Criminal Investigation for Public Health Professionals

YOUR NAME HERE
Lecture Goals

• Explain basic terminology
• Learn about roles of various law enforcement agencies
• Learn about criminal investigative methods
• Learn about law enforcement operations and procedures
Law Enforcement Investigative Goals

- Determine how a crime occurred
- Protect public health and safety
- Identify and collect all relevant evidence
- Protect crime scene and preserve evidence for use in prosecution
- Identify, apprehend, and convict perpetrator(s) using this evidence
- Prevent further criminal acts by this perpetrator
Law Enforcement and Public Health Goals Compared

**Law enforcement:**
- Stop further crimes
- Protect health and safety of public
- Apprehend and convict criminals

**Public health:**
- Stop further cases of disease and outbreaks
- Protect health and safety of public
- Build science base for future prevention
Terminology

• **Case**: the totality of an investigation or a person?
• **Suspect**: a person under suspicion or a person who may be a case?
• **Victim vs. Case**
• **Evidence**: criminal vs. scientific
Local Police (or Sheriff’s Office)

• Roles
  • Field operations, detectives, forensic unit, bomb squad, HAZMAT team, etc.
• Organizational Structure
• Points of contact
• Capabilities
One Typical Local Police Agency

- Chief
  - Patrol
    - Traffic
  - Investigations
  - Support Services
  - Prof Standards
    - Training
      - Legal
      - Internal Affairs
  - Tech Services
  - Communications
  - Property Crimes
    - Crime Scene
  - Tactical
    - Aviation
• What baseline training in the law of criminal investigation does a police officer receive?
• What kind of training do they get in handling biological, chemical, and radiation hazards, specimens and explosives (especially improvised devices)?
• Are they trained in infection control?
• What Personal Protective Equipment are they trained on?
• Is in-service training in process or completed?
State Police
or Bureau of Investigation

• Roles
• Field operations, detectives, forensic unit, bomb squad, HAZMAT team, etc.
• Organizational structure
• Points of contact
• Capabilities
State Officer Training

• What baseline training in the law of criminal investigation do officers receive?
• What kind of training do they get in handling biological, chemical, and radiation hazards, specimens and explosives (especially improvised devices)?
• Are they trained in infection control?
• What Personal Protective Equipment are they trained on?
• Is in-service training is in process or completed?
Federal Law Enforcement: FBI

• Roles
  – WMD Coordinator
  – Crisis Management Coordinator

• Organizational Structure

• Points of contact -- contact numbers for FBI WMD coordinator in that locale

• Capabilities
Local Protocol for 911 Calls

- Fill in based on your local protocol
- Local protocol may route 911 call on BT threat or white powder to fire or HAZMAT first
- Are some calls assessed as to credibility before sending a response unit?
Response to 911 Call

A common process:

- 911 center receives call
- Patrol unit dispatched
- Arrival at scene – initial assessment
- Determination if credible threat?
- Advise communications
- Notify Supervisor
- May summon fire/rescue HAZMAT, EMS
- Determine if evacuation is necessary
- Is a secondary incident possible?
Response to 911 Call
(continued)

- Supervisor arrives
- Determines if threat is credible
- If potential act of terrorism, this becomes a crime scene.
- Field command post established in conjunction with fire/rescue, hazmat
- Notification to local and state health, FBI
- Hot zone, warm zone, and cold zone determined
- Establishment of hot/cold lines
- Further evacuation if necessary
- Preserve crime scene
Criminal Investigation Process -- Initiation

• How do police learn about crimes?
• How do they decide which possible crimes to investigate?
• Who decides that a crime has even occurred and needs to be investigated, for example in a covert BT event?
• If an outbreak is recognized to be a likely BT event based on medical or public health suspicions, how does law enforcement get involved?
Crime Scene / Warrants

- How and when can police demand access to locations or information?
- When is a search permissible without a warrant?
- What are kinds of problems with searches lead to trouble in getting a conviction?
- When and why is a location declared a crime scene?
- When does a location stop being a crime scene?
- Who decides when a criminal investigation should be stopped or suspended?
Crime Scene Management – First Officer on Scene Responsibilities

- Location treated as potential crime scene until otherwise determined
- Officer arrives and assesses - assessment includes need for PPE
- Assist victims/notify EMS?
- Preserves scene with minimal contamination and disturbance of physical evidence
- Officer uses caution, remains observant of persons, vehicles, and environmental condition
Crime Scene Management (continued)

- Identify all individuals at the scene and isolate as necessary
- Exclude all non-essential personnel
- Document all persons entering and exiting scene
- Establish perimeters and boundaries
- Assess victims for medical needs
- Assess the need for victim decontamination
- Call for medical assistance
Crime Scene Management (continued)

- Guide medical personal to victims to avoid contamination of scene
- Point out physical evidence to medical personnel
- Document any statements or comments by victims, suspects or witnesses
- If transportation is necessary, officer accompanies to document comments and preserve evidence (utilizing PPE if required)
Crime Scene Turnover

- Scene turned over to investigators
- Turn over brief conducted
- Supervisor/investigators develop plans for notification in accordance with departmental policy - local, state and federal laws
Crime Scene Investigation by Detectives/Crime Scene Unit

- Scene assessment
- Walk thru and initial documentation
- Determine team composition
- Contamination control
- Documentation (photos, videos, sketches, location of evidence)
- Prioritize collection of evidence
- Collect, preserve, inventory, package, transport and submit evidence
Crime Scene Debriefing
Team

- Investigators, evidence techs, first responders
- What evidence was collected
- Where it goes for forensic testing
- What decontamination requirements
- Chain of custody
Gathering Evidence

• Kinds of evidence police may look for in solving crimes:
  – Victim interviews
  – Witness accounts
  – Fingerprints, fiber, hair, organic residues, and other lab tests including DNA testing
  – Chemical, physical, biological testing of other materials from the crime scene or obtained through authorized searches
Gathering Evidence (continued)

• Kinds of evidence police may look for in solving crimes:
  – Autopsy results and medical records (rape kit)
  – Paper records on or off site
  – Surveillance video footage
  – Answering machine messages
Chain of Custody

Purpose of documentation is to be able to testify to:

• Identity of investigator discovering material
• Proper identification and marking of material on initial discovery – where found, nature of material, etc
• No opportunity for tampering with material while in custody of any officials (e.g., proper container, locked storage)
• Material in custody at all times as it is being passed from person to person, until it arrives in court
• Failure to follow chain of custody procedures faithfully can result in evidence being excluded at trial.

• How do agencies in this jurisdiction handle chain of custody requirements at a crime scene, and in other contexts?

• Sample chain of custody form in binder
Forensic Laboratory

- Which crime lab does your agency use?
- How do you get specimens to the lab?
- What can this forensic laboratory do to support a criminal investigation?
- Where do you get backup crime lab services?
Interviews

- What are the general issues in interviewing victims, witnesses and suspects?
- What the issues specific to joint public health and law enforcement interviews?
- When are Miranda warnings necessary?
- What kinds of problems with interviews lead to trouble in getting a conviction?
Interagency and Interjurisdictional Issues

• How do local police handle investigations that cross city or county lines? State lines?
• When do local police usually involve the state law enforcement agency in an investigation?
• When and how do local and state police usually involve the FBI or other federal law enforcement agencies (ATF, Customs, Immigration, Secret Service, etc.)?
• Sharing sensitive information between public health and law enforcement agencies.
Evaluate Evidence

• Determine if crime has been committed
• Present to appropriate prosecutorial body
• What evidence is available?
• Witnesses?
• Physical evidence?
• Chain of custody?
• To be determined — who has jurisdiction and who controls evidence?
Apprehend Suspects

• Who decides whether to put a suspect under arrest?
• At what point does a prosecuting attorney get involved?
Render Testimony

• Who testifies? As to what?
• How do you prepare for testimony?
• What are common procedural errors that may reduce effectiveness of testimony?
Covert BT Events

- Sometimes suspicion of a BT event comes from doctors or public health workers investigating outbreaks.
- How and when does law enforcement want to hear from public health authorities about cases or outbreaks that could be BT events?
- What protocols or MOAs are in place for initiating joint investigations in these situations?
Responding to a Biological Attack – Existing Joint Efforts

- **Existing:**
  - Policies for interagency cooperation
  - Procedures for interagency cooperation
  - Memoranda of understanding (MOUs)
  - Memoranda of agreements (MOAs)
  - Joint training
  - Joint exercises
  - Coordination with local DoD installation
Joint Operations – Roles and Organizational Trees

- Emergency Operations Center (EOC)
- Incident Command System (ICS)
- Joint Operations Center (JOC)
- Joint Information Center (JIC)
- Integrated Command System (ICS)
- Unified Command System (UCS)
- Joint Terrorism Task Force (JTTF)
Questions?

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