

John Madinger, Senior Special Agent of the U.S. Treasury Department

July 17, 2008

In a high percentage of crimes, the perpetrator is either caught in the act or is obvious, as in a murder/suicide. For the rest of the crimes, investigators use seven basic techniques:

- **Interviewing and Interrogating.** There is a difference: Interviewing is talking to anyone who might have seen or knows anything about the crime, and interrogation is when investigators ask a suspect for a confession.
- **Collection and Analysis** of physical evidence: fingerprints, footprints, tire tracks, blood splatters, etc.
- **Physical Surveillance**
- **Electronic Surveillance.** Wiretapping is one, but it's not as common as one might think because it requires 8 or 10 people working around the clock. Very labor intensive and expensive.
- **Undercover Operations**, which have changed since the Homeland Security Act. They're not as common now—read on.
- **Confidential Informant.** John thinks this is the investigator's most valuable tool.
- **Financial Investigation and Analysis**, used in fraud cases and money laundering. Investigators need a subpoena, and it's best to get a grand jury subpoena.

Madinger gave us additional information about the confidential informant, as he's written a whole book on this topic for law enforcement officers. He has also written two other professional texts, both on money laundering. The officer running the informant must have control over this person. This is in contrast to a witness, someone who comes up in the course of a criminal investigation with information to contribute. HPD uses Criminal Intelligence officers. There is a combination of traits an officer needs to have in order to have a good informant, called the Big MAC, or Motivation, Access, and Control.

In the middle of Madinger's lecture, a person walked calmly across the room and picked up a briefcase. It was a hands-on investigative experience for Sisters in Crime! Did a crime occur? What was the crime? This question needs to be answered so that the investigation is given to the proper jurisdiction. As in, who investigates? Federal, state, HPD? When did the crime occur? Where? (which district?) And finally, who did it?

Madinger conducted a survey of witnesses—us! We were given 3 x 5 cards to describe the thief with as much information as we could remember. This was extremely interesting in terms of what different people noticed, as there was quite a range.

Madinger explained that after the theoretical thief was caught (it was John's teenage son, Ian, a bright, articulate Mid-Pacific Academy student), he would be put in a lineup with five other people who look similar. There are sometimes photographic lineups, too, with 6 to 10 pictures. The suspect would then be interrogated—the investigators would want a confession. In the case of a juvenile, parental consent would be needed before law

enforcement agents could talk to him. There would also be the physical evidence: the briefcase and the book it contained, which was now in the suspect's possession.

As it turns out, John doesn't deal with juvenile cases. He also has another personal rule: Never spend more time working a case than the perp will spend in jail. He doesn't get emotionally involved in his cases. A person is innocent until the jury says he/she is guilty, and the law enforcement agent's job is to give all the collected information to the prosecuting attorney. A screening deputy decides how to charge the case, whether it's a felony or a misdemeanor, and the prosecutor usually takes the case if there's available evidence. An important aspect of the law enforcement agent's job is to get witnesses to court, and to get them there on time.

John sees himself as a craftsperson building a box, and he wants to put the suspect in it. Even if the jury or prosecutor decides the box isn't good enough, John can't take it personally. His job is the box, and then he hands the case on. As a contrast, undercover work is a lot more personal. In that situation, the investigator sees the crime and may be risking his or her life. He finds it's better if the investigator is objective and detached.

Homeland Security changed aspects of law enforcement. Now different departments are under one umbrella, and undercover work isn't done nearly as much as it used to be. The Treasury, Customs, Immigration, and Bureau of Alcohol and Tobacco are all Homeland Security.

After his talk, John stayed to sign copies of *Death on Diamond Head*, an excellent police procedural, for those who wanted to purchase a copy.