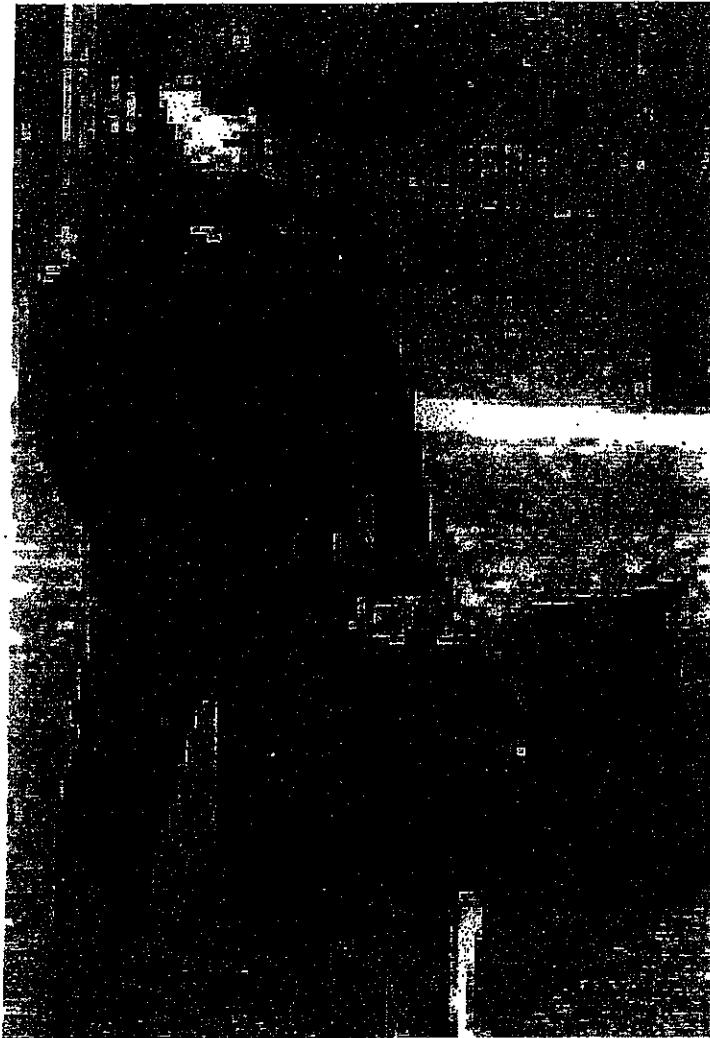


CRIMINAL JUSTICE
POLICING



NAME _____ PER _____

VOCABULARY

CompStat

response time

solvability factor


chain of command

police subculture

exclusionary rule

good-faith exception

probable cause

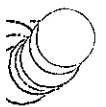


plain view

interrogation

internal affairs

civil liability



racial profiling



History of Law Enforcement



Function of the Police Department

Basically the police department:

A)

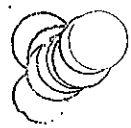
B)

C)

Historical Development

Early Times

In early times (BC), tribes banded together to protect themselves. Codes were developed and informal codes of conduct became the norm. These codes were not written laws. Later the chief of the tribe appointed members to enforce the codes. If a code was broken the injured party had the responsibility to deal with the offender. Justice was usually harsh, usually by stoning, branding, and even mutilation.



The results of this often led to feuds among the family. To end this blood feud, the concept of civil restitution became popular.

2111 BC – Codified customs appeared. It was called the Code of Hammurabi. Penalties were attached to criminal acts (“An eye for an eye”).

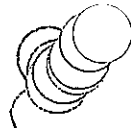
27 BC – Rome established a unit of men known as *vigiles*. These men were assigned precincts as their job was to patrol the area, as well as fight fires. These vigils were armed and considered the *FIRST MUNICIPAL LAW ENFORCEMENT UNIT*.

It was around this time that the Chinese developed *fingerprinting* as a means of identification.

England

The *Hue and Cry* system was developed. It required every able bodied man to join and chase offenders.

King Henry I established Felonies and Misdemeanors. Crimes were no longer committed against the person, instead it was against the state. King Henry II established the *Grand Jury* and began raising taxes to pay for police.



1829 - the *Peelian Reform* was introduced to police in England. This reform introduced the model for the modern police system. It stated:

The police must:

- Be organized along military lines
- Be under government control
- Have perfect command of temper
- Have good appearance, as it commands respect
- Undergo training, as it is the root of efficiency
- Have an ID number
- Have centrally located headquarters
- Be hired on a probationary basis
- Keep a written system of records

1901 - *Fingerprinting* becomes an established practice.

United States & Long Island

The U.S. adopted the way of the English. The police wore copper badges (as opposed to silver), hence the name coppers or cops.

1693 -

1801 -

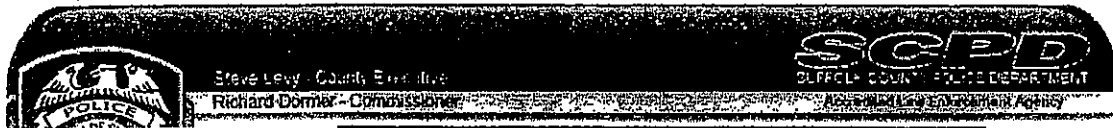
1844 -

Early 1900s -

1917 -

1925 -

1960 -



- Amber Alerts
- Organization
- Precincts
- Specialized Units
- Information
- Forms & Reports
- Reporting Lost Property
- Crime Stoppers
- Phone Directory
- Directions
- Frequently Asked Questions
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The Next Police Exam is Tentatively Scheduled for the Spring of 2011
 Civil Service Police Exam-Frequently Asked Questions--
 MILITARY QUESTIONS
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 Police Exam Application Request



SALARY & BENEFITS

SALARY

2007 starting base salary for a Police Officer is \$57,811. With five (5) years of service, the base salary is \$97,958*. These figures do not include paid benefits.

Three (3) paid personal days first year of service, increasing to five (5) days after three (3) years of service.

Night shift payments.

BENEFITS

Full salary and benefits during entire training period.

All officers receive thirteen (13) paid holidays.

Paid family dental, optical and medical plans.

All uniforms and equipment are supplied by the Department. A yearly uniform cleaning allotment is provided to each officer.

Longevity pay increments begin after five (5) years of service.

Non-contributory pension plan. Members are eligible for retirement after twenty (20) years of service at 50% of three (3) year final average salary. Vested retirement plan after five (5) years.

Fifteen (15) paid vacation days first year of service, increasing to twenty-seven (27) days after five (5) years of service.

Promotions to the ranks of Sergeant, Lieutenant and Captain are through competitive Civil Service Examination. Positions above the rank of Captain are appointed by the Commissioner of Police.

Thirteen (13) sick leave days first year of service, increasing to twenty-six (26) days after the first three (3) years of service. Unused sick leave days are cumulative.

* Under 2007 labor agreement

MINIMUM REQUIREMENTS

Age

Minimum age, 19 years on the date of the written test. Age 20 prior to appointment. Maximum age, 34 years on date of the written test (active military duty up to six years deducted from age).

License Requirement

Possession of a valid New York State operator's or chauffeur's license at the time of appointment.

Education

Graduation from a standard senior high school or possession of a high school equivalency diploma recognized by the New York State Department of Education, by the date of appointment.

Written Examination

Candidates who attain a passing grade may be called for the following qualifying tests and evaluations: Medical, Psychological, Education Physical Fitness Screening.

Citizenship

Candidate must be a NY State resident and a US citizen at time of appointment.

An equal opportunity employer

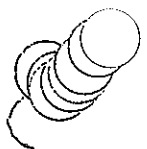
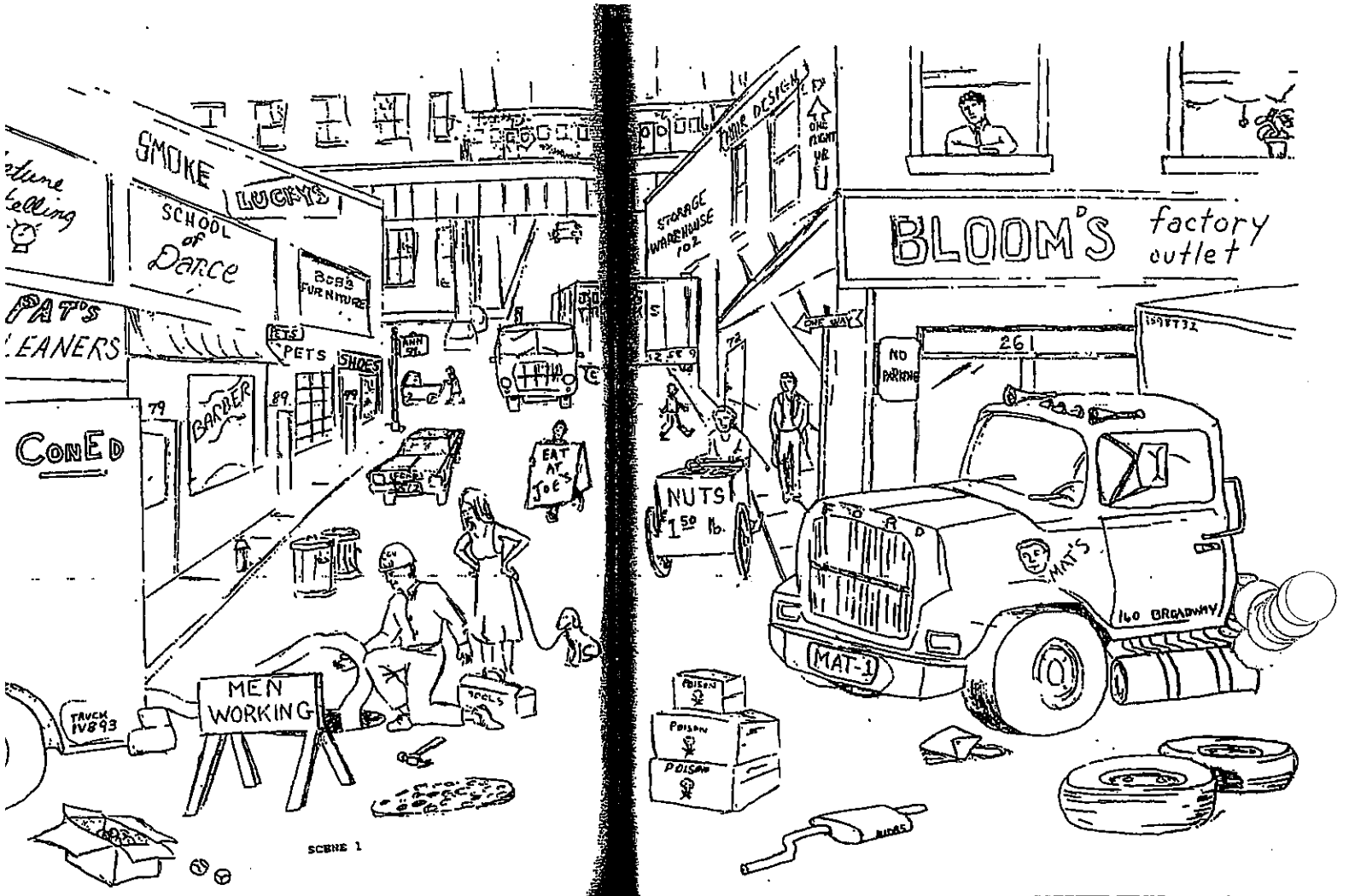


SCPD PHYSICAL FITNESS TEST

TEST - MALE			
AGE	SIT-UP	PUSH-UP	1.5 MILE RUN
20 - 29	38	29	12:29
30 - 39	35	24	12:53
40 - 49	29	18	13:50
TEST - FEMALE			
20 - 29	32	15	15:05
30 - 39	25	11	15:56
40 - 49	20	9	17:11

1. Do you agree that testing requirements should be different based on a candidate's age?
2. Do you agree that testing requirements should be different based on a candidate's gender?
3. Do you think that police officers should have periodical physical testing throughout their years on the force?

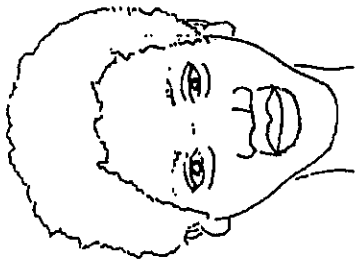
WRITTEN EXAMINATION (Sample Questions)



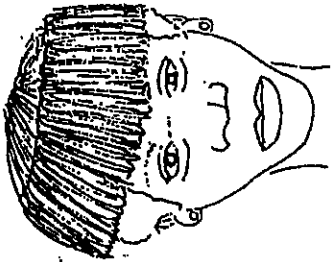
Answer questions 1 through 7 solely on the basis of sketch number 1.

1. What is the license plate number of the truck parked in front of Bloom's Factory Outlet?
(A) 512-Aut (B) MAT-1 (C) PAT-1 (D) MIDAS-1.
2. What is the address of the pet shop outlet?
(A) 79 Ann Street (C) 99 Ann Street
(B) 89 Ann Street (D) 109 Ann Street.
3. The person with the sign is
(A) walking toward the woman with the dog
(B) walking toward the truck partially parked in the warehouse
(C) walking toward the woman with the carriage
(D) walking toward the train.
4. There is a picture of a man's face
(A) on the train
(B) on the nut cart
(C) in the window of the pet store
(D) on the truck in front of Bloom's Factory Outlet.
5. The Con Ed man is
(A) driving the truck
(B) talking to the man crossing the street
(C) carrying boxes
(D) handling a hose near a manhole.
6. What school is located above the Barber Shop?
(A) A dance school (C) A boxing school
(B) A typing school (D) A karate school.
7. How many people are in the scene?
(A) 6 (B) 7 (C) 8 (D) 9.

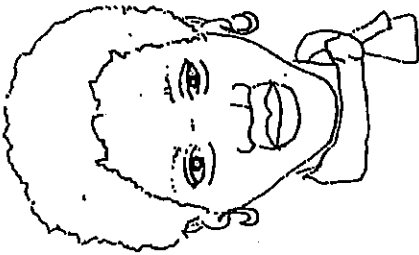
Answer questions 133 through 140 on the basis of the following sketches. The first face, on the left, is a sketch of an alleged criminal based on witnesses' descriptions at the crime scene. One of the four sketches to the right is the way the suspect looked after changing appearance. Assume that NO surgery has been done on the suspect. Select the face which is most likely that of the suspect.



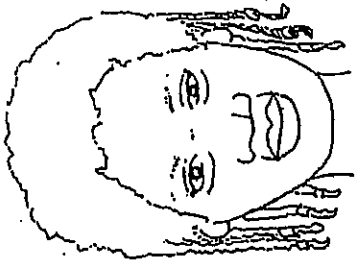
133



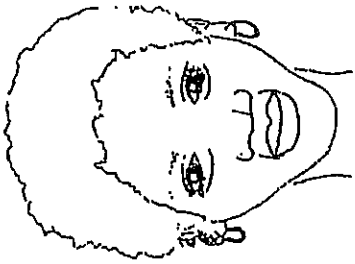
(A)



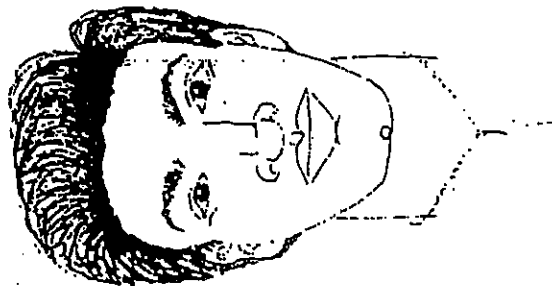
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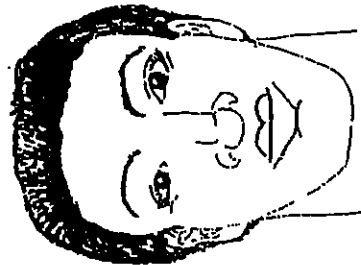
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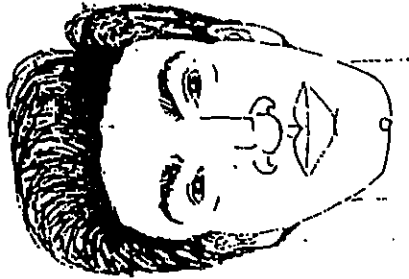
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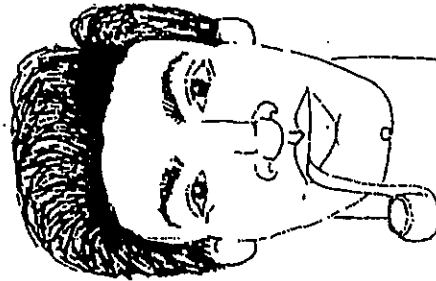
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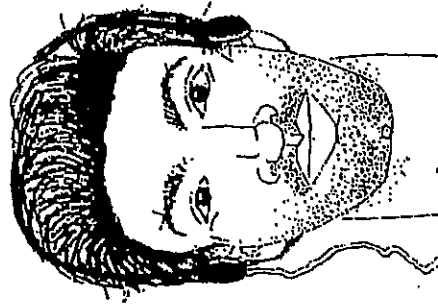
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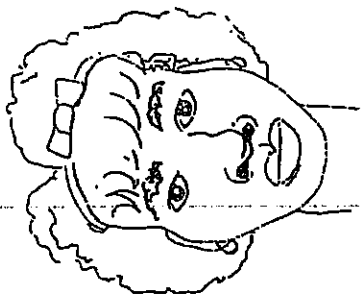
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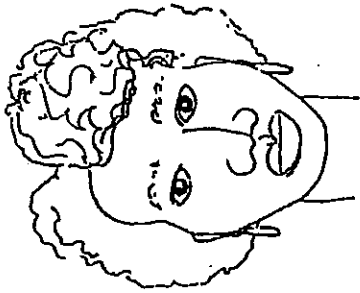
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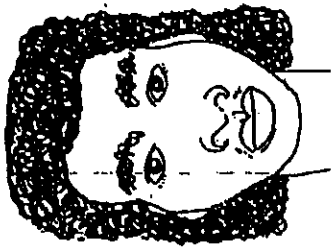
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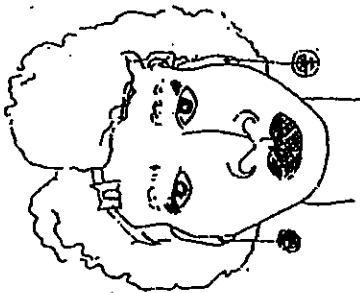
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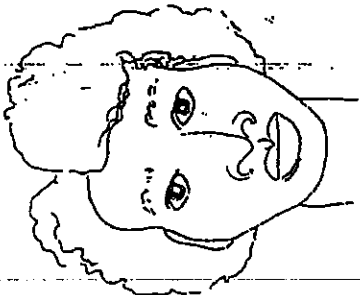
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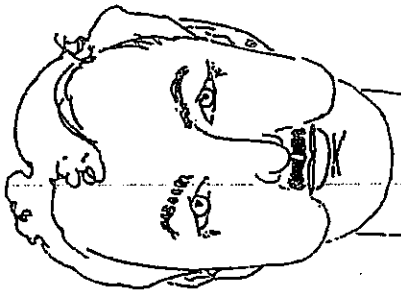
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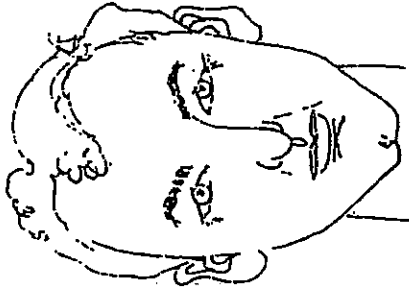
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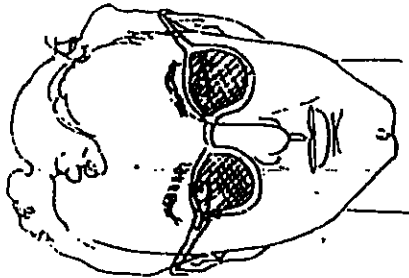
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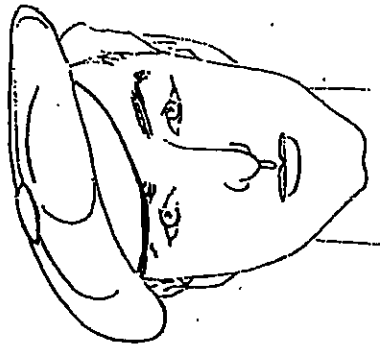
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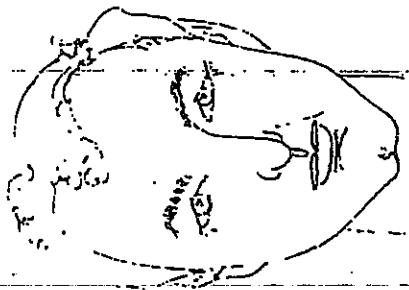
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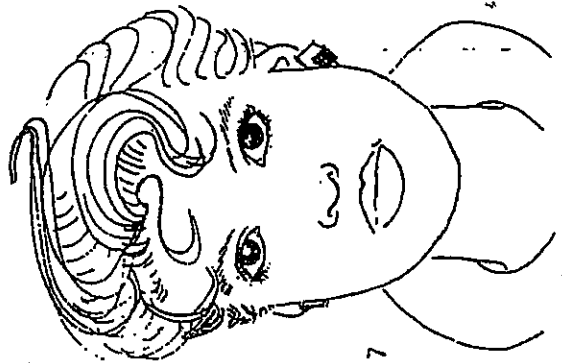
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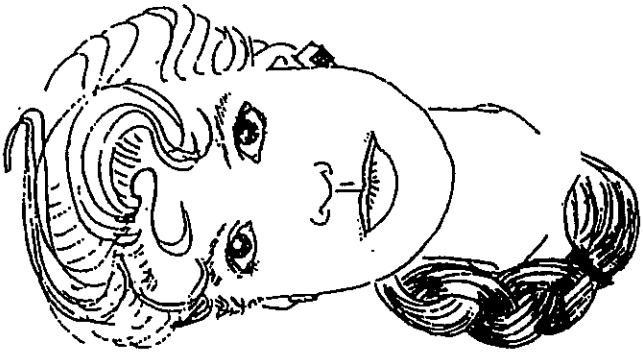
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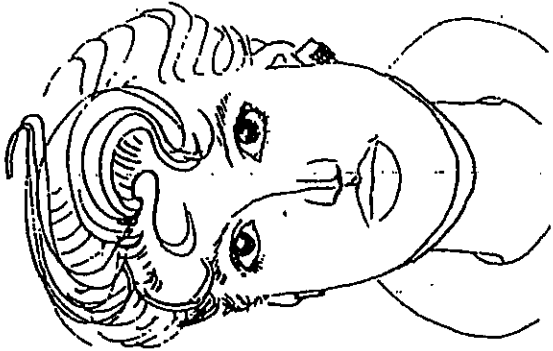
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137



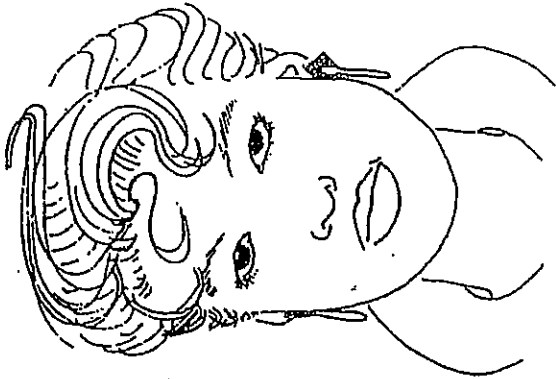
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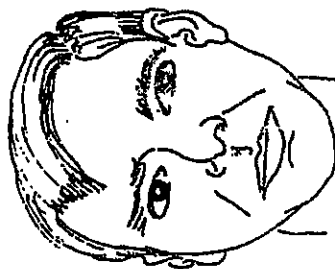
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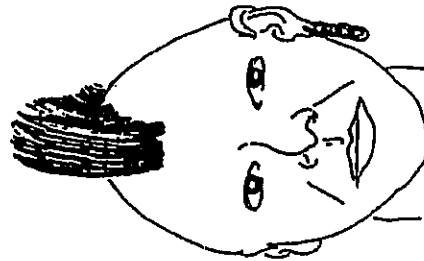
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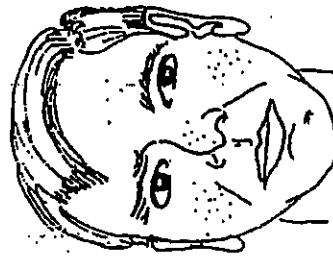
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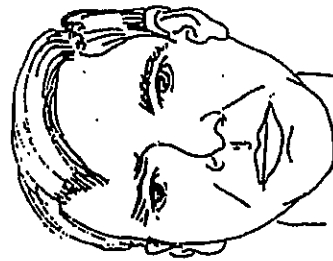
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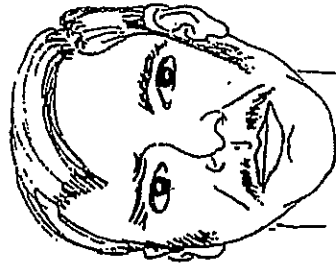
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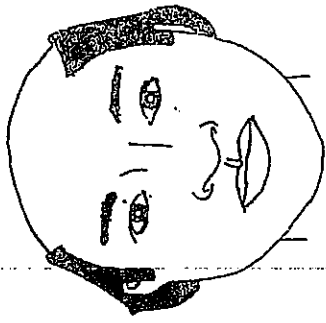
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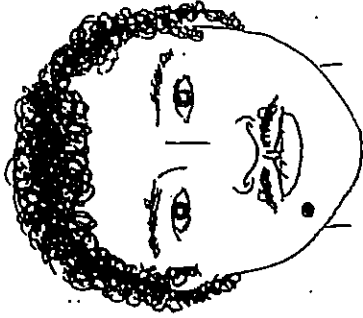
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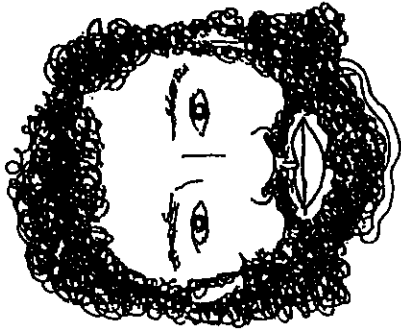
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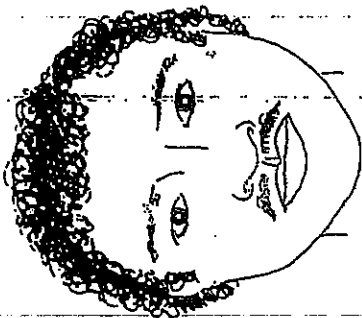
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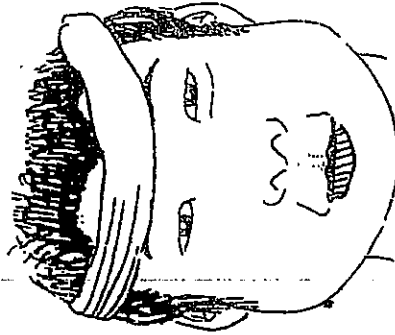
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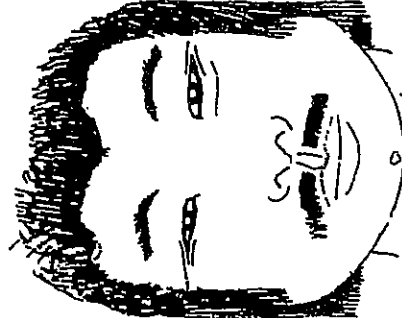
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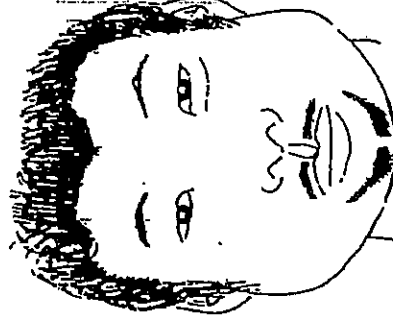
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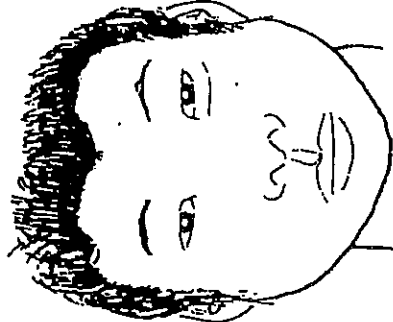
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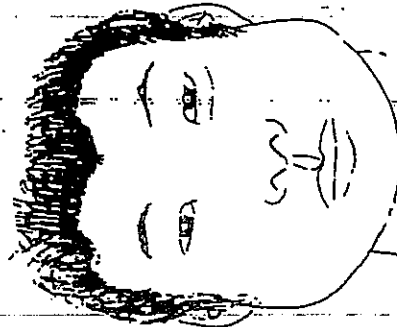
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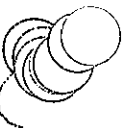
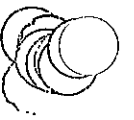
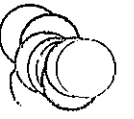
(B)



(A)



140






The Patrol Function


Regardless of style of policing, uniformed patrol officers are the backbone of the police department, usually accounting for about two-thirds of a department's personnel. Patrol officers are the most highly visible components of the entire criminal justice system. They are charged with supervising specific areas of their jurisdiction, called beats, whether in a patrol car, or by motorcycle, horse, helicopter, or even boat. Each beat, or patrol area, is covered 24 hours a day by different shifts. The major purposes of patrol are to:

-
-
-
-
-
-
-




Patrol officers' responsibilities are immense; they may suddenly be faced with an angry mob, an armed felon, or a suicidal teenager and be forced to make split-second decisions on what action to take. At the same time, they must be sensitive to the needs of citizens who are often of diverse racial and ethnic backgrounds.

Questions

1. In your opinion is a large, visible police patrol a successful crime deterrent?
 2. Do you believe that strong action on "lifestyle crimes", such as loitering and panhandling, as well as more active enforcement of minor regulations, such as disorderly conduct and traffic laws, can help reduce the overall crime rate of an area?
 3. How aggressive should police officers be in cracking down on crime?
- 

Zero Tolerance: Aggressive Policing in New York City



During the 1990s, New York City experienced a significant reduction in street crime. Much of the crime reduction has been attributed to a concerted effort by the New York Police Department (NYPD) to rid the city of seemingly minor lifestyle offenses such as prostitution, low-level drug dealing, and panhandling. City and law enforcement officials believe that dangerous criminals will be deterred if they get tough on these crimes and maintain a policy of zero tolerance toward any offense. Criminologist Judith Greene has explored whether the NYPD's zero tolerance approach is truly responsible for the rather impressive reduction in urban crime.


When Mayor Rudolph Giuliani took office in 1993, he promised to make New York City a safer place. One of Giuliani's first acts was to hire then Boston Police Chief William Bratton to run the NYPD. At the time of Bratton's appointment, many people thought that a significant crime reduction was impossible, believing that the NYPD was too big to manage effectively.

Bratton, however, brought a fresh approach to policing. He helped update the technology of the NYPD by creating the crime-mapping CompStat program, which put crime data into the hands of precinct commanders. Bratton held commanders accountable if crime problems were not taken care of in a timely fashion and replaced officers whose performances he deemed inadequate. Finally, Bratton increased the freedom of police officers to stop, search, and question those who had violated the law, even if infractions were not especially serious. Law enforcement officials believed that stopping and questioning a suspect on an unimportant law violation might turn up a weapon or lead to information about a more serious crime that was about to take place.

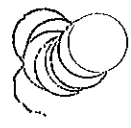
The numbers seemed to support the new police practices, as the city saw dramatic reductions in the numbers of murders, nonnegligent homicides, robberies, and burglaries from 1993 to 1997. New York also saw its place on the FBI Index fall from 87th in 1993 to 150th in 1997.

Although the numbers appear to support a zero tolerance approach, Greene reports that the city paid a heavy price for adopting an aggressive crime control strategy. Filings of civil rights complaints against the NYPD climbed 75 percent in four years after the zero tolerance strategy was introduced. By 1996, citizen complaints filed with New York's Civilian Complaint Review Board had risen by 60 percent. Complaints against the police in cases in which no arrests were made doubled within a year of implementation of the zero tolerance approach; most incidents occurred in minority neighborhoods. Amnesty International claimed that New York had problems with police brutality and the use of unjustifiable force.

The zero tolerance approach seemed to reduce crime in New York, but Greene points out that during the early 1990s, other urban areas achieved similar results using less aggressive police tactics. For example, the San Diego Police Department (SDPD) took a more community-oriented approach to crime prevention by adopting a Neighborhood Policing Philosophy. This model has law enforcement personnel work in conjunction with community organizations such as Neighborhood Watch programs to prevent and control crime. The SDPD works closely with citizens and businesses to try to bring about change in areas with chronic crime problems. Information sharing is the norm, and teams work with residents to find solutions to long-term problems.




The crime reduction results achieved by San Diego's Neighborhood Policing Philosophy are similar to those attained with New York City's heralded zero tolerance program. However, the results were achieved at less cost and with fewer negative consequences. New York's 37.4 percent drop in crime from 1990 to 1995 was bolstered by a 39.5 percent increase in personnel; San Diego's 36.8 percent crime rate drop during the same time period was accomplished with a 6.2 percent increase in staff. Perhaps even more important to the community, San Diego's crime rate decrease was accompanied by a decrease in the number of citizen complaints filed against the police.






Questions

1. Do you agree with the aggressive policing strategy used by the NYPD or the community-oriented approach used by the SDPD?



2. Would you want to live in a city with extremely aggressive police officers who routinely stop and frisk suspicious looking people and use their arrest power for every violation of the law, no matter how minor or petty?

3. If police become overly aggressive, are charges of minority harassment and racial profiling inevitable?



You Be the Judge: Justified Force?

The Facts:

Just after midnight, New York city police officers Sean, Ken, Rich, and Ed were riding through a high-crime area in an unmarked car when they saw African immigrant Amadou acting "suspiciously" in front of a building (which *turned out* to be his home). Sean and Ed, in street clothes, got out of the car and walked toward Amadou. They identified themselves as police officers and told Amadou to keep his hands where they could see them. *According to their testimony*, instead Amadou "darted into" the building then reached into his packet and produced a dark object. Sean shouted "gun!" and the four officers began firing at Amadou, who fell to the ground almost immediately. Sean walked up to the prone body and searched for the weapon, but found only a wallet in Amadou's hand. Sean tried to revive Amadou with CPR but he had already died of 19 bullet wounds.

The Law:

The Supreme Court has ruled that cases involving the use of police force should be decided by observing the circumstances surrounding the incident and then determining whether the police officer was "reasonable" in the use of Force. In other words, would a reasonable police officer in this officer's shoes have been justified in using force?

Your Decision:

Sean, Ken, Rich, and Ed have been charged with Amadou's murder. Are they guilty, or, under the circumstances, were they justified in firing at Amadou?

Write a response below --

Diallo

The Facts:

- 1999 - Amadou Diallo - West Africa
- Killed by 4 police officers in his building's vestibule
- Officers were in plain clothes
- Unarmed but held wallet in his hand
- Shot 41 Times
- Diallo's family filed a "wrongful death" suit against New York City
- They accepted a 3 million dollar agreement

Louima

The Facts:

- August 1997 - Disturbance outside a Brooklyn night club - Rendezvous
- Beaten in Patrol car
- Assaulted in 70th precinct bathroom - Held down by officer while other (Volpe) shoved a wooden stick into his rectum and mouth while his hands were tied behind his back
- 5 officers were charged with counts ranging from Conspiracy to deprive civil rights to obstruction of justice (witness tampering)
- Won a civil suit against the city for 9 million

The Difference:

A difference in tort

Tort -

Louima:

Diallo:

The Justice System

Louima:

All 5 Officers in the Louima case were charged criminally
Volpe got 30 years for deprivation of civil rights
Others got various lesser charges including 5 years for perjury

Diallo:

Bronx DA tried four officers
All officers were acquitted
Cannot prove any racial discrimination existed in their actions

Police Brutality

Let's Remember – the police are not above the law. The Rodney King case is one of the most infamous cases of alleged police brutality.

March 3, 1991

Rodney King, a 250-pound African-American male, was stopped by the police for speeding and driving an automobile while under the influence of alcohol. The police ordered him out of the vehicle and he refused. As the confrontation ensued, King charged at the officers. Four white Los Angeles police officers tried to subdue him with 50,000 volts from a stun gun. Police then kicked him and struck him 56 times with a nightstick to knock him down and keep him down when he kept trying to lift his head.

The officers were charged and indicted with the crime of assault (“Assault by force likely to produce great bodily injury”). Because of media publicity in Los Angeles, the defense successfully filed for a change of venue. Hence, the trial was moved to a state court in a primarily white and affluent suburb. At trial, the police officers argued that they had only used the force needed to get King under control so they could arrest him. King argued that they had used excessive force against him. The trial was held before a jury that consisted of ten White individuals, 1 Hispanic, and 1 Asian. Ultimately, this jury found the police officers not guilty. This acquittal led to the 1992 L.A. Riots.

QUESTIONS

1 A) What is your definition of excessive force?

1B) When is a police officer justified in using excessive force?

2) Do you feel that all police cars should be equipped with a video camera in an effort to monitor police actions?

Rodney King

The Rodney King case is one of the most infamous cases of alleged police brutality

The Facts:

- Glen Rodney King was pulled over in an automobile stop on March 3, 1991
- He was pulled over in Lake View Terrace, a residential neighborhood
- The police ordered him out of the vehicle and he refused
- He charged one of the officers and threw the others on their backs
- The officers tried twice to subdue him with 50,000 volts from a taser gun
 - The amount of voltage was substantial enough to subdue a full grown man
- King was not under the influence of any dulling drugs (PCP)
- Police then kicked him and struck him 56 times with nightsticks to knock him down and keep him down when he kept trying to lift his head
- There were two other African Americans in the automobile who complied with the officers and were not harmed

The Charges:

- 3 Officers were indicted on March 15th for "Assault by force likely to produce great bodily injury"
- Of the officers 3 were non-Hispanic whites, 1 was Hispanic

Indictment - A written statement charging a party with the commission of a crime or other offense, drawn up by a prosecuting attorney and found and presented by a grand jury.

Grand Jury - A jury of 12 to 23 persons convened in private session to evaluate accusations against persons charged with crime and to determine whether the evidence warrants a bill of indictment.

The Defense:

- Defense successfully filed for a change of venue (move trial)
- Moved out of LA to suburban Ventura County (Affluent Community)
 - Lower African American population
 - Increased number of residents associated with law enforcement
- The defense argued that the officers' actions were justified because King was dangerous and possibly on drugs
- The Jury consisted of 10 non - Hispanic whites, 1 Hispanic, and 1 Asian

The Aftermath:

- People felt that the beating was racially motivated and an example of police brutality
- The acquittal led to the 1992 LA Riots
- President G.H. Bush tried officers for violating King's Civil Rights
- Federal judges sentenced 2 LAPD to 30 months in prison
- Since 1991 King has been arrested several times for drug infractions, violence, and motoring offenses

Go to YouTube and look at the footage of "The Rodney King" arrest.

Formulate an opinion and be ready to discuss.

What do you think?

STOP AND FRISK



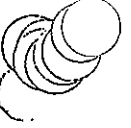
ILLINOIS v. WARDLOW (2000)

Facts – Defendant Wardlow was walking on the street in an area known for narcotics trafficking. When he made eye contact with a police officer riding in a marked police car, he ran away. The officer caught up with the defendant on the street, stopped him, and conducted a protective pat-down search for weapons. He said he did this because, in his experience, there were usually weapons in the vicinity of narcotics transactions. A handgun was discovered in the frisk, and defendant was convicted of unlawful use of a weapon by a felon.

Decision – The Supreme Court of Illinois ruled that the frisk violated case law established by *Terry v. Ohio* because flight (running away) may simply be an exercise of the right to “go on one’s way” and does not constitute reasonable suspicion. This case was then heard by the U.S. Supreme Court.

Questions



1. If you were a U.S. Supreme Court Justice would you uphold or reverse the state courts decision? Explain.
 2. In your opinion, did the police officer have reasonable suspicion? Explain.
 3. Should the characteristics of the neighborhood play a role in deciding if this frisk was lawful?
- 



POLICING & THE 4th AMENDMENT

CASE A

Defendant and two other individuals were in an automobile stopped for speeding and a faulty brake light in the early morning hours. The driver had a syringe in his shirt pocket. When asked about it, the driver, with refreshing candor, replied that he used it to take drugs. The officer then checked inside the car, saw defendant's purse on the seat, searched it, and found a vial of liquid methamphetamine.


In your opinion, was this a lawful search? Explain.



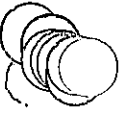
CASE B

A federal border patrol agent boarded a bus near the Texas-Mexico border to check the immigration status of the passengers. As he was leaving the bus, he squeezed the soft luggage that passengers had placed in the overhead storage space. When he squeezed a canvas bag belonging to the defendant, he noticed that it contained a "brick-like" object. Defendant consented to a search of the bag, the agent discovered a "brick" of methamphetamine.

In your opinion, was this a lawful search? Explain.



Search and Seizure Notes



There are 2 general ways a police officer can conduct a search:

1.

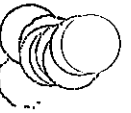
2.

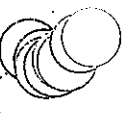
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MAPP v. OHIO (1961)

Facts - On May 23, 1957, three police officers arrive at Dolree Mapp's residence after receiving information that "a person was hiding out in the home, who was wanted for questioning in connection with a recent bombing, and that there was a large amount of police paraphernalia being hidden in the home." Mapp and her daughter by a former marriage lived on the top floor of the two-family dwelling. The officers knocked on the door and demanded entrance, but Mapp, after telephoning her attorney, refused to admit them without a search warrant.

The officers again sought entrance three hours later when four or more additional officers arrived on the scene. When Mapp did not immediately come to the door, the police forcibly opened one of the doors to the house and gained admittance. Meanwhile, Mapp's attorney arrived, but the officers would not permit him to see Mapp or to enter the house. Mapp was halfway down the stairs when the officers broke into the hall. She demanded to see the search warrant. One of the officers waived a piece of paper and claimed it was the search warrant. She grabbed the "warrant" and placed it in her bosom. A struggle ensued in which the officers recovered the piece of paper and handcuffed Mapp. Mapp was then forcibly taken upstairs to her bedroom, where the officers searched a dresser, a chest of drawers, a closet, and some suitcases. They also looked into a photo album and through personal papers belonging to her. The search spread to the rest of the second floor, including the child's bedroom, the living room, the kitchen, and the dinette. In the course of the search, the police officers found pornographic literature, objects, and photos. The officers arrested Mapp for violating an Ohio law which prohibited the possession of obscene material. At her trial, Mapp was found guilty based on the evidence that was presented by the police. Mapp's attorney questioned the police about the warrant but they could not show one.

Question #1: In your opinion, did the police conduct themselves in a proper / professional manner? Explain.

Decision - The question in the Mapp case was whether the evidence was seized in violation to the search and seizure provisions of the Fourth Amendment and therefore inadmissible in the state trial, which had resulted in an obscenity conviction. The Supreme Court of Ohio found the conviction valid. However, the U.S. Supreme Court overturned it. For the first time, the Court imposed federal constitutional standards on state law enforcement personnel.

Question #2: Should illegally seized evidence be excluded from trial, even though it is conclusive proof of a person's criminal act?

Police Searching the Trash

The police suspected that Bill Greenwood was involved in dealing drugs. They observed many vehicles making brief stops at his house during late-night hours, and one truck was followed from Greenwood's house to another residence that had previously been investigated for drug sales.

Though they did not have enough evidence to obtain a search warrant, the police picked up plastic garbage bags that Greenwood had left on the curb in front of the house. Upon opening them, the police found evidence of drug use. Based on this evidence, they obtained a search warrant for Greenwood's house and discovered quantities of cocaine and hashish. Greenwood was arrested and convicted based on this evidence.

Was the police search of the garbage illegal? This case was appealed to the U.S. Supreme Court, and the justices split and came up with two different opinions. *Read the following two opinions and answer the questions that follow.*

OPINION A


The plastic garbage bags were closed containers that one could not see through. Therefore, they are no different from other containers that, in prior cases, the Court has held may only be opened after the police obtain a search warrant.

We believe that by allowing the search of trash bags without a warrant would paint a grim picture of our society. It would be a society that says it is unreasonable to expect privacy in personal effects sealed in a container and disposed of in a manner that will commingle it with the trash of others. Consequently, we hold that the search was illegal under the Fourth Amendment and that the items should not be used to convict Greenwood.

OPINION B

People are protected by the Fourth Amendment's freedom from unreasonable search and seizure only if they have a "reasonable expectation of privacy" with respect to what is being searched. It is common knowledge that plastic garbage bags left on or at the side of a public street are readily accessible to animals, children, scavengers, snoops, and others. They have also been left there so that a third party, a trash collector, can take them and perhaps sort through them.

In prior cases, this Court has held that "a person has no expectation of privacy in information he voluntarily turned over to third parties." For example, in one case, the Court ruled that the police could install a device at phone company offices that recorded the numbers a suspect called. In another case, warrantless airplane surveillance of a fenced backyard was allowed for purposes of detecting marijuana cultivation. The police should be allowed to gather




evidence that any member of the public could also see and gather. Therefore, we hold that the trash collected may be used as evidence against Greenwood.

QUESTIONS


1. What are the two strongest arguments in Opinion A? Why?

2. What are the two strongest arguments in Opinion B? Why?



3. Which opinion do you agree with? Give your reasons.

4. Which opinion do you think represents the majority view of the U.S. Supreme Court in the case?



POLICING & THE 5th AMENDMENT

In 1966, the Supreme Court ruled that a person being interrogated by the police (the accused) must be informed of their rights before being questioned. These rights are called the Miranda Warnings; they fall under the due process clause of the 5th Amendment.



Rules of Interrogation

- 1.
- 2.
- 3.
- 4.

Waiver

1. Do you understand each of these rights I have explained to you?
2. Do you wish to contact a lawyer?
3. Having these rights in mind, do you wish to talk to me/us now, without a lawyer?

MIRANDA RIGHTS

Ernesto Miranda was accused of kidnapping and raping an 18-year old girl near Phoenix, Arizona. The girl claimed she was on her way home from work when a man grabbed her, threw her into the back seat of a car, and raped her. Ten days later, Miranda was arrested, placed in a lineup, and identified by the girl as her attacker. The police then took Miranda into an interrogation room and questioned him for two hours. At the end of the two hours, the officers emerged with a written and signed confession. This confession was used as evidence at trial, and Miranda was found guilty.

Miranda later appealed his case to the U.S. Supreme Court, arguing that he had not been told of his right to counsel. Miranda did not suggest that his confession was false or brought about by coercion but rather that he would not have confessed if he had been advised of these rights.

In its decision, the Supreme Court ruled that Miranda's confession could not be used at trial, because officers had obtained it without informing Miranda of his constitutional rights. As a result of this case, police are now required to inform people accused of a crime of the so-called Miranda rights before questioning begins.

Questions:

1. Do you think *people who speak a language other than English* should be able to waive their rights and make a confession that can later be used against them? Discuss.
2. Do you think *minors* should be able to waive their rights and make a confession that can later be used against them? Discuss.
3. Do you think *drunken individuals* should be able to waive their rights and make a confession that can later be used against them? Discuss.

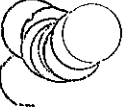
CRIMINAL INVESTIGATION NOTES



Criminal Investigation

- Detectives:
- Criminal Investigation:
- Crime Scene:
-
-

Discussion Question: What will evidence collected at a scene do for the investigation?



Two types of Evidence

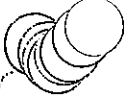
- ✓ Testimonial Evidence:
- ✓ Physical Evidence:
 - 1) Impressions:
 - 2) Trace Evidence:
 - 3) Firearms:
 - 4) Forensic Biology:

The Investigator

Crime-scene investigator: an expert trained in the use of forensic techniques, such as gathering DNA evidence, collecting fingerprints, photography, sketching, and interviewing witnesses.

Three stages of responsibility:

- 1.
- 2.
- 3.

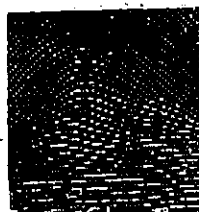


Fingerprint Identification

Fingerprint Identification is the method of identification using the impressions made by the minute ridge formations or patterns found on the fingertips. No two persons have exactly the same arrangement of ridge patterns, and the patterns of any one individual remain unchanged throughout life. Fingerprints offer an infallible means of personal identification. Other personal characteristics may change, but fingerprints do not.

Fingerprints can be recorded on a standard fingerprint card or can be recorded digitally and transmitted electronically to the FBI for comparison. By comparing fingerprints at the scene of a crime with the fingerprint record of suspected persons, officials can establish absolute proof of the presence or identity of a person.

Fingerprint Pattern Type



Plain Arch



Tented Arch



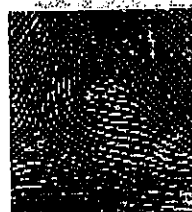
Ulnar Loop



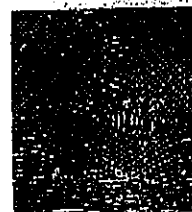
Radial Loop



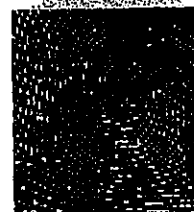
Plain Whorl



Central Pocket
Loop



Double Loop
Whorl



Accidental
Whorl



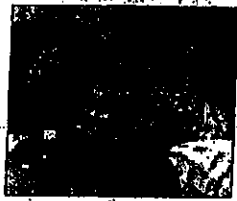
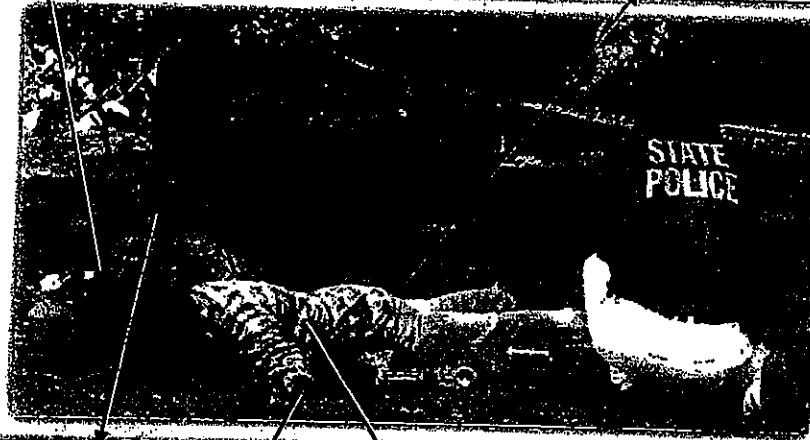
The Arson and Explosives Unit receives evidence recovered from crime scenes involving suspicious fires and explosions. The unit identifies ignitable liquid evidence recovered from a fire scene that may have been intentionally

used to propagate a fire. The unit also identifies explosives or explosive residues recovered from a bombing scene and can reconstruct devices to assist investigators in identifying perpetrators and the source(s) of device components.



The Drug Unit analyzes all contraband seized by state police agencies and some local and federal agencies in Massachusetts. The most common substances analyzed at the laboratory are marijuana, cocaine,

and heroin. To perform these analyses, the unit utilizes sensitive and selective instrumentation. This instrumentation allows the unit to identify and measure a wide range of illegal substances that have been seized.



The Massachusetts State Police Crime Laboratory's DNA Unit processes forensic casework samples for STR (Short Tandem Repeat) fragment analysis using a Perkin-Elmer 710 Genetic Analyzer. Thirteen specific locations on the molecule are tested for comparative DNA analysis of biological stains. DNA evidence is crucial to protect the unjustly accused and convict the guilty. Blood, such as that found on the rock in the mock crime scene, would be analyzed by the DNA Lab. Other biological materials—including saliva, semen, skin tissue, hair roots, and sweat—also contain nuclear DNA which may lead to STR DNA profiles.



The Ballistics Section is responsible for conducting scientific examination, comparison, and identification of firearms and firearms-related evidence. Weapon operability must be demonstrated to support the

successful prosecution of weapons-related offenses. Members respond to crime scenes to assist in determining what role, if any, a firearm has played in the commission of a crime. The section is also responsible for the destruction of firearms and ammunition as ordered by the court.



A victim's clothing would be logged in by the Evidence Control Unit. Clothing could

also be of interest to the Criminalistics Unit and Trace Analysis Unit.

Questions

1. What is the function of the Arson and Explosives Unit?
2. What are the most common substances analyzed at the Drug Unit laboratory?
3. What biological materials (found at the scene of a crime) contain nuclear DNA?
4. What role does the Ballistics Section have in crime scene investigation?
5. What "Units" would be interested in analyzing a victim's clothing?




FEDERAL LAW ENFORCEMENT

****use pages 198 – 206 in textbook*

1. Describe the historical development of the FBI?

2. Describe the function of the FBI (List 10 priorities)?



3. What are other examples of Federal Law Enforcement Agencies that you have heard of before?

PRIVATE PROTECTIVE SERVICES

****use pages 211 – 218 in textbook*

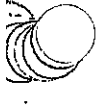
1. Describe the nature and extent of private protective services in the United States today?
2. Contrast the current deployment of private security personnel with the number of public law enforcement personnel?
3. What do you think will be the future role of private protective services in the United States?
4. What is the relationship between private security and public policing in America today?



In Summary...


Discussion Questions

1. Should obviously guilty persons go free because police originally arrested them with less than probable cause?

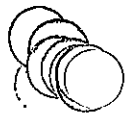


2. Should police be personally liable if they violate a person's constitutional rights? How might this influence their investigations?

3. Have criminals been given too many rights? Should courts be more concerned with the rights of the victims or the rights of offenders?



REVIEW SHEET



History of Law Enforcement

Influence of England (Hue & Cry / King Henry)

Vigilantism

Role of the Police

Patrol Function

Excessive Force / Liability

Stop and Frisk

4th Amendment

Warrant

Probable Cause

Exclusionary Rule

Plain View

Mapp v. Ohio



5th Amendment

Miranda Rights / Miranda v. Arizona

Crime Scene Investigation

Scene of Crime / First Officer's role

Types of Evidence / Role of Evidence

Responsibility of crime-scene investigator

Federal Law Enforcement

FBI / ATF / IRS

Private Security vs. Public Policing



New York Criminal Sentence Chart

No Priors		
	Lowest	Highest
B Violent Felony	5 years in prison	25 years in prison
B Non Violent Felony	1 - 3 years prison	8 1/3 - 25 years prison
C Violent Felony	3 1/2 years in prison	15 years in prison
C Non Violent Felony	No Jail (Probation possible)	5 - 15 years in prison
D Violent Felony	2 years in prison	7 years in prison
D Non Violent Felony	No Jail (Probation possible)	2 1/3 - 7 years in prison
E Violent Felony	1 1/2 years in prison	4 years in prison
E Non Violent Felony	No Jail	1 1/3 - 4 years in prison
A Misdemeanor	No Jail	1 year in jail
B Misdemeanor	No Jail	90 days in jail
Violation	No Jail	15 days in jail
Non-Violent Predicate		
	Lowest	Highest
B Violent Felony	8 years in prison	25 years in prison
B Non Violent Felony	4 1/2 - 9 years prison	12 1/2 - 25 years
C Violent Felony	5 years in prison	15 years in prison
C Non Violent Felony	3 - 6 years in prison	7 1/2 - 15 years in prison
D Violent Felony	3 years in prison	9 years in prison
D Non Violent Felony	2 - 4 years in prison	3 1/2 - 7 years in prison
E Violent Felony	2 years in prison	4 years in prison
E Non Violent Felony	1 1/2 - 3 years in prison	2 - 4 years in prison
A Misdemeanor	No Jail	1 year in jail
B Misdemeanor	No Jail	90 days in jail
Violation	No Jail	15 days in jail
Violent Predicate		
	Lowest	Highest
B Violent Felony	10 years in prison	25 years in prison
B Non Violent Felony	4 1/2 - 9 years prison	12 1/2 - 25 years
C Violent Felony	4 years in prison	15 years in prison
C Non Violent Felony	3 - 6 years in prison	7 1/2 - 15 years in prison
D Violent Felony	3 years in prison	7 years in prison
D Non Violent Felony	2 - 4 years in prison	3 1/2 - 7 years in prison
E Violent Felony	3 years in prison	6 years in prison
E Non Violent Felony	1 1/2 - 3 years in prison	2 - 4 years in prison
A Misdemeanor	No Jail	1 year in jail
B Misdemeanor	No Jail	90 days in jail
Violation	No Jail	15 days in jail

