

10 Mistakes at Death Investigation Crime Scenes

Due to the very nature of sudden and/or violent deaths, many things can and do go wrong in the first few hours after discovery. Death scenes have a way of bringing together many individuals with various responsibilities and experience. This unique group can consist of uniformed officers, detectives, crime scene investigators, forensic experts, coroner investigators, medical examiner investigators, as well as prosecutors and police administrative staff.

These scenes may also have fire and EMS staff or other agencies trying to do their jobs, not to mention families and onlookers. Because of this often-chaotic scene, errors can happen. Let's look at the ten most common mistakes of a death investigation.

1. Improper Response and Arrival to the Scene

First, responding officers may not correctly respond to and secure the scene and the immediate surrounding area. Uniformed officers may not stop or detain people leaving or milling around the scene. Further, while waiting for investigation and CSI teams to arrive, it's not uncommon for first responding officers to gather too close to, or directly in the crime scene, inadvertently contaminating evidence.

Here are a few other examples of errors from first responding officers. Failure to notify investigators soon enough, or at all; assuming the cause of death is a suicide or is natural, eliminating the need to treat the scene as a crime scene; failure to detain all persons present at the scene, which might include the suspect; or they may fail to separate possible witnesses and obtain initial statements. Also, failing to make an initial determination of the scene boundaries leads to an insufficient area of protection.

2. Failing to protect the Crime Scene

In all death investigations, but even more so in a homicide investigation, crime scene contamination can be and is a significant problem. No other aspect of these investigations is more open to mistakes than the preservation and protection of the scene and subsequent evidence.

Paramount to any investigation is ensuring by the first officers on the scene to isolate, protect and maintain scene integrity as the investigation follows its standard path. This includes the monitoring of paramedics and EMS personnel in the scene as well as identifying them for a future interview. Officers must also watch family members or others in the area to ensure they are not contaminating the scene. After a perimeter is established and is locked down, officers should start a log of everyone entering and leaving the vicinity and the reason why they are there. Also, officers should be observing and taking notes of activities occurring in and around the scene.

3. Not Handling Suspicious Deaths and Homicides

All unattended death should be looked at and treated as suspicious, and an experienced officer/investigator should go to the scene. These deaths should be treated as homicides and crime scenes until the facts prove otherwise. Too many departments allow untrained patrol officers to conduct basic death investigation with the assumption of suicide or natural death and with the idea that it is unlikely to be a homicide. Without training, officers could likely miss-interpret a staged or altered scene.

If the scene is not handled correctly from the beginning and is later found to be a homicide, valuable evidence can be lost, and the integrity of the scene is compromised at best and at worst, non-existent.

4. Responding with a Preconceived Notion

It is imperative that investigators not allow themselves to respond to a death scene with any preconceived conclusion about the case. It's common for investigators to get sent to a scene and given information based on the initial call. If the call came in as a suicide and the initial officer who responds arrives with the mindset of suicide, it is common to treat the death as a suicide and thus shortcut any other investigation. It looks like a suicide, so it must be a suicide, and no other investigation is conducted.

This type of preconceived investigation results in fewer photographs being taken, witness statements not being completed, evidence not being searched for or collected, and the integrity of the scene is destroyed.

It's not only suicide this can happen on, but reported natural deaths and accidents can also inadvertently be short cut if responding officers conclude their investigation based upon the initial reported call. If then, at a later time, the death becomes suspicious, the officer's reports and any investigative documentation will be lacking valuable information needed for future investigations. The tendency is for the uniformed officer to write the final report and collect the evidence necessary to fit the narrative given to him by the initial call.

5. Failing to Take Sufficient Photographs

In today's world of digital photography, photos are cheap and easy to obtain. Back when I started in this business, we used Polaroid™ instant photography and 35mm film cameras. These were expensive, and some departments wanted to limit “unnecessary” photographs in an attempt to stretch the budget. That's not the case today since hundreds of photographs can be taken and stored nearly free of charge.

Photos are a way to document the scene and to freeze that scene in time. They are used in court when necessary and may prove or disprove a fact in question. Therefore, it is vital that photographs be taken of the entire scene, area, and location where the crime took place, including any sites connected to the original crime. Remember, you only get one chance at your first chance to document a scene.

6. Failing to Manage the Crime Scene Process

The investigator in charge should oversee the investigation and scene documentation. He or she should ensure proper chain of custody and documentation of evidence. They are in charge of maintaining scene integrity. Never allow officers to use the restroom within the residence, or take food or drink from the kitchen. Never allow smoking in the investigative area, never bring food or drink into the scene from an outside source, and always keep non-essential personnel out of the scene area. Designate an area for them to congregate if needed, but it should never be inside your primary scene area.

Lead investigators must also direct crime scene personnel on where and what they are to collect. Many CSI staff are well trained and have a good idea of what needs to be done. However, since each scene is unique, the investigator in charge must ensure evidence is adequately searched for and collected.

The victim's body should always be inspected and searched for trace evidence prior to being moved or taken from the scene. Not doing so can result in loss of valuable evidence and leave many unanswered questions.

Also, and I cannot stress this enough, do not allow anyone to cover the body with anything found at or near the scene! I've arrived on death scenes to find victims covered with blankets officers found on beds, sheets from nearby laundry baskets or coats covering victims' faces to preserve their dignity. If the body is found outdoors, barriers should be used. Using anything to "add" to and subsequently alter the initial crime scene is always harmful to the investigation. Don't do it and don't allow it.

Always stop and look around the scene; look up as much as around. See what is missing or what isn't. What looks right about the scene, and what looks wrong? Is what you are seeing matching what you are being told? Never leave a scene until you are confident every answer to any question you may have has been answered or documented. Remember, this is your only first chance.

7. Failing to Evaluate Victimology

Victimology is the collection and assessment of any significant information as it pertains to the victim and his or her lifestyle. It is imperative that investigators know the victim and that they complete a victimology study. You cannot properly investigate a death without victimology. Failing to have a complete picture of the victim will preclude you from developing motives, suspects, and risk factors unique to the victim. These risk factors are usually regarded as high, moderate, or low and based on lifestyle, living conditions, job skills, neighborhood, or anything specific to the victim.

This information includes areas such as personality, employment, education, friends, habits, hobbies, marital status, relationships, dating history, sexuality, reputation, criminal record, drug and/or alcohol use, and physical condition as well as facts about the area they grew up in and if different, the one they resided in at the time of their death.

Ultimately you need to find out, in great detail, who the victim was and what was going on at the time of their death. The best source of information will be friends, family, employers, and neighbors. Your goal is to get to know the victim even better than they knew themselves.

8. Failing to Conduct and Efficient Area Canvass Properly

First, understand the terms “area canvass” and “neighborhood canvass” may be used interchangeably. They are interviews conducted in the field, as opposed to statements taken on the scene or in the station. I will admit that conducting an area canvass can be tedious and very time-consuming. Sometimes, hundreds of contacts can be made without unveiling one shred of usable information. However, it is that one exhilarating jewel that is occasionally discovered that makes the process so rewarding.

There are right and wrong ways to conduct an area canvass that will yield better results for the efforts put out.

Ideally, patrol personnel and plainclothes detectives should perform separate canvasses. Some individuals respond more readily to an authority figure in a uniform, while others prefer the anonymity of the detective’s plain clothes. Since it is impossible to know who will respond more willingly to either approach, both should be employed. This technique will give the investigator the greatest chance of getting vital information.

The canvass may be conducted in an area near the crime scene or, conceivably, hundreds of miles away from it. In the aftermath of a bank robbery, for example, the getaway vehicle may be located several counties, or even states, away. Two canvasses should, therefore, be undertaken: one at the original crime scene (the bank) and one at the secondary scene (the vehicle). If a suspect is developed, it may be advisable to perform an additional area canvass in the neighborhood where that person resides to learn about his/her reputation and habits. A complex case may require that a number of area canvasses are completed at various locations.

The primary goal of a neighborhood canvass is, of course, to locate a witness to the crime. It is this promise of the elusive witness that motivates the investigator. However, it is not only the “eye” witness you seek. On occasion, it may be just as significant to discover an “ear witness.” Someone who may have heard a threatening remark heard gunshots or even heard how and in which direction the perpetrator fled.

This information can point the case in the right direction. A witness who hears a homicide subject flee in a vehicle with a loud muffler, for example, could be furnishing a valuable lead. Likewise, intimidating or threatening statements the

witness may have overheard could refute a subsequent claim of self-defense. In an officer-involved shooting incident, a witness who hears the officer yell “stop, police!” or “drop the gun!” is invaluable to the investigation. Just as crucial as the eye-witness or the ear-witness is the “witness-who-knows-a-witness.” Even though this person may not have first-hand knowledge of the crime, he or she can direct investigators to a person who does and is, therefore, of great value.

9. Failing to Work Together as a Team

As with any crime scene, cooperation is critical among differing agencies. But with a death scene, this cooperation is ever more important and ever more strained. Due to the increased severity of the scene, the spotlight, and egos, these scenes can become a disaster quickly. Therefore teamwork is vital, and it is the lead investigators role to set a tone of cooperation and teamwork.

One of the most significant issues in a major case is the failure to communicate information to those working the case. Some agencies seem to want to keep what they know to themselves. This primarily occurs from egos and “turf wars,” which will compromise an effective outcome. Everyone involved in the investigation has information gathered from the jobs they were assigned and a lack of communication or an unwillingness to share information discovered for evaluation can prevent the entire team from finding the truth and bringing the case to a conclusion. It’s imperative to remember that the cases you work aren’t about you, but are for the victim, the family and, at times the protection of society.

A baseball game is won when everyone playing does his or her job and supports every other player in getting their job done. Imagine the bottom of the 9th, the game is tied and the next ball’s hit to the pitcher who misses but scoops it up, sits down, and refuses to throw or let anyone else take the baseball from them. The pitcher did their job and pitched, but the refusal to share the “scoop” with their teammates resulted in a complete failure for everyone.

10. Command and Administrative Staff Interfering

One of the most frustrating mistakes at a death scene investigation is when command staff show up on the scene with their own agendas which have nothing to do with the actual investigation. Sometimes it’s for political appearance or simple curiosity. But unless they are an actual part of the investigative team, they should not insert themselves into the investigation.

In many instances, because they're at the scene, command ranking personnel feel the need to direct the investigation. Consequently, they will have investigators running in different directions which have nothing to do with the primary investigation. The result is the loss of cohesive and central command and major miscommunication. Many times, in these situations no one is willing to step up, make decisions and take control for fear of making the boss mad. The chaos continues and the investigation is compromised, and when the outcome is delayed or not favorable, the command personnel directly responsible for the chaos will not see that they were the cause, but rather, the blame may fall on the lead investigator.

Conclusion

Death investigations are not always simple step by step cutouts. They require real attention and specific actions to protect the investigation integrity. Many of the mistakes mentioned here are from shortcutting and not taking seriously the gravity of the scene you are working. Our job as death investigators, regardless of what function that is, is to get the truth for the victim and bring justice to anyone responsible for their death, if in fact, anyone is responsible. Developing and following strict procedures at every death scene will ensure that investigations are worked properly, and evidence is not missed.