COLD CASE SQUADS
Colorado POST Approved
Course # IH0005

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“To the living we owe respect; to the dead we owe the truth”
Voltaire
COLD CASE

An unsolved homicide or missing person where the originally assigned detective is no longer in homicide or able to actively investigate the case.
A case that has been inactive for a period of time
   Unsolved-no known suspects
   Unresolved-suspect known/ suspected but not prosecuted
   Unidentified victim
WHY????

A homicide investigation is never closed until the perpetrator is held accountable. It gives hope to the families of victims. The information may help solve other cases. Can help identify what steps should be taken with a fresh perspective. Provide training: how to avoid common errors, identify problems that can be anticipated & how to solve them.
“There can be no justice until those uninjured by crime become as indignant as those who are”

Solon, the lawmaker of Athens (died 559 B.C.)
IDEAL CANDIDATE
Specialized training with homicide experience
Skilled interviewers/good listeners
Experience with informants & undercover operations
Awareness of scientific possibilities & difficulties
Patient and tenacious/persistent with common sense
Well versed in courtroom procedures Have ability to anticipate defense strategies
YOU CAN’T SOLVE IT ALONE

No one of us is as smart as all of us.
unknown

“Learn from the mistakes of others. You can’t live long enough to make them all yourself”
Eleanor Roosevelt
SQUAD RESPONSIBILITIES

Cold Case Investigation
Assistance to other agencies
Re-trials of cases
Collection of data and statistics to aid similar investigations
TIME
Fresh cases need immediate investigation-have to run with it. 66% custody w/in 24hrs.

Ally in cold cases
  Friends/lovers become enemies
  Witnesses may no longer be afraid to testify, may now need help with criminal justice system. No longer mind getting involved
  Deep remorse by suspect or witnesses
TIME

New found religion
Allows you to develop plan of attack, set scene for suspect interviews
Improvements in forensic technology & perspective
Offender may have re-offended (may see similar cases in other jurisdictions)
“The race is not to the swift, nor the battle to the strong, nor favor to men of skill; but time and chance happen to them all”

(Ecclesiastes 9:11)
TECHNOLOGY

Advances in biological evidence (DNA) transfers-ligatures,clothing,hair, ALS (alternate light source), YSTR (Y chromosome Short Tandem Repeats). An acid phosphatase test showing no sperm doesn’t exclude the presence of male DNA.

CODIS Combined DNA Information System
TECHNOLOGY
Advances in ballistics; NIBIN-National Integrated Ballistics Information Network
Use of alternate light sources in conjunction with cyanocacrylate (super glue) & fluorescent dye staining
A.F.I.S. Automated Fingerprint Identification System
Blood Spatter Interpretation
Statement analysis
MEDIA

Fresh cases- feeding frenzy
In cold cases may help generate leads
America’s Most Wanted
Remember, nothing said is “off the record”
KEYS TO SUCCESS

HAVE ADMINISTRATIVE SUPPORT
- Funding may be needed for travel and research
- Be allowed to work without interruption
- Relatively long term assignment
- Success won't come overnight
- Flexibility
TRACKING COLD CASES

Take advantage of computer database programs.
ViCAP (Violent Criminal Apprehension Program) the case
Maintain alphabetical lists of cases for easy reference
Identify and track all assigned cases
Tracking Cold Cases

Maintain accurate and updated information
Update case info, transcribe tapes and videos
Create additional reports to clarify vague issues
COLD CASE
INVESTIGATIVE STEPS
START WITH THE NEWEST CASE (Tips received may change this)

It's easier to find individuals
Uncollected evidence may still exist
FILE REVIEW
Read and re-organize and index the COMPLETE File
Obtain and study all photos.
Read all officer/detective notes!!!!!!
Talk with available original detectives and others involved in the investigation(avoid why) Any documents? Their thoughts?
Develop a timeline and a link analysis
Prepare lists of potential interviews.
Statistically the killer’s name was in the case file within the first 30 days !!!!!!!
FILE REVIEW

Who was the suspect, is he alive
Analysis of any existing videos/audio tapes
Locate and catalog all written statements
Would a statement analysis be beneficial
EVIDENCE REVIEW

Review ALL Evidence
Verify complete chain of custody
Physically view items with lab tech
Check for presence (don’t assume it’s there)
Conduct and document steps taken to locate any missing items
Check for decomposition and critter invasion
is it properly packaged (verify initials & seals)
EVIDENCE REVIEW

Is it ready for re-submittal?
If needed, consider transferring video and audiotapes to DVD/CD to reduce degradation.
Are additional examinations needed due to technology advancements?
MEDICAL EXAMINER’S FILE

Review Totally!!!!!!!!
Is the original doctor available?
Do medical notes and autopsy photos exist?
Were all samples that were taken analyzed? If not where are they now?
Transfer photos digitally to DVD/CD)
Obtain death certificate and remains disposition (leads to funeral home information and their possible records)
INVOLVE PROSECUTOR

Changes in the law
Future prosecution
What legal issues exist (privileged conversations, spousal relationships) Are they still valid?
Help with search warrant needs
PREPARE A SYNOPSIS

Helps you direct the investigation
Allows easier presentation to others
Can be used for evidence submission cover letter
Prioritizing Cases

Known suspect, preserved physical evidence, witnesses available
No known suspect but physical evidence preserved, witnesses available
No known suspect, insufficient evidence, witnesses available
No known suspects, physical evidence, or material witnesses
WHO BENEFITED MOST

Was there a will?
Life insurance (good records not available)
Mortgage or credit protection insurance
Property transfers
Relationships
Civil court records
REDO BACKGROUND CHECKS

Criminal History (on everyone)
Is your best suspect currently or previously incarcerated, are intake reports available?
Are parole/probation records now available?
What has happened in witness's lives?
Conduct NCIC/CCIC off line searches and utilize QQ
New fingerprint records may exist
CONTACT VICTIM’S FAMILY

Do this before beginning interviews
Helps put together victimology
Don’t raise their hopes, there are no guarantees it will be solved
Explain the new activity that may occur
Be careful of family involvement (50%)
CONTACT VICTIM’S FAMILY

Obtain copies of letters and photographs (may show associations, vehicles, clothing, jewelry etc)
This may reveal places victim/suspect may have frequented/visited (could lead to body disposal site in missing persons)
Reconstruction

Helps to “brainstorm” the case
Helps reveal What+How+Why+When which often = WHO
Use a multidisciplinary approach-
investigators, criminalists, pathologists, prosecutors & others
Scene Visit

Helps to identify physical changes due to construction or remodeling (document through photography)
While present complete a canvas to determine if there may be potential witnesses that were missed the first time
INTERVIEW PERIPHERAL WITNESSES

Are they still alive?
RELATIONSHIPS CHANGE
Criminal justice system involvement of players
Element of surprise no longer exists
INTERVIEW MAJOR WITNESSES

Are they still alive?
New relationships
Criminal justice system involvement
Deaths of others who may influenced them
Maybe the right question wasn’t asked
Review old polygraph charts & questions
Re-polygraph if necessary
SUSPECT
Who were/ are the key persons in their life,
former/current family members
Timeline his life
Who were/are his friends
Employment history (interview co-workers &
bosses)
Military, prison, financial & medical records if
possible
SUSPECT INTERVIEW
Record the process
Do “cold” interview to alleviate suspect preparation
Take your best shot
  Miranda (was it invoked prior)
  if its needed downplay it
  Don’t become confrontational unless you can back it up (don’t close doors)
  Play to his ego
At the end ask for his advise!!!!!!!!
CASE CONTROL/DIRECTION

Lead sheets
Team conferences
Cooperate with the prosecutor
Monthly/quarterly revisit the to do list
(update)
Make sure new information is documented in reports
SELL YOUR CASE

Make it visual-use photos, timelines, charts, exhibits and PowerPoint (make it understandable)

Make it winnable thru a solid investigation

Assist with trial preparation tasks-don’t just drop it at the prosecutor’s desk

Stay involved !!!!!!!!
GOAL

SUCCESSFUL PROSECUTION
UNABLE TO PROSECUTE?

Completely document everything that was done by cold case investigators.
Document why the case won’t be prosecuted.
The needed evidence or interview may show up later.
THE TRUE SECRET OF SOLVING COLD CASES IS PERSEVERANCE AND PATIENCE
THREE T’s OF COLD CASES

TIME
TECHNOLOGY
TENACITY
Possible Problems

Acceptance and cooperation with-in agency
Locating documents, items, witnesses, and law enforcement personnel
Cooperation from DA’s, Coroner’s Office, and other outside agencies
Non-cold case assignments
Not seen as necessary/important
“WE HAVE A CRIMINAL JURY SYSTEM WHICH IS SUPERIOR TO ANY IN THE WORLD; AND ITS EFFICIENCY IS ONLY MARRED BY THE DIFFICULTY OF FINDING TWELVE MEN EVERY DAY WHO DON’T KNOW ANYTHING AND CAN’T READ”

…..Mark Twain