

## **The Lowdown**

Sheriff C.S. Blackwood

In 2019, the Criminal Investigations Division (CID) at the Orange County Sheriff's Office investigated 660 cases, an amount comparable to the prior year.

The classic "catch a suspect red-handed" case is relatively rare, but when it happens, the responding patrol deputy interviews involved parties, collects relevant evidence, and presents findings to a magistrate. If the magistrate finds there was probable cause for the arrest, he or she establishes pretrial release conditions and sets the first court date. Our CID is not involved.

More often, a patrol deputy responds to a call for service or discovers a property crime while on patrol. If there is no suspect on scene or there is not enough evidence to arrest a suspect, the case is assigned to the CID.

Before I explain further, let me make an important clarification. Some crimes are classified as misdemeanors; others are felonies. Misdemeanors are less serious crimes (shoplifting, for example, as compared to burglary or armed robbery), and they carry less severe punishments. The victim in a misdemeanor can appear before a magistrate on his or her own behalf and petition for a criminal summons or warrant. If issued, and the alleged suspect/defendant is served, the matter will then be handled in criminal court. By contrast, if the crime is a felony (for example, drug trafficking, assault with a deadly weapon, sexual assault, or murder) the victim cannot directly take out the charges. A law enforcement officer (or the district attorney) must appear before the magistrate and present evidence and testimony on the victim's behalf before the charges can be filed.

Eleven investigators serve in the CID. When a deputy receives a promotion to the division, he or she initially receives in-house training and specialized equipment such as a camera, a fingerprint processing kit, DNA sample kits, a gunshot residue kit, a measuring device, and evidence placards. He or she also attends off-site trainings in basic evidence collection, interview and interrogation, and case management. This latter course teaches the investigator how to prioritize tasks, organize evidence, pursue leads, document findings, and prepare the case for court.

Two of our investigators are evidence specialists; other investigators have expertise in digital forensics; while still others have advanced training working with juvenile victims or sexual trauma. All are cross-trained because although they primarily work a regular schedule, they are each on-call one week at a time for murders, serious crimes,

serious assaults, rapes, and unintended or suspicious deaths that occur outside of regular working hours.

Once assigned a case, an investigator attempts to solve it through interviews, examination of evidence, verification of anonymous tips, or through further developments, such as when stolen items appear in pawn shops. If an arrest is made, the case is considered cleared. Last year, we cleared 165 cases by arrest.

If the investigation reveals no crime actually occurred, the case will be cleared and categorized 'unfounded.' This occurred 53 times last year. If the prime suspect in a criminal matter dies before the case was solved, or if we learn the crime actually occurred in a different jurisdiction, an investigator will close the case as exceptionally cleared; this designation was used 11 times last year.

A case may be designated as inactive if an investigator exhausts all leads and a month goes by in which no additional information is received. In such a situation, the case can be reactivated if someone provides additional information or if new technology becomes available. DNA is a classic example of this; as the science improves, many inactive cases become solvable.

In rape or serious assault cases, the investigation remains open until the statute of limitations runs. There is no statute of limitations on murder cases. If not solved, murder cases remain open. Although there are perhaps no more leads and no further evidence to pursue, an investigator will periodically review the file to remain familiar with the facts of the case and to determine if new forensic methods could be employed.

Investigators value providing closure to a victim or a victim's family and improving the safety of the community through the prosecution of criminals. Despite our success last year, we carried thirty one active cases into this year. One hundred and ninety-five new cases have been assigned thus far in 2020.

The Criminal Investigations Division will continue to pursue justice on behalf of victims, and I am proud of the commitment, compassion, and professionalism with which they approach their service to the residents of Orange County.