CRJ 460 Crime Investigation S21   Prof. M. Sánchez
LP MTG 4 – 02/25

==Devotion:==
==Business:== **No Nyack Scholars presentation opportunities** – However, 3 points extra credit to attend and report (400 words). Relate symposium information (specific/including the speaker) as you relate it to our course.
==*Discuss* *Consider a Career in CJ Series* interview for March 2021==
- Lt. Basem Zaghloul (Internal Affairs Investigator) City of Newark PD, New Jersey

MTG 5	DATE 3/18 6:00 pm	*HW4 CI* Ch 6-7 Pick *ICM* chapter	See chapters review guide below **CJ Career Series interviews – watch for date in March.**	Chapter review (see below) Respond to partner's post (25 words)	3/16 3/17

==Review:== Last HW entries & Key ideas: Notetaking, recording, communicating, forensic measures, note the Peterson trial as example of jurisdictional, time, and forensic limitations that impacted the investigation.

==Lesson Goal:== *CI* **Ch.4 Conducting Searches and Seizures (including arrests)**
The legal aspects and limitations to searches and seizures are determined first by the 4th Amendment protections found in the U.S. Constitution. Second, the protections are further articulated by case law, determinations of legal application and illegal misapplication of the 4th Amendment protections, for example, exclusionary rule, fruits of the poisonous tree, good faith exception, and plain sight doctrine.

==The *best practices*== of search and seizure refer to approaches, strategies and routines that limit harm to involved persons, and maximize legal outcomes, successful searches, seizures and arrests. These best practices support *the expectations of due process which include* a fair handling of evidence, and avail suspects a fair defense in the court of law. Best practices also minimize compromise and the potential of harm to suspects, law enforcement officers, and witnesses. In essence, *best practices get the job done, and prioritize the best interests and well-being of everyone.* *For example, arrest procedures, interrogation procedures, securing a crime scene, interviewing witnesses, conducting searches, collecting and cataloging evidence (chain of evidence), etc.*

==Lesson Goal:== *CI* **Ch.5 Crime Scene Investigation**
What is *forensic?*
> The term forensic refers to matters that pertain to courts or to law, both civil and criminal. Forensic *science* involves the application of scientific knowledge to legal problems. Today virtually all branches in the natural and social sciences have made this application... In additional to forensic psychology, we have, for example, forensic engineering, forensic medicine, forensic pathology, forensic anthropology, forensic archeology, forensic psychiatry, and forensic social work. Nonscientific professions, such as accounting and linguistics, also have specialties (Bartol & Bartol 2004, p.3).
> - *Forensic asks: How is the evidence* relevant to the law?
> - *How is forensics related to the discipline of science?*

What is evidence? DEF: *Information* that <u>serves to prove *guilt or doubt of guilt*</u> in a criminal case, and comes from real, physical, direct, circumstantial, demonstrative, or expert sources.

Locard's Exchange Principle: Locard's work formed the basis for what is widely regarded as a cornerstone of the forensic sciences, Locard's *exchange principle*, which states that with contact between two items, there will be an exchange. It was Locard's assertion that when any person comes into contact with an object or another person, a cross-transfer of physical evidence occurs (Encyclopedia.com, 2021).
Question: Which of the following statements best describes Locard's *exchange principle?*
a) Physical evidence is not always visible to the naked eye.
b) Every contact leaves a trace.
c) Circumstances of the crime impact the amount and nature of evidence left behind.
d) Biological evidence contains DNA.
Correct Answer: Every contact leaves a trace.

Evidence sources – all human action and interaction generates information that can potentially contribute to forensic investigations. Consider activities such as eating, exercise, work, travel, physical relationships between persons, tools and commodities we enjoy, and the many types of and mediums of communication; consider each person's biological response to the environment for example, sweating, bleeding, spitting, etc.; these all represent sources of information that identify persons, their thoughts, behaviors, location, relationships, and patterns of living.

CSI effect – the exaggerated expectations the public has based on media/televised crime dramas, of the role and use of scientific data/ findings to solving crime. cases.

Direct evidence – incontestable proof that the suspect is connected to the crime, (for example, confessions, possession of stolen goods, carrying blood of the victim, DNA evidence related to an attack, etc.).

Indirect/circumstantial evidence – proof that associates/implies the suspect is connected to the crime or victim but not conclusive (for example, foot prints, video surveillance, character witnesses, documents and records, etc.).

Physical evidence – physical items, artifacts, that establish the occurrence of the crime or an association of the suspect to the crime or victim (for example, the victim's bones, blood-covered knife, bullet casings, etc.).

Demonstrative evidence – created artifacts or proposed scenarios based on other evidence (for example, a mold of the shoe, a mold of the knife, a description of persons reaction to specific situations, cold, heat, etc.).

Expert opinion as evidence – this is closely related to demonstrative, it involves the opinion of an established/recognized expert on the information considered important to the case (for example, how fires burn, how mental illness is experienced, how bodies decompose, how bullet casings are damaged on impact, etc.).

What is a *chain of evidence*? The chain of evidence is the physical record of every handling of that piece of evidence, specifically by an investigator or scientist or lab technician. Of course, minimal direct contact with evidence is preferred for scientific reasons, for example, scientific breakthroughs in DNA research allowed for use of smaller DNA samples than was originally possible. The ***chain of evidence*** documents evidence exposure, handling, and ***minimizes the risk of contamination or loss of information.***

Automated Fingerprint Identification System (AFIS) – database available to law enforcement agencies.
VIDEO: The evolving science of fingerprint acquisition and identification – 6:04 min.
https://www.youtube.com/watch?v=g82thePV5x4&feature=emb_logo

The methods of "lifting prints" continues to be developed. **Using substances that turn into fumes that then adhere** to the oil of fingers leaving the patterns of the prints allows for getting prints from porous materials that would absorb or allow dust into crevices making prints imperceptible. **The emergence of *mobile fingerprint readers*** allows police to immediately on the spot match a suspect/ person arrested to existing government or corrections records.

Combined DNA Information System (CODIS) – shared database available to law enforcement agencies.
VIDEO: How does DNA analysis and data collection in crime investigation? – 2:09 min.
https://www.youtube.com/watch?v=GUKKrQBO-Ps
National Institute of Justice – The increased use of DNA as evidence, especially in current and cold cases related to violence created a ***backlog of cases and requests for DNA analysis***. READ: https://nij.ojp.gov/topics/articles/making-sense-dna-backlogs-myths-vs-reality#:~:text=Others%20consider%20a%20case%20backlogged%20only%20if%20the,days%20after%20it%20was%20submitted%20to%20the%20laboratory. An *ethical question* that continues to grow regards the collection of DNA for non-criminal security reasons, and the database that results in which the DNA of non-criminals is used to identify suspects who are genetically related. Is this an *invasion of privacy* protected against by the 4th Amendment?

Weapons as tools – all weapons and tools leave signature markings because of their make and form of correct of incorrect usage. Armaments, explosives, daggers, machinery and tools are all identifiable especially given Locard's

exchange principle. Scientifically-sound analysis and detection therefore become critical to the validity of findings (do the findings accurately support the claims made by the scientist?).

Bite Marks – a past and future? The science of bite mark analysis at first widely accepted has been increasingly challenged given the lack of a database, for example, *could other similar bite patterns/biters exist* that are not yet known to investigators? Bite mark analysis is intended to be conclusive, a presumption considered to be unscientific.

Netflix – Exhibit A – watch the entire series.

To be sober and appreciative of forensic investigation, keep in mind the data/evidence collection, Locard's *exchange principle*, and the idea of analysis and identification. In the end, science is not truth, and using it requires humility and transparency.

Lesson Goal: How to use the assigned texts for coursework:

1. Hess, K. M., et al. (2017). *Crime Investigation*. This book is voluminous! It is a major resource for gaining an overview as well as identifying specific categories of knowledge related to investigations. Note the many special feature boxes in each chapter. *Read through each chapter and identify key ideas* that you want to implement in your research and presentation. *Read with a purpose in mind.*
2. Samenow, S. (2008). *Inside the Criminal Mind*. This is a unique book reserved for seniors because it challenges all traditional forms of criminology. *It can be considered ideological because it is very limited in scope*, and excludes all other perspectives and theories. As you review it, seek to understand Yochelson's and Samenow's perspective, *BUT always ask yourself, are there other ways to view criminals and criminality? When you use the Samenow text, refer to specific ideas or a story, use in-text cite the actual page, but avoid quoting.*

Lesson Goal: What is a Chapter/Section review assignment? – NOTE these are due before our class meetings Remember to number each section so it is easier to follow, and see the focus of each section.

(1) Chapter summaries *CI* (Hess, 2017). Reflect on TWO points of EACH chapter - 300 words, 1 source
(2) **A**. Find and discuss ONE related current event article per chapter - 200 words, 1-2 sources
    Always do Option A, but for ONE assignment do Option B (which assignment is your choice).
    B. Find and discuss ONE peer-reviewed journal article related to a point of the chapter
    a. Identify the research question/problem explored – 50 words
    b. Identify the research method (quantitative, qualitative, etc.) and sample – 50 words
    c. Identify the researcher(s)' findings – 50 words
    d. How did the researcher(s)' findings help you understand the topic/section? – 50 words
(3) Discuss an *ICM* chapter (Samenow, 2008, pXXX), how do ideas relate to the *CI* assignment - 50 words
(4) Biblical application and personal reflection related to topic facts, ideas. – 50 words
(5) Include the References section

Lesson Goal: Research articles – how do we search and choose? First, *search* for *peer-reviewed* articles by checking off the *peer-reviewed box* in the *advanced search* features.

Peer-reviewed research articles contain:
- Research goal/ research question,
- Related subject literature review
- The actual research that is conducted (qualitative, quantitative)
- Research findings, what are the results
- The researchers' analysis, and then reflections for further research
- APA formatting (in-text citations and a references section)

Reference mining – One of the easiest ways to identify related research and sources is to review the references of a topic-relevant article. If the article is relevant to your topic, the references in the article will likely be relevant as well. You can note the article titles, authors and years of publication, and choose those that best fit your research goals.

Lesson Goal: **Get to know a particular case really well! - Address the following 10 points in each case review.**
What, watch a video? Yes, use a video to explore and study the investigation of TWO crime cases (one, your choice)
Criminal Case Review – review *TWO videos* (one is *The Night Stalker* series), and read related news materials.

Always use APA to establish the academic integrity and rigor of the work submitted.

Identify, the crime, investigative strategies, and the following aspects of the investigation:
1. Typing or categorizing of crime pattern, include severity and time patterns
2. Typing or profiling of offender(s)
3. Experience/training of investigators
4. Role/evidence of investigator intuition
5. Dependence on the public
6. Value judgements (pro and con)
7. Forensic advantages and limitations
8. Jurisdictional issues
9. Investigator collaboration/ strategies
10. Legal issues