

# Criminal Investigation for Public Health Professionals

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# Lecture Goals

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- Explain basic terminology
- Learn about roles of various law enforcement agencies
- Learn about criminal investigative methods
- Learn about law enforcement operations and procedures





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# Law Enforcement Investigative Goals

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- 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





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# Law Enforcement and Public Health Goals Compared

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## 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





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# Terminology

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- 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





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# Local Police (or Sheriff's Office)

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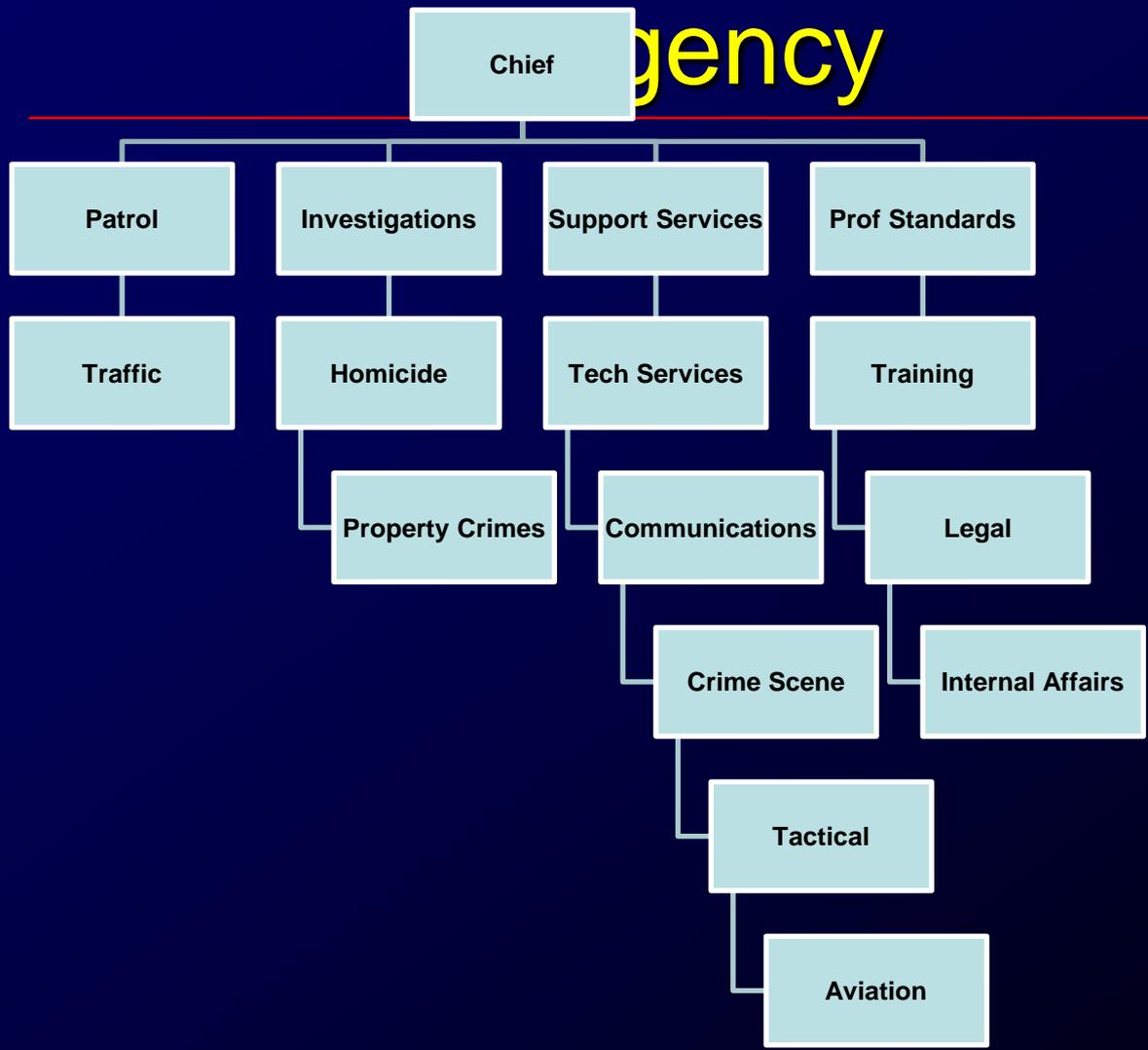
- Roles
- Field operations, detectives, forensic unit, bomb squad, HAZMAT team, etc.
- Organizational Structure
- Points of contact
- Capabilities





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# One Typical Local Police Agency





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# Police Training

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- 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?





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# State Police or Bureau of Investigation

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- Roles
- Field operations, detectives, forensic unit, bomb squad, HAZMAT team, etc.
- Organizational structure
- Points of contact
- Capabilities





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# State Officer Training

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- 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?





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# Federal Law Enforcement: FBI

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- Roles
  - WMD Coordinator
  - Crisis Management Coordinator
- Organizational Structure
- Points of contact -- contact numbers for FBI WMD coordinator in that locale
- Capabilities





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# Local Protocol for 911 Calls

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- 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?



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# Response to 911 Call

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## 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?



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# Response to 911 Call (continued)

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- 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





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# Criminal Investigation Process -- Initiation

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- 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?





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# Crime Scene / Warrants

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- 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?



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# Crime Scene Management – First Officer on Scene Responsibilities

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- 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

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# Crime Scene Management (continued)

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- 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



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# Crime Scene Management (continued)

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- 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)



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# Crime Scene Turnover

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- 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

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# Crime Scene Investigation by Detectives/Crime Scene Unit

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- 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

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# Crime Scene Debriefing Team

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

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# Gathering Evidence

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- 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



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# Gathering Evidence (continued)

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- 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

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# Chain of Custody

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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

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# Chain of Custody

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- 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



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# Forensic Laboratory

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- 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?





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# Interviews

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- 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?



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# Interagency and Interjurisdictional Issues

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- 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.

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# Evaluate Evidence

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- 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?

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# Apprehend Suspects

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

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# Render Testimony

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

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# Covert BT Events

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- 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?

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# Responding to a Biological Attack – Existing Joint Efforts

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- 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



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# Joint Operations – Roles and Organizational Trees

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- 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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