

# **SEX CRIMES INVESTIGATION**

## **A Major Case Approach**

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*Associate Professor, Department of Criminal Justice  
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Los Angeles, California*

Building on the tried and true major case approach, this volume details an optimally effective way to investigate sex crimes. The first of the two parts into which the text is divided deals with organization and design. The author explains planning and preparation, and he suggests team organizational strategies and assignments. He establishes a hypothetical case to demonstrate how best to coordinate and supervise investigators, route paperwork, and address leads. The entire approach also is presented in a condensed, summary format for easy reference. The second segment of the book focuses on various concepts pertinent to sex crimes investigation. Discussions are included of general investigative techniques, a probabilistic theory of searching, contemporary visual investigative techniques, and the application of the major case approach to other types of crime.

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INVESTIGATION**



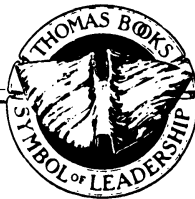
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**To the employees  
of the Federal Bureau of Investigation  
who devised and perfected major case  
investigation**





## PREFACE

VARIOUS factors have come together that place law enforcement in a difficult position as it anticipates future operations. Almost universally, public agencies face shrinking budgets and taxpayer resistance to increased funding, and law enforcement is included. At the same time there is a continuing tendency, as system theorists have predicted, toward differentiation. That is, over the passage of time, organizations develop more and more specialized categories.

Whereas in earlier times police ranks progressed from patrolman to sergeant, lieutenant, captain, and chief, we now find supervisors between patrolman and sergeant, commanders between the captain and his chief. Even then the commanders do not report directly to the chief; rather, they report to a deputy chief.

Money appropriated to law enforcement must now be spent on a wider variety of supervisory and technical specialization. As a result, we find patrol personnel are a smaller percentage of total sworn personnel, and the number of officers on the street are a smaller percentage of those who could be out on patrol. The same problems beset investigations.

Detectives have stopped "detecting" and for the most part now deal in paper. They are so specialized that homicide investigators seldom know in detail the work of robbery detectives, and so on.

Many citizens can recall when they had a minor accident it was customary to call the police. Now in response to such a call they are told by a switchboard operator the parties involved should exchange names and insurance companies and no police officer is available to dispatch to the scene in the absence of injuries or major property damage. In much the same way, investigators no longer take reports, or for that matter, on receipt of a report from a patrol officer, conduct active investigation.

A citizen whose home has been burglarized talks initially to a uniform officer, who in turn gives his report to the detective bureau. Any follow-up investigation is a rare event. Most likely the victim receives a postcard from the police with an identifying case number on it and a request to furnish them with serial numbers on the missing property.

Some authorities wonder if we are just on the verge of completely halting active investigation into any type of case. There is a hope that if detectives turn over enough paper records offenders will surface in time. And in fact they do. Most rapists, robbers, burglars, or what have you, given their own stupidity and a combination of alert citizens and responding patrol cars, sooner or later are identified and taken into custody. At that point their prior crimes are identified and investigators "clear" many past, unsolved crimes.

Once while talking to another law enforcement officer about success I had been having in locating a certain type of violator, I was urging the point that my investigations were getting results in the capture of these men. He asked if I had been "finding" the violators or "catching" them when they came back. The latter, of course, was true. While waiting for them to return and get caught by accident, I had fallen into the trap of paper shuffling and taking credit for work that was not always connected with their capture.

If we continue in our present direction, detectives will forget how to investigate. Somehow there must be personnel who are willing to take to the field and find those persons whose crimes have caused such turmoil in society that regular social activity is seriously hampered – cases involving multiple rapes, murders, and other violent attacks on a segment of society.

My purpose in writing this book is to make sure those who follow in law enforcement can have a model to follow when violations occur which cannot be shunted aside, which will not yield to paper shuffling and all points bulletins, and which must be actively investigated. The comprehensive system described has been successfully used by the Federal Bureau of Investigation in major investigation over many years. It was perfected as an operational technique by trial and error.

The original application of this system was in kidnapping

cases. All through the 1930s, 40s, and 50s, the Federal Bureau of Investigation was able to solve most of those violations as the technique was developed. More recently, other challenges required maximum concerted effort to resolve matters of vital interest to the entire country.

The system proved itself when used in the most highly publicized crimes of this century, involving the killings of President John Kennedy, civil rights leader Martin Luther King, Jr., and Senator Robert Kennedy. Despite efforts of many persons to suggest secondary theories about how the murders of the Kennedys were committed, the investigations have survived the test of time, and it is not because of any individual brilliance. It is because of the organizational process that covered all phases.

The Federal Bureau of Investigation did not investigate the murder of Martin Luther King, Jr., but it did use this major case approach to identify and locate James Earl Ray.

There comes a time when investigators must make an active effort to find a violator in one or another section of their communities. I hope what they read here will help.

R.H.M., Jr.



## ACKNOWLEDGMENTS

AS anyone who has written a book knows, help comes from many quarters. Roger J. LaJeunesse, Jr., who was a Special Agent in the Federal Bureau of Investigation from 1950 to 1974, had a key role in many of the major investigations conducted during the period of his service. For his Master's thesis at California State University, Los Angeles, Roger wrote about the methods of major case investigation that he had used. Since it predates this book, I must recognize my debt to him, but I would argue my presentation is cast in a different mold than his thesis. Further, although he wrote first, I would maintain that we both learned the system at the same time and independently of each other. Roger now owns his own private investigative firm in Los Angeles, California, and he is one of the most colorful investigators in the history of the Federal Bureau of Investigation.

My wife, Anne, devoted so many positive hours of editing and proofreading it is impossible to count them. In addition, she made certain I was not bothered, kept a lonely vigil in another part of the house, supported me by secondary contributions to my comfort and well-being, and actually made the book possible. I am forever in her debt.

A friend of more than thirty years, Donald E. Walker, currently President of Southeastern Massachusetts University, whose widely read book on administration is cited in the Bibliography at the end of the book, contributed to many of my thoughts. That is especially true in the section on strategies to overcome difficult states of nature that confront the case leader. His intellectual support is a continuing source of inspiration.

During a vital formative period, Detective Steven R. Hales, Juvenile Division, Sexually Exploited Children Unit, Los Angeles Police Department, took the time to give me a critical

reading and made several insightful comments on the manuscript. Detective Hales, who has a graduate degree from California State University, Los Angeles, has participated in many of the Los Angeles Police Department's most important cases during his tenure of service. Ms. Diane Holsinger, Criminalist, Los Angeles Police Department Crime Laboratory, who also has a graduate degree from California State University, Los Angeles, was kind enough to review my chapter on crime scene searches.

It is impossible to complete a book without the support and infusion of ideas from the person who finally prepares the manuscript. Ms. Jane Sawai, an executive secretary with the Los Angeles County Sheriff's Department, typed and edited this book, and I want to publicly acknowledge her efforts.

While I was writing the book I learned that a graduate assistant who proofread other material I had prepared was suffering from Hodgkin's disease. She volunteered to help with this book and made many meaningful contributions. Meanwhile, she continued to receive chemotherapy and radiation treatments, but the tumors always returned. She was working on the final draft when the flesh would no longer respond to the spirit: Rosalyn Jung, 1956-1982.

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**SEX CRIMES  
INVESTIGATION**



## **PART I**



Chapter 1  
**INTRODUCTION**

**O**UR discussion of a major case approach to sex crimes investigation begins with an announcement from a West Coast law enforcement agency:

\*\*\*\*\*

**M. O. BULLETIN**  
**Mutilation Murder, Jane Doe, No. 78**

On November --, 19--, at 0600 hours, the decapitated, nude body of a female Caucasian was found on the seashore. The postmortem interval was not over eight hours. It was estimated the deceased was 26 to 30 years old, 5' to 5'3", and approximately 100 to 115 pounds. The skin was fair with scattered freckles on the upper chest and back, with evidence of suntan around the outline of a bikini bathing suit. Stab wounds were the cause of death. Postmortem mutilation includes decapitation, both arms removed below the shoulders, left leg severed at the upper thigh, and a midline cut from the pelvis to the chest. The body had been dumped into the ocean and washed ashore by the tide 75 yards east of the point of entry. The slaying occurred elsewhere, and the body was apparently transported to the location by vehicle. To date the missing parts of the body have not been found.

\*\*\*\*\*

The bulletin is real. By the time it was printed, preliminary investigation had been completed. Included was information that an autopsy had located an episiotomy scar on the victim. That scar results from a surgical incision performed during childbirth.

- (1) The case is now an important event in the life of the detective(s) called upon to conduct the investigation.
- (2) We can assume a child has lost its mother, with traumatic effects well into the future, affecting even another generation.
- (3) There are other shocked and saddened relatives, to say

nothing of friends and associates.

(4) Over and above those who knew the victim personally, news reports will affect the larger community. Street terror has far-reaching repercussions for all civilized life.

THIS IS AN EXAMPLE OF A CASE  
THAT MUST BE SOLVED.

There are two categories of circumstances that affect law enforcement to the extent performance is hindered. One, not dealt with in this book, is corruption. The other is a series of major unsolved crimes, particularly those against persons as opposed to property crimes. When public attention is drawn to attacks against citizens in a particular way, especially when the unsolved crimes extend over a period of time and demonstrate similar characteristics, the entire law enforcement agency involved becomes caught up in the panic and does not function well.

Not only are there daily media reports suggesting avenues of investigation that ought to be pursued, but there are also editorial comments about the efficient use of manpower. Political pressure may be brought to increase patrols in certain sectors, provide special escort service, or even follow imposed lines of investigative activity. Time must be spent away from actual work on the case to satisfy public complaints against lack of progress in the case.

Personnel feel influence from the press and other news sources, and they are closely scrutinized by the general public. Patrol officers, the most obvious element of the agency involved, are lectured each time they write a traffic ticket or stop for routine coffee breaks. Terrified citizens use many forms in translating their fear into criticism of police, even extending to budget requests.

Equally serious, although hidden from the public, is dissension within the investigating agency. It not only involves disagreement over which avenues should be pursued in solving the case but also extends to interpersonal relationships. Old animosities are rekindled, investigators begin to doubt their ability, command personnel question their own sufficiency as leaders. As a result, matters that are trivial become "holy wars."



Even so simple an action as changing desk assignments or parking stalls causes tempers to flare out of proportion to the exigencies of the situation.

Everyone blames everyone else for their problems. Blame is erroneously assigned. Despite their resolve, officials are not able to keep up the level of investigative activity. With bickering at administrative levels, already hostile feelings are aggravated. In many instances, lethargy becomes the rule of the day and nothing is accomplished.

The general lack of consistent investigative activity is the inevitable result of a long investigation under press scrutiny. Paradoxically, this state of affairs is just the opposite of what originally took place. On receipt of the first complaint indicating a brutal murder, everyone became involved and were on the streets operating under a full head of steam, but without direction. An almost obsessive mania permeates law enforcement agency atmospheres where such crimes are under new investigation. Individual officers make great sacrifices in time spent on the job, working eighteen or twenty hours a day, or even around the clock as they see their duty. Despite much activity, little is accomplished.

In one case a housewife was found bludgeoned to death in her bed in a middle-class suburban home. Neighbors had gone to her house when they saw her four-year-old child wandering in the neighborhood just after most commuters had left for work. The victim's husband was out of town on business. Investigation was in the hands of a modest-sized police department with about seventy sworn personnel.

One neighbor soon suggested an investigation ought to be conducted into the whereabouts of a teen-age boy who lived only one street away and who had been in trouble with juvenile authorities for aggressive acts. Two officers began making inquiries about him. About the same time, the husband, summoned home, told other officers of the same young man. Two of the other policemen, assuming the youth would be in school, began investigating at that location and thought it would be a good idea to surveil him home when school ended for the day. If he had been involved, they reasoned, he could have property stolen from the victim or a weapon, and he might go out of his

way to dispose of the material.

This second team of officers was distressed and angered when, just in the middle of their investigative plan, the first two officers called the young man out of class and interviewed him. The lesson was that even in a very small community, police personnel operating under great pressure tend to rush here and there without consistent leadership.

Failure in the face of investigative assignments has, in the past, caused considerable criticism of the detective function. Critics have called into question the entire investigative enterprise. P. Greenwood et al. (1975), Bloch and Bell (1976), and Anderson (1978) have argued, with conviction, from empirical studies, that crimes are not solved unless information leading to solution is obtained from immediate witnesses. If the victim knows his assailant, or a passerby gets a license number, or responding patrol units happen on the suspect, a case is solved. Where these elements are absent, arrest cannot be expected as the usual result of police activity. These writers argue in many cases follow-up investigation is a waste of manpower, although they are speaking mostly about crimes against property.

On the surface their points are very persuasive. Most cases are, in fact, solved by methods mentioned above. No one would disagree with the premise that alertness on patrol pays dividends and point to any number of solved cases from this source. One is reminded of this fact regularly. Just recently a state patrol officer working traffic cases stopped a van and was able to look in the back, where he saw the dismembered body of a young woman.

It is clear that law enforcement would continue at a level of acceptable service, even if all investigative (detective) functions were stopped and only patrol personnel remained on the job. Under opposite conditions, that is, detectives and no patrolmen, it would not be true. Just as infantry is referred to as the "Queen of Battle," so too, uniformed officers in marked cars are the front line in the war against crime. The efficacy of patrol is not an issue here. At the same time, it should not be allowed to obfuscate the fact that detectives can and do solve cases.

Studies of detective functions do not include questioning those who have conducted investigations and made them work

in the form of identification and arrest of suspects. On the other hand, critics of studies by Anderson et al., such as Gates and Knowles (1976), miss the point by arguing methodological issues associated with the research itself rather than investigative procedures.

In the opinion of the author, both sides have failed to look into the heart of the investigative enterprise, or if they have, looked at it in poor perspective, so they do a disservice to the public. When detectives, properly supervised, do in fact go out and conduct consecutive investigation there are very good chances of success. The problem is most of the time they do not go out of the office except in response to a direct call or obvious lead; they do not seek out the perpetrator in any consistent manner. They spend time chasing what might be called "exotic" leads at the sacrifice of penetrating local investigation. Then, having done the work poorly or at the wrong location, they do not write informative reports identifying possible suspects, index names of those with whom they talk, nor do they set out subsequent leads as a guide to what remains to be done.

Those who have been to the command post of a major case investigation cannot help but be disheartened at the sight of manpower idly waiting for a good lead. A phone call comes in and several investigators rush out to handle what could in preliminary stages be done by one or two men. There is no consistency, no consecutive progress toward finding the killer. It is either investigative "feast or famine." A body is found, and a flurry of activity follows for one or two weeks during which time obvious primary leads are covered, including crime scene search, interviews of the victim's friends and associates, contact at her place of employment, neighborhood, and where she goes for relaxation.

During this highly intensive period the same leads are covered over and over by various investigators. Because of lack of administrative control, alibis are not checked in depth, and leads of a secondary nature are not generated and pursued.

Every area of the world has its series of unsolved murders, most now forgotten in the passage of time, others still vivid in memories of citizens. We ought to remember that Jack the Ripper was never identified. The Mad Butcher of Queensbury Run

in Cleveland, who during the 1930s may have killed ten or as many as thirty victims, was never caught. The killer of the Black Dahlia, who may have other victims, is unknown. In recent times persons responsible for several deaths in such diverse places as California, Georgia, England, Germany, and South Africa are still at large.

If uniformed officers do not catch the killers, cases turn into investigative projects. Success is not always the result. The killer moves on to another location, changes his M.O., and in some cases dies in a traffic accident or of old age, unless his continued actions lead law enforcement to him.

Just a few summers ago a killer, operating in the bedroom community of a large metropolitan area, strangled and raped six young women during a brief sixty-day period. He has now been dormant for some time, meaning he has either moved on, is dreaming about further crimes, or is spending time in jail for another crime. Investigation at the time was sporadic on the part of a specially organized task force from several law enforcement agencies. Their only major contribution was dissemination of an artist's conception, adopted from a surviving victim and augmented by a psychic. In the meantime the investigation was stopped. Authorities are apparently satisfied to await his return, heralded by the discovery of another body. Their actions are simply not good enough.

This book is structured in two parts. Part I is a way to proceed in major cases. It is a consistent whole and should be taken that way. Implementation of one part without the other is just another hit-or-miss program that cannot offer a good probability of success. The protocol outlined is not glamorous and is far removed from those who think in terms of a detective mystique.

Emphasis is on routinization of tasks and record keeping, close administrative control of leads, and generation of leads where obvious ones do not appear. Subsequent surfacing of suspects, who can be eliminated or implicated, is not viewed as the result of individual brilliance but rather as part of an organizational process.

Part II is a discussion of general investigative techniques. Included are actions that have worked in various jurisdictions, along with some mechanical methods of making complex rela-

tionships clear.

There is nothing glamorous about the procedures discussed in what follows. The brilliant inductive processes described by Arthur Conan Doyle are missing here. This book is dedicated to the principle that crimes can be solved on follow-up by solid detective work. Despite claims to the contrary, that form of investigation is not often pursued.

## Chapter 2

# PRELIMINARY CONSIDERATIONS AND ORGANIZATIONAL STRUCTURE

**L**ONG before the system described here is needed and operationalized, considerable preparation should have taken place. Administrators have to realize fruitful processes don't automatically appear from within any organization structure if they have not been nurtured with preparatory planning and all of its requisites. Recruit academy familiarization with departmental rules of procedure, followed by experience in the field, are important. But then, there must be follow-up actions if there is to be high expectation for success. Some factors that ought to be considered are discussed below.

## TRAINING

Training is one of the most important aspects of administrative planning. It is recognized by all authors on law enforcement organization books. While training in traditional areas tends to be ongoing, such as firearms, defensive tactics, report writing, and legal matters to name a few, in the recent past new areas of specialized training have come into vogue. Search and rescue units, SWAT teams, conflict management groups, hostage negotiation, and physical preparedness are some of these programs.

Now comes a call for training in the specialized area of sex crimes investigation and major case organization. At least part of this training should concentrate on recognizing individuals who have potential for violence. It is not surprising one frequently learns of the arrest of a person who is charged in a bloody crime, only to find he is known in his community as "different," or was considered by neighbors to be an "oddball." He lived as a recluse in his home or a wooded area near the crime

scene, he engaged in exaggerated forms of behavior known to people who had contact with him, or he was thought by fellow employees to be withdrawn and noncommunicative at his place of work. Fellow employees, on hindsight, can recall quirks in his personality. Relatives, if cooperative, can name some childhood activity that offers a clue to present behavior.

Training must take into account teaching of methods and subject matter that will allow investigators to recognize suspect individuals by their back-door, telltale traits. Detectives, calling on friends and coworkers of the victim and her family, must recognize those on whom they should focus their attention as possible suspects. Many questions which should be asked in trying to find a disturbed psychosexual personality have been suggested in an earlier work (Morneau and Rockwell, 1980).

Because of pressure from press and citizen's groups alike for a solution, once a series of attacks has begun, training programs are difficult for police to mount. Urgency becomes the key word. No time is available for training those who should be on the street rather than engaged in extensive classroom lectures. Law enforcement officials would be negligent in their duty if they did not deploy their manpower so as to use it in its fullest potential in protecting citizens. At the same time, administrators who have not taken the time to prepare are just as negligent.

A friend once said, with regard to personal relationships, we find time for what we want to do. When contacting an old acquaintance by chance, we frequently express regret for failure to get together over the years and promise to do better in the future. In reality, if we wanted to we would find time to keep up that old friendship. Similarly, police officials can find time for training they want done. If an earlier training program was not operationalized for want of an investigative challenge, there is a propensity to regard it as not worthy of the effort. Rather than retrain new personnel to replace those who have moved up the administrative ladder, retired, or resigned, training programs are left to go fallow, gradually abandoned, until they fade away for lack of commitment.

Sex crime investigation follows this pattern. In the face of several cases and some publicity, training may be initiated with

teams of investigators placed at key locations. However, after a few months without continued follow-up, decay of the structure begins. A potential team leader makes sergeant and goes into uniform in another precinct; another investigator accepts civilian employment and resigns. No evaluation is made twelve months after the initial training program to determine if anyone is left who can form into teams if a new situation warrants it. Even if an evaluation is made, since the teams were not called upon during the preceding twelve months, it is thought to be a waste of time to bring the pool of investigators back up to strength. Suddenly, after passage of time, there is a new need and no trained personnel. Only by recognizing there must be a cadre of trained personnel, whether used or not, can law enforcement hope to cope with future investigations.

### SELECTION OF PERSONNEL

Those who are singled out for training should be selected with care. All too frequently in large organizations, announcement of specialized training is followed by assignment of a friend or friend of a friend. In other cases a person volunteers only because it will look good in his record. He knows he will be advancing administratively before long, leaving his present post, and will not be available for special investigative assignment.

In other cases, designation to attend a school is made because an officer happens to have time available. If there are no court commitments or vacations pending when the order for an attendee comes down, the most available man is sent. Many readers with law enforcement experience can perhaps recall a supervisor who designated an officer for specialized training whether or not that person was interested. And it may be that person so designated is interested in one phase or another of police work, but it is not his first choice to work, as in this case, sex crimes. Nonetheless, he is sent to the school and the assignment becomes his.

To as much an extent as possible, sex crimes training should be voluntary. Volunteers should know much will be expected of them, work hours will not always be convenient, compensation



will not always follow overtime worked. If specialized workers are screened at the beginning, many later personnel difficulties can be avoided.

It may be well here to add a note for clarity. Throughout the present book, repeated references are made to sex crimes investigation in the same breath as some other types of crimes, which may not on the surface appear to be consistent to readers. In an earlier work (Morneau and Rockwell, 1980), the perspective was developed which showed an underlying sexual motive to many crimes that are not on the surface what one thinks of when categorizing a crime as sex inspired. Readers with a question, or who can only assume sex has to involve direct use of the genitals, are urged to review the prior book.

## RECORDS

The time to start maintaining good records is well before a need to use them arises. In some states, laws currently in force are the starting point. Typical of these laws is one in the State of California that requires persons who have been convicted of certain sex-related crimes to register when placed on probation or after they have been paroled, following incarceration in prison or a state hospital. In California, this law is Section 290 of the Penal Code and reads in part:

Persons Convicted of Certain Lewd Crimes Must Register with Sheriff . . . Any person who, since the first day of July, 1944, has been or hereafter convicted in the State of California of the offense of assault with intent to commit rape, the infamous crime against nature, or sodomy, . . . or any offense defined in Section 266 (procuring, assignation, and seduction), 267 (abduction for prostitution), 268 (seduction), 285 (incest), 286 (sodomy), 288 (exciting lust of child under age of fourteen), 288a (oral copulation, exposure), . . . or any person who since such date or at any time hereafter is determined to be a mentally disordered sex offender, . . . shall within 30 days of his coming into any county or city, or city or county in which he resides or is temporarily domiciled for such length of time, register with the chief of police of the city in which he resides or the sheriff of the county if he resides in an unincorporated area . . . Such registration shall consist of (a) a statement in writing signed by such person, giving such information as may be required by the Department of Justice, and (b) the fingerprints and photographs of such person . . . Any person re-