminal links, family, and financial records.

The words of Sherlock Holmes illustrate that very often it is the small details which make for a successful investigation. The criminal investigator is in many regards a storyteller—the person charged with telling the story of the victim to the court in such a way that the story is impervious to criticism or doubt. Many cogs make up the machinery of the justice system, yet without doubt the most important is that of the criminal investigator. Without a competent investigator and a thorough investigation, many crimes would go unsolved and never proceed to the further stages of the justice system.

It is the detective who, as the investigator, arrests the offender and begins the judicial process that ultimately will see the offender punished for his or her crimes. The investigator brings the threads of evidence together and combines them into a legally presentable and compelling brief of evidence that will prove the guilt of the accused beyond a reasonable doubt. So what does an investigation involve and what does the investigator do?

WHAT IS AN INVESTIGATION?

When any crime has been committed, investigators are usually faced with the task of determining who is responsible for the crime, as in many cases the identity of the perpetrator is unknown. Law enforcement agencies, specifically detectives within such organizations, are called upon to investigate the crime with a view to bringing the offender to justice by successfully identifying and prosecuting him or her. The investigator becomes a collector of evidence, as well as a central figure in giving the investigation direction, which ultimately will determine the success or otherwise of the investigation. Bennett and Hess (2000, p. 3) state that an investigation is "the process of discovering, collecting, preparing, identifying and presenting evidence to determine what happened and who is responsible."

Swanson, Chameklin, and Territo (2000) and Bennett and Hess (2000) suggest that when a crime is committed, the investigator is charged with responsibilities. These responsibilities are to establish that a crime has been committed, to identify and apprehend the suspect, and to assist in prosecuting the suspect. In addition, the investigator needs to consider the following basic investigative principles during the course of the investigation:

- Determining whether a crime has been committed (e.g., is the death a murder or an accidental death as the result of some sexual behavior?). While this question may seem simple, it is often the most crucial question facing an investigator when arriving at the scene of an incident.
- Identifying the offender.
- Locating the offender.
- Identifying and showing a nexus between the offender and the victim and the crime. (This can be achieved in a number of ways, such as physical evidence, admissions, witness statements, etc.)

The initial notification of a crime is a crucial period. It is in this time period that evidence can be lost or destroyed by a failure of investigative agencies to take action to protect the crime scene. It is for this reason that the best policy is one of treating all potential scenes as crimes until proven otherwise. This is especially so in cases of serious assault or death in which the victim may not be
able to provide a version of events and investigators need to rely on evidence at the scene to provide details of what occurred. No criticism can be leveled at investigators who are overcautious and treat a noncriminal event as a crime scene; however, failure to secure and process a crime scene due to inaction will be sure to draw criticism.

**THE TRAITS OF A CRIMINAL INVESTIGATOR**

Swanson et al. (2000) argue that much of the success of an investigation depends on the investigator being self-disciplined, professional, and attentive to detail. Peak et al. (1998, p. 165) put forward the following thoughts on what makes a good investigator:

- In addition to performing the usual investigative functions, investigators must be able to think logically, comprehend and understand complex masses of data, communicate and relate well with members of the agency, and understand the concepts of organised crime, intelligence collecting and civil liberties. They must also have self-discipline, patience, attention to detail, knowledge of the law and some understanding of scientific techniques. Deductive and inductive reasoning and decision making abilities are also assets.

In Australia, the training of detectives has been standardized to some extent. Most state police services require detectives to have minimum lengths of service, usually three years, before being allowed to move to plain-clothes duties. Upon taking a position in a plain-clothes unit (which can include the Criminal Investigation Branch, Child Protection Units, or specialist units such as the Armed Robbery, Drug and Fraud Squads, etc.), officers are required to undertake specific training in relation to criminal investigation duties. In Queensland, this takes the form of three phases of detective training that total 10 weeks of intensive study in both the theory and practical aspects of criminal investigations. At the successful conclusion of such training, officers are able to apply for detective status if they can produce sufficient practical work examples and have a minimum of three years' worth of plain-clothes duties. If successful in this application, officers are given the designation of Detective and also awarded an Advanced Diploma in Investigative Practice.

Most police services have a generic Criminal Investigation Branch (CIB) or the like in regional areas. Specialist units will exist for specialized crimes such as sex offenses and murders in commands separate from the regions. These crimes require more expertise and by their very nature are usually more complex and protracted. The specialist units act as support to the general CIB units, which still undertake the majority of the investigation in most jurisdictions in Australia.

**THE INVESTIGATIVE PROCESS: A MODEL**

How should an investigator approach a crime? Is there a model or process the investigator can undertake to bring an investigation to a successful conclusion? At this point there is no definitive or standardized investigative model in use within most Australian police services. Certainly, it is basic knowledge and practical experience that dictates how investigations are usually approached. An investigation can be likened to a series of gates, at each of which certain evaluations and judgments must be made before proceeding to the next gate (Swanson et al., 2000, p. 23). But what if an officer does not possess sufficient experience to know how to approach an investigation? In that case an investigative model would clearly be of use to show how an investigation should be approached. In the model shown in Figure 11.1, it was decided to adopt

---

**FIGURE 11.1**

A model of the investigative process.
a generic form. The main reason for this is that in generic form the model is organic and can adapt to meet the differing requirements of various investigations (e.g., there will be elements in a rape investigation that do not apply to a burglary investigation, such as a medical examination of the victim and possible locations of evidentiary specimens).

Using such a model allows the investigator to follow a clear and logical series of steps or stages that can assist him or her in bringing the investigation to a successful conclusion. Bennett and Hess (2000) argue that it is essential that an investigation be conducted in a logical sequence and that all actions undertaken are legally defensible. The importance of this tenet cannot be underestimated because one legal flaw in the early stages can lead to a total disintegration of the case later. The saying "fruits from the poison vine" holds true in this respect. All evidence stemming from an earlier unlawful act can be subject to findings of inadmissibility at trial later.

Bowler (1999) states that an investigative plan can be used to focus the investigation to ensure all offense elements are addressed. It can also assist by ensuring investigators avoid duplication, coordinate activities, provide stability and communication, and finally it can also be a training aid to inexperienced staff. The use of a model allows investigators to focus on the overall goals of the investigation by clearly setting out the path they should follow to achieve these goals. Bennett and Hess (2000) and Swanson et al. (2000) support the idea of a preliminary investigation and a subsequent follow-up investigation. In the model in Figure 11.1, the preliminary investigation would include the crime scene stage and initial assessment stage. The follow-up investigation would consist of the investigation stage, target stage, and arrest stage.

To produce a model which allows for and deals with any eventualities would make the model too cumbersome. The model is designed to be simple to use and to provide investigators with an easy-to-understand series of stages that can easily be adapted to the crime under investigation. All the stages described in the following sections can be applied to any investigation.

**Crime Scene Stage**

The crime scene stage deals with the initial response of police to the report of an alleged crime. Rossmo (1997) states that the focus of any police investigation is the crime scene and its evidentiary contents. Often the first few minutes or hours will be crucial in ensuring that the scene is protected or evidence collected and in determining the success or otherwise of the investigation. In many cases the first officers to the scene will not be trained investigators but rather general duty officers with limited exposure to serious crimes and their associated crime scenes. Saferstein (1998, p. 38) argues, "It is the responsibility of the first officer arriving on the scene of a crime to take steps to preserve and protect the area to the greatest extent possible." Turco (1990) suggests that the final outcome of an investigation rests on thorough police work being conducted at the crime scene.

It is incumbent upon investigators, after being notified of a crime and its associated crime scene, to take steps to ensure that the scene is protected. This should be done by issuing clear commands to those officers on site until trained investigators can physically arrive at the scene. The scene needs to be cordoned off from both the public and perhaps more importantly from curious police officers who may wish to attend and enter the scene for no valid investigative purpose. Contamination of the scene after police have arrived is both preventable and unacceptable. The investigator should maintain command and control of the scene because he or she will be taking the matter to court in the event of an arrest. As such, the investigator is answerable for all actions taken in relation to the crime scene. While some forensic services or crime scene officers may argue they have control of the scene, in reality this is not the case; the forensic service personnel process the scene at the direction of the investigator.

Upon arrival, trained investigators need to make an initial assessment. Does the situation need to be treated as a crime scene or is it a noncriminal event (e.g., suicide versus homicide)? After having decided that the event should be treated as a crime scene, investigators should conduct a thorough examination of the crime scene and ensure that all evidence is protected and collected. The initial preservation, collection, and recording of physical evidence are important to the success of any investigation. This does not always happen. For example, in Sydney, New South Wales, police were called upon to investigate the serial murders of elderly women; these murders came to be called the "Granny Murders" (Hagan, 1992, p. 136):

One of the problems experienced by the homicide investigators in the "Granny Murders" was the interference with crime scenes... persons acting in good faith, washed blood and other forensic material away from crime scenes prior to notification and arrival of police, so as to alleviate the anxiety that could be caused to other elderly people.

Particular attention should be given to determining if this is the only crime scene or whether there are secondary crime scenes that need to be located, according to Saferstein (1998, p. 38):

Investigators will have only a limited amount of time to work a crime scene in its untouched state. The opportunity to permanently record the scene in its original state must not be lost. Such records will not only prove useful during an investigation but are also required for presentation at trial...
Geberth (1996) states that it is important that, upon arrival at the scene, investigators implement crime scene procedures, supervise uniform personnel, and provide direction to the investigation. To facilitate this, an investigative team should be nominated; this team should consist of an arresting officer, a corroborating officer, and an exhibit officer. This procedure is standard in most police services for any major crime. The exhibit officer is responsible for protection and collection of exhibits, through to the examination of exhibits and their final production in court cases. The arresting officer and corroborating officer are responsible for interactions with suspects and have final responsibility prosecuting the matter to trial. This team should be overseen by a senior detective who has a broad management role in ensuring that the investigation progresses in an orderly fashion and maintains focus and direction. Part of this role is also ensuring that a Major Incident Room (MIR) or command post is established to support and manage investigative functions both at the crime scene and also the later stages of the investigation.

Initial Assessment Stage
By the initial assessment stage, trained investigators should have control of the investigation and begin to identify possible witnesses and suspects. They should begin this stage by evaluating physical evidence located at the scene and prioritizing the most important evidence (e.g., DNA located at a scene is powerful evidence as compared to an unidentified item of clothing).

It is at this point that the investigators should familiarize themselves with the victim by performing interviews with the victim, if still alive, or alternatively by conducting a victimology (or profile) if the victim is deceased. The profile should include the history of the victim, associates, criminal links, family, and financial records. This step is important because the characteristics of a victim can provide links to possible suspects. In particular, investigators may be able to draw inferences about the offender's motive, modus operandi, and signature behaviors (Turvey, 1999). Having done this, the investigators should then begin the process of suspect generation with regard to the evidence available to them and the information known about the victim.

Investigation Stage
It is at the investigation stage that investigators undertake the most challenging work. At this point investigators must attempt to establish a motive for the crime. If this can be done and it is accurate, then this information will greatly assist in reducing the suspect pool. Further to this, signature behaviors also need to be identified because they will again reduce the suspect pool. Turvey (1999, p. 447) defines signature behavior as “those acts committed by an offender that are not necessary to complete the offense.” The identification of signature behaviors will also allow investigators to link offenses that are being committed by the same offender in the case of serial offenses. If no signature behaviors are present in the crime, then investigators will need to prioritize suspects based on the evidence available and potential motives.

Conversely, by modus operandi (MO), we are looking at those acts which the offender had to complete to successfully carry out the crime (Turvey, 1999). Witness accounts also need to be closely examined at this stage and evaluated as to the assistance they can provide in generating a suspect. In this stage investigators should be ensuring that trained experts are evaluating all available physical evidence. Further to this, consideration also needs to be given to any matter that might require reinvestigation as a result of information obtained during this stage. These matters would be dealt with by a feedback loop which allows for reinvestigation of any new leads.

A timeline should also be completed initially in relation to the last 24 hours of the victim; this can be extended if required. This timeline will aid in understanding the movements of the victim and also contribute to potential motives; in addition, it will assist in reducing suspect pools to those with opportunities to commit the offense by comparison with the timeline.

Target Stage
Having carried out a thorough examination of the crime scene, investigators need to generate potential suspects from evidence available during the target stage. The investigators should then test the veracity of this evidence by seeking to establish links between the suspect and the crime. All available evidence needs to be channeled into providing a nexus between the suspect and the victim, both in relation to time and place and also motive.

If it is at this point that investigators need to be fully conversant with the investigation as a whole, and they should be evaluating the importance of information gathered by the investigation with regards to generating potential suspects. The investigators should be developing an investigative/interview plan so that when the suspect is confronted, the investigators are clear of the direction and purpose of the action or questioning that they will undertake in the arrest stage.

Arrest Stage
Having generated a suspect during the target stage, the investigators will need to make a decision as to whether they take affirmative action against the potential suspect. This could be in the form of search warrants, surveillance, or bringing in the suspect for questioning. The investigators will have to make a decision on what form of action to take depending on the nature and strength of evidence against the suspect. By this stage the investigators
should have sufficient evidence to link the offender to the crime. However, often it is the case that in speaking to the suspect, new evidence or information is gleaned. This information may also require reinvestigation. For example, the suspect indicates that on the day of the offense, he was driving a vehicle the investigators were unaware of; this vehicle would have to be seized and examined.

It has been noted that these stages are organic and fluid in their nature in that they should be able to change to meet the requirements of various types of investigation. For this reason, the preceding explanation of the various stages has been limited to a basic level so as not to detract from this nature. A key facet of the preceding stages is that they are all aimed at gathering and utilizing information that is relevant to the investigation. But how should investigators determine what information is relevant to the investigation and what is not?

THE ABILITY TO COMMUNICATE

The ability to communicate cannot be underestimated. It is here that investigators who have the ability to use social skills to form a relationship with a suspect will come to the fore. While much of criminal investigation could be regarded as a science, it is the crucial ability to form a rapport with the suspect that is an art. As a senior investigator, this author has seen many detectives fail in this regard, and this failure has resulted in a stymied investigation or a weakening of the prosecution case due to the suspect's refusal to be interviewed. The role of rapport building with the suspect is yet another tactical tool that investigators should use in their quest for information about a crime and evidence against a suspect.

With the introduction of the Police Powers and Responsibilities Act in Queensland, Australia, in the late 1990s, suspects were provided with a whole range of safeguards, such as the right to silence and the right to a solicitor, etc. The widely held perception among police at the time was that no longer would they be able to gain interviews with suspects after giving these warnings at the start of an interview. History has shown this is not the case. Experience has shown that good investigators will talk to a suspect about a whole range of factors not related to the crime, whereas inexperienced or bad investigators will talk to the suspect only about the crime, will talk down to the suspect, or worst of all, will even not interact with the suspect. Good investigators who can build a rapport with a suspect will more than likely be able to obtain an interview with the suspect. The reason is that the rapport-building process allows the investigator and suspect to humanize their interaction. No longer is it a clinical transaction taking place in the context of an investigation; rather, it takes on the nature of a conversation between two equals.

Investigative Relevance

All investigations depend on information to proceed to a successful conclusion. But not all information received during an investigation is of use. The Report of the Royal Commission on Police Powers and Procedures (1929, p. 22) stated, "The principal feature of the initial investigation into a crime is usually a widespread search for information." How do investigators determine what information is relevant to an investigation? To answer this question, perhaps we should examine a basic tenet of investigative practice. Many investigators, including this author, were taught that when approaching an investigation, the investigator should be able to answer the following questions at the conclusion of the investigation: who, what, where, when, why, and how. These can be referred to as the six basic investigative questions.

These basic questions can be expanded to ask the following: who did it, what did they do, where did they do it, and how did they do it. In general, most investigators are able to answer what, where, and how at an early stage in the majority of investigations. The factors usually unanswered are who did it and why they did it. Canter (1997, p. 486) states that investigators are usually faced with a situation in which the information available to them is constrained. It is constrained by the fact that the investigator has access to "... only an account of what has happened, who the victim is, where it took place and when." It could be suggested that any information or input that assists in answering one of the preceding investigative questions is investigatively relevant and could be useful to investigators. Upon examination of a crime scene, including the victim, the investigator may have some information as to what kind of person committed the offence. Once the evidence at the scene has been collected, referred to as the WHAT of the crime, the investigator may be able to determine the WHY of the crime—that is, the motivation behind each crime scene detail and for the crime itself. A basic premise of investigation is that if the WHAT and the WHY of the crime can be determined, then the WHO will follow. In its most basic form, information can be said to be of investigative relevance if it assists in the identification or apprehension of an offender.

THE MEDIA

The influence of the media cannot be underestimated. In any high-profile investigation, the application of public and political pressure by the media can be enormous. This will be the job of the investigation manager to control and resist. The media are a great investigative tool and should be used as such.
The investigation manager and investigative team will need to decide to what tactical advantage they will use the media. While many investigators refuse to cooperate with the media at all if they can, this is in fact a negative response and fails to utilize a powerful tool. The media can be used to apply great tactical pressure to suspects and can be used to drive the search for information from the public, because more times than not, it is the information from the public rather than great detective work that solves a crime.

CONCLUSION

Criminal investigation is one of the most important functions of policing and is rarely out of the headlines or the public's imagination. Whether it is considered an art or a science, the challenges of a criminal investigation require that the investigator possess a variety of skills that range from the analytical and organizational to the ability to form relationships with people who have committed the most serious of crimes. It is for this reason that detectives are considered to be the elite of police services, and criminal investigation is seen to be one of the most challenging areas of policing in which to perform duty.

SUMMARY

When a crime is committed, investigators usually face the task of determining who did it, what they did, where they did it, why they did it, and how they did it. In many instances, depending on the available evidence, determining who and why are the most difficult questions to answer. Investigators are also charged with determining first and foremost whether a crime was committed, using legally defensible means to identify and locate an offender, as well as demonstrating a nexus between the offender and victim. To do this, investigators must be good communicators, able to establish a rapport with many different types of people, be self-disciplined and professional, and they must have an eye for detail.

In terms of actually carrying out their investigations, most investigators follow a model including a crime scene stage, as well as initial assessment, investigation, target, and arrest stages. Each of these stages also generally involves a feedback loop, where new evidence and information can be incorporated and some elements reinvestigated if necessary. During these stages, and their work in general, it is important that investigators focus on communication, maintaining investigative relevance and utilizing the media in their efforts. With these elements in mind, investigators will be better equipped to answer the questions posed to them in each investigation and to identify and apprehend offenders.

Review Questions

1. What are the crucial questions facing investigators when they first arrive at a crime scene?
2. Tip! Great criticism can be/has been leveled at investigators who are overcautious and treat a noncriminal event as a crime scene.
3. What characteristic does it take to be a successful investigator? Why are these characteristics important to the job?
4. What are specialist units? Why are they present in every given jurisdiction?
5. Why is it essential that investigations be undertaken in a legally defensible fashion?
6. Name and describe the six stages of the investigative model.
7. Name and describe the role of each person in an investigative team.
8. What actions may be taken against potential suspects? How do investigators decide which of these actions to carry out?

REFERENCES