

**MANAGING THE  
INVESTIGATIVE UNIT**

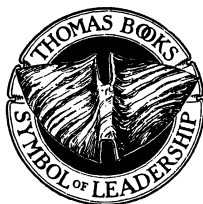


# MANAGING THE INVESTIGATIVE UNIT

*By*

**DANIEL S. McDEVITT, B.S., M.S.**

*Chief of Police  
Lansing, Illinois Police Department  
Lansing, Illinois*



**CHARLES C THOMAS • PUBLISHER, LTD.**  
*Springfield • Illinois • U.S.A.*

*Published and Distributed Throughout the World by*

CHARLES C THOMAS • PUBLISHER, LTD.  
2600 South First Street  
Springfield, Illinois 62704

This book is protected by copyright. No part of  
it may be reproduced in any manner without  
written permission from the publisher.

© 2005 by CHARLES C THOMAS • PUBLISHER, LTD.

ISBN 0-398-07568-9 (hard)  
ISBN 0-398-07569-7 (paper)

Library of Congress Catalog Card Number: 2004062031

*With THOMAS BOOKS careful attention is given to all details of manufacturing and design. It is the Publisher's desire to present books that are satisfactory as to their physical qualities and artistic possibilities and appropriate for their particular use. THOMAS BOOKS will be true to those laws of quality that assure a good name and good will.*

*Printed in the United States of America*  
*R-3*

**Library of Congress Cataloging-in-Publication Data**

McDevitt, Daniel S.

Managing the investigative unit / by Daniel S. McDevitt.

p. cm.

Includes index.

ISBN 0-398-07568-9 — ISBN 0-398-07569-7 (pbk.)

1. Criminal investigation. 2. Crime scene searches. 3. Police training.

I. Title.

HV8073.M333 2005

363.25'068—dc22

2004062031

## PREFACE

The purpose of this book is to provide you, the investigative manager, with some of the tools and techniques necessary to successfully manage the investigative unit. Hopefully this is more than merely an exercise in the theoretical, as you will also be provided with several procedures and forms that can be adapted for your own agency. Before we get to those, however, you must understand the mind-set of the police investigator. Investigators are very different from patrol officers, and this must be remembered when managing them or the process will not go smoothly.

Investigators, regardless of the size of the agency, seem to have some common traits:

1. They decide who gets to be one of them, regardless of who gets assigned to the unit by the department. Investigators have very strict mechanisms for entering their little corner of the world. Only the chosen few are allowed into their ranks, and acceptance by fellow investigators is not automatically granted.
2. Investigators have an esoteric knowledge (a sixth sense?) that goes beyond technical expertise and usually beyond that of patrol officers. Although all experienced cops have this esoteric knowledge to some degree, this knowledge and ability is honed to its sharpest form in the investigator.
3. Whereas all police officers have internal sanctions to govern their own, both of the formal and the informal variety, investigators have raised this concept to an art form. To watch a group of investigators apply their own sanctions to a fellow investigator who isn't carrying his or her own weight or who commits some other transgression is truly an interesting phenomenon.

In order to be an effective manager of investigators, you must recognize these traits and be prepared to address investigators who sometimes have a tendency to go overboard on any of them. This is particularly true for the newly assigned supervisor who has either no experience in an investigative assignment or a very limited investigative background. Many law enforcement agencies seem to believe that good managers can effectively manage anybody and try to prove their theory by cross-assigning patrol and investigative supervisory and management personnel, sometimes for no apparent reason. Too often, this can lead to heartache, headache, and ultimate failure for the cross-assigned supervisor or manager. There are many common threads to successful management, but assigning someone to manage an investigative unit with little or no investigative background often ends in disaster, poor morale, and poorly conducted investigations.

The role of the investigator is without question the most glamorous in the PD. Movies and television programs about police demonstrate that the majority are about investigators instead of patrol officers. The reason is that the job of the investigator just *seems* to be more interesting and somehow sexier than the role of the patrol officer.

The investigator is portrayed in movies, books, and TV as a meticulous and tireless gatherer of evidence that always leads to the arrest and conviction of the criminal. Another one of my favorite definitions of an investigator is “a super cop, who is a bit unorthodox, normally at odds with his superiors, and willing to bend the rules, he is embedded in a web of unsavory informants, still always able to keep his integrity in his unrelenting pursuit of crime and the master criminal.” Whenever I hear this one, I imagine the theme from the 1950s series *Superman* playing in the background with an investigator standing in front of an American flag wearing a cape (of course) blowing in the breeze. Unfortunately, a lot of the public, and even some patrol officers, believe this nonsense.

In order to effectively manage investigators, you must first consider what it is that investigators *actually do everyday*—that is to say, the role of the investigator. The true role of the investigator is basically found in what I call the “shoe leather” approach to solving crimes. In reality, the role of the investigator is not glamorous at all. What investigators actually do is to complete (and sometimes repeat) a series of methodical, plodding, and often very boring tasks. Hours and hours of (often seemingly pointless) surveillances and countless interviews

are the routine, not the exception. The investigator spends a great deal of time making endless (and sometimes frustrating) attempts to control uncontrollable witnesses, some of whom need constant placating or even babysitting. The investigator spends long periods of time preparing very detailed reports that the defense counsel will use every trick at their disposal to decimate in court. Unlike most patrol personnel, the investigator's schedule is not confined to an 8-hour-a-day shift. To the contrary, call-outs, extra hours, and missed holidays, family gatherings, and other social events are the rule rather than the exception.

Some would say the real difference between patrol officers and investigators is that patrol officers merely *think* that they know everything whereas investigators, on the other hand, are *absolutely certain* that they know everything and equally as certain that patrol officers know nothing. Although that's meant to be humorous, most investigative unit managers with whom I am familiar would agree that there is a little ring of truth hiding in that sarcasm.

Managing the investigative unit can be an extremely rewarding part of any law enforcement professional's career, or it can be an absolute nightmare. The strategies and techniques you will read about in this book will help make the experience rewarding. It is worth noting that many of these techniques and strategies were learned through the "school of hard knocks," and many are the direct result of ideas that failed miserably. Rather than force you to learn some of these lessons the hard way as I did, this book is designed to help you develop the skills you need to hit the ground running and successfully manage your agency's investigative unit.

D. S. M.





## ACKNOWLEDGMENTS

The only thing that I ever wanted to do with my life was to be a cop. At age 7 I read a book from a series called the “All About” series. The title of the book was *All About G Men*, and from that day forward I knew what I wanted to be. After reading the book and making my career decision, I actually wrote a letter about becoming a “G-Man” to FBI Director J. Edgar Hoover, and he was gracious enough to reply.

As a kid growing up, my father was a firefighter, and the fire station and police station were next door to each other. I spent much of my somewhat sordid youth hanging out with cops and firemen, and the experiences had a lasting impact on me. (It was at this point that my sometimes perverse sense of humor began.) I started my law enforcement career in 1974, and am now in my thirty-first year. I have had the opportunity to live out my dream and do exactly what I wanted to do with my life, and for that I am very grateful.

There are so many people to thank for their impact on my life and law enforcement career that I hardly know where to begin. Obviously, I owe a debt that I will never be able to repay to the people who brought me into this world, my parents, the late Richard F. McDevitt Sr. (who passed away in 1998), and my little Italian mother, Beatrice A. (Chiaravalle) McDevitt. A good solid family background, sound work ethic, and respect for others was instilled in me by my mom and dad at an early age, and these things helped make me what I have become. I come from a very large family, and to my brothers, sisters, cousins, nieces and nephews, aunts, uncles, and in-laws, you have been my support group and have always been there for me through the good times and the not so good times. You are all exceptional people and I love you all very much.

To my fellow law enforcement professionals, I owe you much. I have always believed that cops are the absolute finest people that God

ever put on this earth, and I've had the privilege of working with some of the best, at all jurisdictional levels and with a variety of agencies. If I started naming them, this would become a dedication book rather than a page. They know who they are, and they know how I feel about them. For 31 years they have allowed me to be one of them, and that has been one of my life's greatest joys. We have worked together, risked our lives together, and hopefully together we have lived up to what we truly believe is the *sacred* oath of our profession.

I do want to thank a few people specifically: Major Chuck Doerr (Illinois State Police-Retired), Chief Mark W. Field, Wheaton, IL PD, Captain James P. Collier, (Illinois State Police-Retired), Chief David S. Palmer, Lynwood, IL PD, and my dear friend and former partner, Lieutenant Colonel Laurence P. Mulcrone (Illinois State Police-Retired). These men have shown me what being a law enforcement professional really means, and the honor of being their friend has meant a great deal to me.

I want to thank my children, my daughter Erika and my son Christopher, who taught me what the really important things in life are, and who have given me and their mother nothing but joy and pride throughout their lives. I would also like to thank my daughter and her husband Jason for giving me my first grandchild, Kylie Ann Hodac, born 10-08-03.

There is one person left to thank, without whom none of this would have been even remotely possible, and that is my wife Marilyn. She's been with me and an important part of my life since before I started my career, and she's been totally supportive of me throughout the entire career. Through the good times and the not so good times, she's always been there, encouraging me to be the best that I can be, and never allowing me to let myself down. There is no way on earth that I would have been able to accomplish what I've been fortunate enough to do if it weren't for her, and I will be forever grateful to God for putting her into my life.

So, that's it. I sincerely hope that you enjoy this book.

## CONTENTS

	<i>Page</i>
<i>Preface</i> .....	v
Chapter 1 — Criminal Investigations: The Basics .....	3
What is a Criminal Investigation?.....	3
The Investigative Process .....	5
Rand Study on Investigations .....	8
Chapter 2 — The Role of Patrol in the Investigative Process .....	12
Patrol Officers and Preliminary Investigations .....	12
Models for Using Patrol .....	14
Chapter 3 — Organizing the Investigative Unit.....	19
Specialized versus Nonspecialized .....	19
Allocation of Resources.....	23
Chapter 4 — Rank/Position/Status of Investigators .....	28
Permanent Rank .....	28
Pay Differentials.....	31
Duty Hours.....	32
Call-Out Status.....	33
Chapter 5 — Selecting Investigative Personnel .....	35
Desirable Qualities for Investigators .....	35
Investigator Selection Strategies.....	41
A Structured Selection Process.....	44
Chapter 6 — Developing New Investigators .....	51
Training .....	51

Probationary Period . . . . .	54
Temporary Investigative Assignments . . . . .	56
Rotational Programs . . . . .	58
Chapter 7 — Supervising Investigative Personnel . . . . .	62
A Different Management Style . . . . .	62
Making Investigators Accountable . . . . .	63
Span of Control . . . . .	65
Chapter 8 — Case Management . . . . .	67
Case Screening . . . . .	68
Case Assignment . . . . .	69
Case Reporting . . . . .	72
Using an Investigative Filing System . . . . .	75
Securing Investigative Information . . . . .	78
Investigative Planning . . . . .	79
Case Review . . . . .	79
Case Status . . . . .	85
Chapter 9 — Managing Confidential Source Programs . . . . .	87
Basic Information on Confidential Sources . . . . .	88
Where Do Confidential Sources Come From? . . . . .	93
Deterrents to Cooperation . . . . .	98
Determining Motivations . . . . .	101
Initial Debriefing & Beginning the Relationship . . . . .	108
Administrative Considerations Regarding Confidential Sources . . . . .	112
Special Circumstance Confidential Sources . . . . .	117
Confidential Source/Officer Understanding and Working Relationship . . . . .	119
Using C/S Information in Securing Search or Arrest Warrants . . . . .	123
Legal Considerations for C/S Utilization . . . . .	124
Chapter 10 — Supervision of Undercover Personnel and Raid and Arrest Planning . . . . .	128
Purposes for Undercover Operations . . . . .	128
Qualifications for the UC Officer . . . . .	130
Undercover Preparation . . . . .	131

Undercover Operational Planning . . . . .	133
Raid and Arrest Planning . . . . .	134
 Chapter 11 — Evaluating Performance of Investigative Personnel . . . . .	136
Common Errors During Evaluations . . . . .	137
The Evaluation Process . . . . .	137
Designing a Customized Evaluation Instrument. . . . .	139
 Chapter 12 — Managing Marginal Performers . . . . .	143
What is a Marginal Performer?. . . . .	143
Understanding Levels of Performance . . . . .	144
How to Address the Marginal Performer . . . . .	146
 <i>Conclusion</i> . . . . .	149
 <i>Discussion Questions</i> . . . . .	151
 Appendices	
<i>Appendix 1: Investigative Responsibilities</i> . . . . .	157
<i>Appendix 2: Investigative Time Allocation Report</i> . . . . .	160
<i>Appendix 3: Investigator Selection Process</i> . . . . .	161
<i>Appendix 4: Investigator Application</i> . . . . .	164
<i>Appendix 5: Interview Questions and Score Sheet</i> . . . . .	168
<i>Appendix 6: Case Screening Form</i> . . . . .	170
<i>Appendix 7: Victim Follow-Up Letter (Case Assigned)</i> . . . . .	172
<i>Appendix 8: Victim Follow-Up Letter (No Case Assigned)</i> . . . . .	173
<i>Appendix 9: Investigative Summary Report</i> . . . . .	174
<i>Appendix 10: Investigative Plan</i> . . . . .	175
<i>Appendix 11: Case Review Form</i> . . . . .	176
<i>Appendix 12: Computerized Case Review Form</i> . . . . .	177
<i>Appendix 13: C/S Referral Form</i> . . . . .	178
<i>Appendix 14: C/S Registration Form</i> . . . . .	179
<i>Appendix 15: C/S Fund and Payment Policy</i> . . . . .	180
<i>Appendix 16: Operational Plan</i> . . . . .	187
<i>Appendix 17: Room Configuration–Evaluation Design</i> . . . . .	191
 <i>Index</i> . . . . .	193
 <i>About the Author</i> . . . . .	195



**MANAGING THE  
INVESTIGATIVE UNIT**





## Chapter 1

### CRIMINAL INVESTIGATIONS: THE BASICS

To manage an investigative unit, you must first have a clear understanding of what encompasses a criminal investigation, including both primary and secondary goals. This is particularly critical for the investigative manager who is not an experienced investigator. When you understand the basics, you can begin the process of managing.

#### WHAT IS A CRIMINAL INVESTIGATION?

The term criminal investigation means different things to different people. For the purposes of this chapter and this book, a criminal investigation consists of police activity directed at two things:

1. Apprehension of criminals by gathering evidence leading to their arrest
2. Collection and presentation of evidence and testimony resulting in conviction of the perpetrator.

The basic goals of the investigative unit in any criminal investigation are fairly straightforward. They are to identify, apprehend, and convict the perpetrator. There are secondary goals as well that the manager of the investigative unit should never overlook:

- **Clearing additional crimes**—Many offenders such as burglars, bad check passers, and auto thieves are usually very prolific. They generally don't stop committing their criminal specialties until they are forced to. This is probably because these types of criminals are often very successful until they are caught. When one

becomes very adept at committing a certain type of crime that's profitable, why stop?

- **Recovering stolen property**—I've often heard both patrol officers and investigators state that they sometimes feel they work for insurance companies, simply taking reports for stolen property so that a claim can be filed by the victim. Often stolen property is never found. However, on some occasions, proceeds are recovered and the victim gets the benefit of having his or her property returned.
- **Preventing additional crimes**—This takes place in a variety of ways. When a very prolific and active criminal is arrested, many additional crimes are probably prevented. Even if an offender is not arrested, the mere fact that they have been identified might cause them to refrain from committing additional crimes.
- **Gathering intelligence information**—Unfortunately, this is probably one of the most overlooked, albeit one of the most important, secondary goals. Gathering intelligence information is something that should not only be written into the job description, it should be practiced every day by every member of the department. Each and every time an investigator works an investigation he or she should consider the intelligence information that could be gathered that could help with other or future investigations.

Intelligence information is something that is often misunderstood. The best definition I've heard came from an instructor in one of the first military intelligence courses I ever took. He said that "the art of intelligence is gathering seemingly unrelated bits and pieces of information which are then collected, collated, studied, and analyzed in an effort to provide direction for future decision making." Intelligence information is like gold: It's great to have and the more you have the more you should want. Investigators who fail to consider this one of their secondary goals are missing out on an opportunity to make their jobs more effective, easier, and much more enjoyable. Collecting and properly utilizing intelligence information allows investigators to approach their investigations with the greatest chance of success. Gathering intelligence may be as simple as researching all reports, field interview cards, traffic stops, or any other document where a suspect might be named or included. Although

most of the information might not amount to anything or provide any worthwhile direction, there is the chance that one little bit of the information might lead to solving the case.

- **Training patrol personnel**—This is also one of the most overlooked, albeit one of the most important, secondary goals. Some of the more common complaints include report writing, witness handling, crime scene and/or evidence management, and poorly conducted preliminary investigations. These things all have something in common if you stop to think about them. If these things aren't done correctly, the job of the follow-up investigator becomes much more difficult.

Rather than continuing to complain about the deficiencies, what about doing something about it? How about assigning an investigator to take samples of well-written witness statements to roll calls and discuss them with patrol officers and their supervisors? In addition, how are patrol officers supposed to learn the latest M.O.s of criminals if nobody teaches them? Why not present photos of the latest methods of secreting drugs in vehicles, or the newest methods in retagging stolen autos, or the latest twists in identity theft, or a variety of other items that patrol officers encounter on a daily basis? Not only is this a golden opportunity to teach them something useful, it can go a long way in improving investigator/patrol officer relationships.

## THE INVESTIGATIVE PROCESS

A criminal investigation is a process. The importance of viewing it as such, rather than as a single event, cannot be overstated. Some investigative managers see their responsibility as merely assigning cases and forgetting them until they're concluded. Nothing could be farther from the truth. Every element in the process is critical not only to the success of the individual investigation but also to the overall success of the investigative unit.

The process begins when the police become aware of the offense and ends with the presentation of the completed investigation to prosecutors or some other administrative closing. The means by which the police become aware of the offense will either be proactively or reactively. *Proactively* would include self-initiated investiga-