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JON BENÉT RAMSEY CASE PART 3
MAKING THE CASE

ENSURING ADMISSIBILITY

HOW TO HELP AN ATTORNEY
NAVIGATE A "LOSER" CASE

THE CONCEALED
"COST" OF ELECTRONIC
SURVEILLANCE

A photograph of a man and a woman standing together outdoors. The man, on the left, is wearing a light blue and white striped suit, a white shirt, and a striped tie. He has a beard and is wearing glasses. The woman, on the right, is wearing a bright pink, long-sleeved, wrap-style dress. She is also wearing glasses and has her hand on her hip. They are both smiling at the camera. The background is a blurred outdoor setting with a railing and a building.

Cat's Eye Private Investigations

Michael and Catherine Flowers: A Power Couple's Journey to Success

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THE TWO FACES OF PRIVATE SECURITY

BY ANTHONY LUIZZO AND JOHN M. GASPAR

The public oftentimes mistakenly believes that private investigators (aka private eyes and/or sleuths) only perform busybody snooping type services on perspective targets they are asked to probe. Today's modern sleuth offers a very wide variety of services, including but not limited to taking and finding fingerprints, retrieving DNA from crime scenes, performing detailed security assessments, arranging forensic hypnosis sessions, and finding electronic listening devices in corporate boardrooms. Yes, today's modern sleuth is a master of many specialties, some of which will be discussed herein.

Licensed private investigators play a vital role in helping their clientele decipher both reactive and proactive crime risks. Seeing that many investigative experts have previous law enforcement roots, it stands to reason that a major chunk of their investigative expertise is in the reactive crime control continuum. As such, a very small percentage of investigative sleuthing involves proactive crime control strategies such as performing facility-wide security assessments, preparing, and conducting anti-crime training symposiums, and designing strategic security schematics for industrial parks, community centers, enterprise zones, and gated residential communities. In many ways this is very similar to the public policing models where 90% of staff perform reactive, not proactive, assignments. In this article, we intend to explore both sleuthing models and explain how both collectively work together toward more effective investigative sleuthing.

THE ORIGINS OF PROACTIVE SECURITY PROGRAMMING IN AMERICA

In an article "The Art and Science of Proactive Security Programming"¹ one of the authors (Luizzo) describes how proactive crime control became a major part of the standard police training continuum. Great Britain is known as the world leader in fostering the modern crime-prevention model of policing. In the mid-18th century, Sir Henry Fielding, a British magistrate/criminologist, organized the forerunner of today's policing methods by setting two goals: stamp out existing crime and prevent outbreaks of crime in the future. He further identified three objectives necessary for achieving these goals: the development of a strong police force, the organization of active citizens' groups to assist law enforcement, and the initiation of strategies to remove the root causes of crime and the conditions in which it flourishes. Due in large part to the vast number of criminals that continued to ply their trade, the British constabulary was soon forced to abandon the proactive policing model championed so passionately by Fielding. By the 1950s, British law enforcement realized that dealing with crime reactively was insufficient and again revisited the preventative model. In 1963, the British police force formulated a mandatory one-month "crime prevention" training program for all its officers.

In 1971, the United States followed Britain's lead, formalizing crime-prevention training using a Law Enforcement Assistance Administration grant, which was awarded to the University of Louisville. Since the founding of the National Crime Prevention Institute, thousands of crime prevention specialists (e.g., law enforcement officers, investigators, corporate security executives, and loss prevention advo-

cates) have graduated with specialized skills in detecting crime risks before they wreak havoc on company assets. One of the most important skills taught to all graduates is how to decipher criminality using an assessment tool known as the security survey. In competent hands, the security survey helps to determine when, where, how, and why crimes occur.

In essence, the survey acts like a CAT scan in that it provides a global view of the entity under scrutiny by highlighting security and safety abnormalities and offering concrete suggestions on how to remove and/or mitigate identified crime risk-related exposures. By the mid-1970s, all major U.S. police agencies had established crime prevention programs. As a rule of thumb, depending on the size of the department, usually between one and three percent of a department's investigative resources are dedicated to proactive assignments. In the early years, all investigative staff assigned to crime prevention duty were sent to the National Crime Prevention Institute for certification as crime prevention specialists. Today, larger municipal police agencies train their own via internal training initiatives. As an example, the New York City Police Department's Crime Prevention Unit offers a 40-hour "Basics of Security and Crime Prevention Program" twice annually. The course is open to qualified personnel, and attendees earn up to three college credits.

PROACTIVE CRIME CONTROL SERVICES

Drafting security surveys

An article authored by one of the authors (Luizzo) "The Many Faces of the Security Survey"² describes in some detail how security surveys are used to decipher frail security programs. The article goes on to describe how the

security survey is analogous to a medical CT scan (Computerized Tomography), which is an important device used by medical experts to diagnose and treat illness. Similarly, security executives use the security survey to diagnose and prescribe remedies for frail security programs. What a CT scan is to a physician, the security survey is to a security diagnostician. In professional hands, the survey profiles deficiencies, risks, and hazardous conditions and offers creative/corrective approaches to correct these shortcomings. It's important to note that security surveys should be completed on an annual basis so that any changes in protection availability are properly recorded.

SURVEY TYPES:

- The single-client security survey is a facility-wide assessment of a residence or business. These assessments are often extremely lengthy reports and touch on all aspects of facility security. The philosophy behind this form of survey is that the entire focus of the assessment is to identify crime exposures that affect the individual client only.
- The after-incident security survey is prepared as a follow-up to an incident (burglary, robbery, assault). These assessments are usually extremely brief reports and strictly focus like a laser on the incident under scrutiny. The philosophy behind this form of survey is that the entire focus of the assessment is to identify incident-specific crime exposures only.
- The access control security survey is prepared as a follow-up to incidents affecting ingress and egress points. This assessment is only intended to shore up security at critical high-trafficked points without restricting access into and out of the access portal.
- The multi-client/community-wide security surveys – The philosophy behind this form of survey is that the focus of the assessment is to identify crime exposures that affect both the individual client and the overall community. These surveys are usually prepared at the request of organizations such as residential groups, gated communities, industrial parks, business improvement districts, etc. It's important to note that in these broader assessments, the surveyor's mindset requires that they understand that the individual entity and the community are one interrelated unit.³

Crime risk mapping – The “crime analysis mapping system” is a mechanism used to identify

risk exposure. Before the development of today's computerized tracking programs, large area maps and colored pins served as the tools for recording and tracking criminal events. As the number of crimes recorded on the maps mounted, the maps were transformed from rather bland landmass mosaics into multicolored clusters of crime locations. By simply looking at the various crime maps, a knowledgeable crime analyst can often forecast with some degree of accuracy where both existing and future criminality could occur.

Crime risk types – In the universe of crime risk management, crime-related risks are often divided into two categories: Pure crime risks (e.g., theft, fire, or flood) and dynamic crime risks (i.e. changes in pricing, brand preference or technological needs). In practice, security administrators most often deal with pure crime risks in their normal day-to-day operations. The management of dynamic crime risk is more strongly associated with retail security operations involving purchasing or merchandising operations.

Internal theft investigation – finding fraud: The objective of a fraud investigation is to find fraud. An article by one of the authors (Luizzo) “The Fraud Audit Checklist” includes a 25-question checklist to help investigators identify possible fraud hot spots.⁴ The checklist helps to determine the susceptibility to fraud. The more “No” responses, the greater the propensity of irregularity. It should be noted that no single instrument can guarantee that fraud will be found; however, delving deeper into the areas identified in this checklist will help to guide the investigator to areas where fraud has been known to flourish.

QUESTIONS INCLUDE:

1. Does the company utilize an appropriate employment application? **Yes No**
2. Does the employment application adhere to federal and state guidelines? **Yes No**
3. Are routine background checks performed on all new hires? **Yes No**
4. Do competent personnel prepare background checks? **Yes No**
5. Are background checks performed on existing employees with fiduciary responsibilities? **Yes No**
6. Are detailed background checks performed on employees seeking sensitive positions? **Yes No**
7. Are release forms signed and maintained as

per the Fair Credit Reporting Act?

Yes No

8. Are conflict of interest statements and ethics statements signed and maintained? **Yes No**
9. Are internal controls affecting cash handling procedures adequate? **Yes No**
10. Are changes in employee behavior noted and investigated? **Yes No**
11. Are exit interviews performed? **Yes No**
12. Are annual audits performed? **Yes No**
13. Are audits performed by Certified Public Accountants? **Yes No**
14. Does the firm have an internal audit function? **Yes No**
15. Does the firm have a security or loss prevention function? **Yes No**
16. Are audit and security personnel adequately trained in fraud prevention techniques and technologies? **Yes No**
17. Do the internal audit and security functions work together? **Yes No**
18. In an independent fraud audit performed periodically? **Yes No**
19. Does the internal auditor address the issue of fraud in each audit? **Yes No**
20. Are all internal control breaks examined? **Yes No**
21. Does the firm have internal mechanisms in-place to report fraudulent behavior? **Yes No**
22. Are surprise test counts periodically performed on cash and inventory? **Yes No**
23. Are financial statements adequately analyzed? **Yes No**
24. Are errors in financial statements promptly addressed? **Yes No**
25. Are customers and vendors aware that they can contact the audit and/or security department for assistance in following up on problems? **Yes No**

THE ORIGINS OF REACTIVE CRIME CONTROL PLANNING IN AMERICA

In the mid-17th to 18th Century, England's poverty, class structure, and the Industrial Revolution were a catalyst for crime; theft, robberies, and burglaries were rampant. This environment required reactive measures to stop this chaos. To that end, The Bow Street Runners in England was founded in 1749. They were sworn

law enforcement appointed by the court. Their job was to patrol or be dispatched to reactively respond to crimes in progress, locate, arrest, and incarcerate the criminals.

In the United States of America, around the same time, Allan Pinkerton and Edward Rucker formed the North-Western Police Agency, later known as the Pinkerton Agency.



The Pinkertons were hybrid security officers with powers of arrest. They protected the interests of industry, business, and the Union. They were tasked with private reactive policing.⁵

REACTIVE CRIME CONTROL SERVICES OFFERED BY PRIVATE SECURITY FIRMS:

- Patrolling private property – private security protecting private entities
- Making citizen’s arrests
- Conducting background checks – further information on conducting background checks can be found in an article by one of the authors of this article (Luizzo)⁶
- Information gathering
- Furnishing court testimony
- Conducting interviews and interrogations – further information on interviewing and interrogation can be found in three articles written by the authors of this article^{7,8,9}
- Performing electronic sweeps and installations
- Crime scene preservation – further information on managing crime scenes can be found in a recent article by the authors of this article¹⁰
- Conducting forensic hypnosis counseling – further information on conducting forensic hypnosis counseling can be found in a recent article by the authors of this article¹¹
- Furnishing court testimony

CONCLUSION

Private investigative sleuths offer much more than simply snooping services. As soldiers in the never-ending war on criminality, today’s investigative sleuths are offering both reactive and proactive crime control services. This is especially appropriate since today’s building landscape is chock-full of gated communities, industrial parks, and enterprise zones. It would be a wise choice for investigative firms to hire properly credentialed proactive and reactive trained investigative sleuths or at least know where to reach out to find them. Taking a page from former baseball legend Jackie Robinson, “Jack be nimble, Jack be quick, Jack makes the turnstiles click” – offering a full menu of reactive and proactive services will undoubtedly help to make cash registers click and click and click! **PI**

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