Reviving the Cold Case:
An Analytical Approach to Case Closure

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Crime analysts are always trying to find new ways to apply their skills and hone their craft. The vast majority of us are thinkers; we are curious problem solvers who believe that our ability to benefit our agencies is limited only by the latitude we are given. It is understandable then that we should seek out more opportunities to apply our skills and make more positive impacts within our jurisdictions. It is this general attitude that led us to get involved in investigating cold cases.

How We Got Started

Mark had, for several years, been consulting with our Coroner’s Division as a forensic anthropologist. During this time he came to learn that there were numerous coroners’ cases in which the identity of the decedent was unknown. These cases were kept in three-ring binders on a shelf in the Sergeant’s office. Over the years, in the course of this forensic work, we would discuss these cases and the progress that was being made on them. The conversation usually ran along the lines of us asking “any luck with that 1980 homicide victim?” and the sergeant answering “well, we’ve gotten so many new cases that I haven’t been able to even look at it yet.” This went on for a few years and through two different sergeants.

One day we, as a crime analysis unit, were brainstorming about how we could broaden our “client base”, as it were. We had been successful in integrating ourselves into our Investigations Bureau and had been involved in numerous major cases. And, of course, we had always been active in producing tactical and strategic analyses for our patrol personnel. But we knew that we could be doing more, particularly given the size and responsibilities of our agency. It was during this brainstorming session that we remembered those dusty binders on the Sergeant’s shelf. Surely there must be a way that we can help with those old cases, we thought.

When we asked ourselves “what makes a case go cold?” we came up with four inter-related factors. We see these factors as being links in a chain of causation, with each link decreasing the chances that the case will be successfully solved.

A lack of evidence at the outset is probably the primary reason why a case can become stale. This may seem an obvious point, and it is. But we may borrow from Edmund Locard and say that, just as every contact leaves a trace, every
case has evidence. There is always an angle, an opening, some loose end that, when pulled, will unravel the entire matter. But evidence is in the eye of the beholder, and no two beholders have exactly the same perspective (more on that a bit later).

The passage of time becomes the next link in the causal chain. Relatively few cases are completely without leads at the outset. This is particularly true of most violent crime, in which the majority of victims have some sort of relationship with the suspect. However, there is a reason for the well-known axiom that the most critical time in a major investigation is the first forty-eight hours. In the passage of time leads can dry up as witnesses’ memories fade and clues become stale. This is especially true for cases that are many years old. But, as we will demonstrate, just as time can be an enemy, it can also be an ally to those who are patient and persistent.

Nothing saps the energy out of a case faster than the influx of newer cases that dominate the investigative priority list. This is our third link in the chain. Investigators do not have the luxury of focusing all of their attention on just one case. In most jurisdictions a detective will juggle a load of cases, in much the same way that a juggler keeps multiple balls in the air – by giving attention to one thing at a time while giving the illusion of multitasking. In this way, the investigative strength is diluted and individual cases, those with fewer leads, atrophy. What an investigator needs more than anything is help. Dear reader, read on.

So, there is not enough evidence, time passes, new cases come along and then the final blow to the cause comes when the investigator gets transferred to another unit or division or retires altogether. Not only do you have a thin case, but now you have a thin case that is reassigned to a person who is unfamiliar with it and is less invested in its outcome. This lack of investigative continuity will drop the temperature of the investigation even further. Then years later, when somebody is searching for size 2 binder clips in the storage room, our forlorn case file is found and the finder exclaims: “oh, I remember hearing about this case from detective Z who heard about it from Captain Y, who was a sergeant when it was being investigated by detective X.” Analyst to the rescue!

As we discussed these factors, it became very clear very quickly that we were uniquely positioned to provide a needed boost to those cold cases. We had the time, as long as we prioritized the rest of our work. And, unlike the investigators, we weren’t saddled with an ever-growing active case load. Plus, we knew that our analytical training could go a long way to shedding new light on these cases and perhaps teasing out new leads from the existing information. Finally, as our fellow analysts know, a strong analytical unit is a repository of information and can supply broad institutional knowledge that will remain, regardless of changes in investigative personnel. This knowledge is essential in providing the analyst
with a wider, often more comprehensive view that helps us see cold cases from a unique perspective. So, with these things in mind, we met with the command staff of our Coroner’s Division and offered our services. It wasn’t hard to convince them that we had a good idea and we shortly left the meeting with a stack of cases.

That was a few years ago. Since then our cold case load has doubled and has extended to not only unidentified Doe cases, but to single-victim and serial homicides, some going back thirty years. Throughout our involvement in these types of investigations we have learned a lot and are continuing to glean new ideas and develop new ways of utilizing our training.

The Role of the Analyst

So what role does an analyst play in a cold case? The specific tasks that you take on will largely be determined by the circumstances of each individual case. But, in general, analysts working a cold case will do essentially what they do best: collect, collate and analyze data and make recommendations based on their findings. Analysts not only have the skills necessary to parse through large amounts of information, but we also have access to the technology that will allow us to obtain more and better data. Any in-house task that utilizes these skills and technologies is appropriate for the analyst. It should be noted, however, that the broader the knowledge base of the analyst, the more of a contribution he or she can make. For example, an analyst who has kept up with advances in forensic science will be better able to identify the potential for new evidence testing. Likewise, an analyst with a solid understanding of interviewing techniques will be more capable of recognizing when a suspect was being deceptive. He or she will also be better suited to recommend a new approach when re-interviewing a suspect or witness. Here are just some of the tasks we have performed in the course of our cold cases:

- Review reports to find inconsistencies in witness or suspect statements.
- Carefully review the investigative steps that have been taken and determine what more can be done. Make recommendations based on these findings.
- Research the whereabouts of suspects, leads, witnesses or other individuals important to the case who may have moved. Update investigators.
- Gather criminal background information on principals in the case. This information could be used as leverage in re-interviewing subjects.
- Compile lists of past and recent associates of suspects. These individuals may have information relating to the case. People talk.
- Search missing person’s databases, including open source databases in Doe cases.
- Follow-up on the analysis of physical evidence; make suggestions for further testing, especially as technologies improve over time.
• Act as liaison with other agencies who may have information regarding the case or who may have an interest in its outcome.

It may be that you feel a bit shy about your participation in the investigative process. Don’t be. These cases are cold for a reason. It may be that your efforts will ultimately lead to the closure of a case that was thought to be insoluble. Jump in with both feet and make the relevant investigators and command staff aware of the role you are taking in the process. You will probably find that your initial research into the case will give you a better understanding of it than most others in the agency. This is especially true if the case is an old one. Plus, the fact that you are taking time to lighten the load of your colleagues will no doubt be appreciated. Keep in mind that if you want to get involved, you will have to make it happen.

Reporting Your Results

The Cold Case Analysis Process

As for the actual process of working these cases, our experience shows that there are certain steps that are absolutely essential in order to effectively play a role in the cold case investigation. These steps are:

1) **Don’t Assume Anything** – Never assume that everything a) has been done, b) has been done correctly, or c) has been done thoroughly. Naturally, even before you read the case file you know that every possible lead and detail has been followed-up already. Nothing has been overlooked; all relevant witnesses and leads have been interviewed, all physical evidence tested, all logical avenues of inquiry have been exhausted, right? Wrong! In the cases we’ve worked there have been several avenues of investigation that have not been completely followed-up. But as you work these cases it is very tempting to say to yourself “I’m not a trained detective, I’m an analyst. If I’m seeing the hole in the suspect’s story, the investigators must have seen it already.” Or, “there is no record of this lead being checked, but they must have checked it.” The fact is, you’re smart and you are trained to think critically. Don’t assume that even the most obvious clues have been investigated. The point here is not that the investigators do a poor job; they don’t. But often the data is so numerous, the stories so convoluted, and the sheer workload so great, that it is inevitable that some things get overlooked – sometimes large, sometimes small. We’ve seen both.

2) **Collect Everything** - It is absolutely essential that you gather together in one place all of the reports, supplements, crime scene photos, crime scene diagrams, investigative notes and anything else associated with the
case. At this stage you have no idea what is relevant and, chances are, it will all be important in helping you understand the case completely.

3) **Get Organized** – Organize everything once it is all collected. We have found that three-ring binders work well for this purpose. Create tabs for different types of documents. For example, we have tabs labeled Original Call, Patrol Reports, Investigative Reports, Crime Scene Photos, Crime Scene Diagram, Interview Discs, Coroner’s Report, Lab Reports, as well as tabs for each victim and all suspects and associates. Organization cannot be over-emphasized. Our organizational skills are probably responsible for bringing more than one detective to our door seeking help.

4) **Become the Case Expert** – Once you have been assigned a cold case the first and most important thing to do is to read everything in the case file, starting from the very beginning. No doubt as you begin to read those initial reports you will begin to have an idea of where the case is going. But quite often your initial impressions will be off course, so keep your mind wide open as you read. It is not until you have digested every patrol report, every supplement, every lab report, crime scene photo and diagram and other document in the file that you will have a solid understanding of where the case stands (we have even gone so far as to visit old crime scenes). You must literally become the agency’s expert on the case. Moreover, this must be done even before consulting with the detectives involved because a thorough knowledge of every detail will determine how you proceed. It will also show the detectives that you have done your homework. When reading the reports look carefully for anomalies such as leads that weren’t followed up, physical evidence that could be re-tested or examined or anything else that just doesn’t “seem right”.

Anyone in law enforcement knows how critical documentation is for both the investigation and prosecutorial processes. Officers are extensively trained in report writing. But an analyst who reads hundreds if not thousands of reports a year knows that not everything is in the reports - an officer’s “hunches”, for example. Once you have assimilated the information in the reports it is time to track down anyone in your agency, or another agency, who may have something to add. Ask them about their recollections of the case, their professional opinions and their advice for how to proceed. Obviously, interviews with members of the general public should be done only by the detectives.

5) **Update All of the Information** – During the course of the investigation you will no doubt recommend that certain people involved are re-contacted by the detectives. So you may as well find out where everyone is now and what they have been up to since the last time they were contacted regarding the case. Are they still married, still employed, in jail, dead? Is
the original suspect now on searchable probation? That would be huge, right? Old suspects and witnesses have new relationships and new circumstances that need to be considered when strategizing through an old case.

6) **Assess Your Findings** – This is where you begin to evaluate the solvability of a case. Were there gaps in the investigation that can be filled? Are there inconsistencies in statements that can be investigated? What opportunities are there for forensic testing that may have been unavailable during the original investigation? Such questions are critical because they will determine how you will proceed with your inquiries and they will play into what you ultimately recommend in your report. This is analysis at its most intense. Be thorough in assessing the case because you would not want to miss something obvious, nor would you want to recommend something that has already been done. Part of your job is to save the detective’s time, not create more unnecessary work.

7) **Report Your Results** – Once you have completed your analysis of all of the data it is time to report your conclusions and recommendations. We have found that a written report is essential as it is a durable document that can be used as a reference source for the detectives. This part of the process is so important that we must treat it at some length here.

The report should concisely articulate your findings and recommendations. We divide our cold case reports into three sections: Summary, Findings and Recommendations.

The **Summary** is the first part of the report and its purpose is to acquaint the relevant personnel with the particulars of the case. Remember, a cold case is one that has not been actively investigated for some time. Chances are that the detectives who will ultimately follow-up on your report have little or no idea what the case was about. The summary is essentially a synopsis of the case and the subsequent investigative activities. But it is very important that you do not reproduce every word from every case report in your summary. The detective will, out of necessity, carefully read all of the case material at some point. The summary is meant to give him, or her, an outline of the case. It is also a great opportunity for you to emphasize elements of the case that you think are important for the investigation. Our summaries are in narrative form, but are organized under chronological headings.

The **Findings** section is where you really show your value in this process. This is where you point out aspects of the case that you think have investigative potential. You are not necessarily making recommendations here, but you are pointing out things that just don’t add up or otherwise
stand out as being important. For example, a finding in one of our reports states that “[The suspect’s] work with high risk individuals at the Community Program raises the possibility that the victim knew [him] through contacts made there. If our Jane Doe was indigent this could explain the lack of a missing persons report.”

The findings section is also where we list all of the actions that we have taken; the databases we searched, the addresses we tracked down, the other agencies we contacted, etc. This information is essential so that investigators do not repeat work that we have already done.

The final part of the report is the **Recommendations** section. This section is usually bullet-pointed so that investigators can easily follow and evaluate our suggestions. It is almost like a “to do” list. You do not want the detectives to have to hunt through the report to find your recommendations because these are the things that can ultimately break the case open. For example, based on the above finding, we made a recommendation that “the composite sketch of our Jane Doe be showed to individuals who work at or frequent the Community Program. One of them may be able to shed light on her identity.” Here are some other examples of actual recommendations that we have made in the course of our cold case work:

a. One of the suspects has passed away since the investigation stalled, but he was remarried since then. Interview his widow to see if he revealed anything to her about his role in the case. Her name is _______ and she lives at _______.

b. The suspect’s daughter is now married and lives in _______. There is no record of her ever being shown the composite of Jane Doe. Make contact with her and see if she recognizes the composite.

c. There were two foreign hairs with roots attached that were found on the victim’s body. There are no reports or other documentation stating that these hairs have been tested for a DNA profile. These hairs are still in evidence. Have the hairs tested and the genetic profile checked through CODIS.

d. A search of open source documents shows that the individual who is potentially the John Doe in this case has family in another state. Their contact information is ________. Make contact with them and attempt to obtain DNA to compare with the victim’s. Also show them the reconstruction of the skull to see if they think it could be their relative.

e. There was a tip from an anonymous caller a few months after the body was found. The caller stated that he saw a suspicious vehicle in the vicinity of the crime scene and he provided a description and the license plate number. There is no mention in the case file that this lead was ever pursued. Moreover, conversations with investigators confirm this. A check of DMV records indicates that the vehicle
belonged to _______ and has since been sold to _________. Follow up with the original owner to see if he could be a viable suspect. Also track down the vehicle though the current owner to see if any forensic evidence remains.

f. Re-interview ____________. He was the last person to see the victim alive as she was leaving work. His DNA was also identified at the crime scene during recent lab analysis work. And, although he eventually admitted to having sex with the victim twenty-four hours before her murder, we have found several inconsistencies in his statements. It is not likely he is our suspect, but it is probable that he knows more than he revealed. Having his DNA at the crime scene will no doubt help motivate him to be more forthcoming. His last known address is ____________.

g. Interview ____________. He is a long time drug user out of ________, CA who is also known to be a prominent player in the same rough crowds as the victim. He has multiple arrests and law enforcement contacts and his license is currently suspended for DUI.

h. ____________’s DNA does not match the unknown DNA found in the victim. But what is not clear at this point is whether or not the unknown DNA profile is similar enough to his be from one of his close relatives, i.e. his brother ________. This possibility should be examined using the existing developed profiles of ________ and the unknown donor. This is especially important since ____________’s brother ________ also knew the victim and is rumored to know much more about the crime than he is admitting.

The purpose of your written report, then, is to summarize the case, describe the actions you have taken and make recommendations based on what you have discovered. Your report is a very important document and as such it should be distributed accordingly. Your report will have a greater impact if it is disseminated to supervisors as well as to the investigator assigned to the case.

8) **Follow-Up / Re-assess** – Just like any analytical product you produce, your cold case report is meant to be used by the appropriate personnel. A lot of the time our analyses are received with gratitude and our recommendations are vigorously followed. But we all know how our analyses are sometimes ignored or treated lightly. Here is one of the reasons for distributing your report as widely as is appropriate. Your recommendations are less likely to be ignored if supervisors are aware of them. But regardless of how you distributed your findings it is critical that you follow-up with the investigators to see if any progress has been made. Give them plenty of time and space, usually a few weeks after the initial report, but keep in contact. Also, don’t be discouraged by negative feedback, whether or not it’s constructive.
In following-up you will hopefully have discovered that your recommendations were followed and that new information and/or leads have resulted. Now you can re-assess the information, which is basically repeating steps seven through nine. In doing so, be persistent and follow every lead to its logical conclusion. This step goes right along with step one, “Don’t Assume”. Sometimes it may take a while to get the information you need to re-asses the case. Often, you will be at the mercy of sworn personnel who have been tasked to get you the information. Don’t assume that they hit a dead end just because you don’t hear from them for a while. Keep digging until you are personally convinced that the lead is exhausted. Leave no stone unturned.

Judging Success

Cases go cold for good reasons. They are tough and can be frustrating. Just because you cracked open the old case file doesn’t guarantee that you will close the case. In fact, it is not the analyst’s job to close the case on their own. Any investigation takes teamwork and the analyst is just a part of that larger team. It is your job to make recommendations to the other team members based on your analysis. What more can the Crime Lab do? Who else can be interviewed by the detectives? What holes in the suspect’s story went unnoticed in the original investigation? These types of questions represent your most important contribution. But, in the end, you do not analyze the DNA, compare fingerprints, interview the suspects, etc. You are not the prosecutor who makes the decision to file the case. There are a lot of steps in the process that you do not have control over. It is important to understand this so that you do not get frustrated or de-value your contribution. So what is success?

We have found that success occurs on many different levels. At the individual case level success has meant seeing our homicide detectives follow up on our recommendation that they re-interview a suspect and ask him the questions that we want answered; it is having our Crime Lab test evidence that everyone assumed had been tested already, until we pointed out that it hadn’t been; it is having our Sex Crimes unit put a tracking device on the vehicle of a registered sex offender whom we suspect of being a serial killer. Success has come with the broken alibis, the re-energized cases, the new leads being followed and old leads put to rest so that they no longer have power to misdirect our detectives. Our sense of achievement is, to a large degree, manifested in the sincere thanks we get from the investigators with whom we work. Ultimately, of course, the greatest success is experienced when a criminal is identified and charged and a victim finds justice.

Success can also be experienced at the institutional level. Because of our work on various investigations we have now been integrated into the homicide unit. We have been brought in to help during the earliest stages of new investigations. Our
opinions and help are sought early and often. We are routinely asked to participate in search warrants. We observe witness and suspect interviews so that we can make recommendations. We meet with prosecutors to review cases and prepare for trial. We even testify on occasion. In short, we are doing what every analyst wants to do most – that is, using our intellectual and technological tools to make a meaningful contribution to our agency’s mission. And, although we are very fortunate to work for an agency that values our efforts, we also know that it is because of our hard work, willingness to help and our track record of success that has enabled us to increase our involvement in cold case work.

**Conclusion**

Cold case investigations are an excellent opportunity for an analyst to use his or her skills in a unique way. In any agency there will be a need, but it is up to the analyst to convince command staff to give them a shot at cold case work. The work you do on a cold case will be very similar to your other tasks - with perhaps some added imagination and persistence. We have found that a methodical, well-organized approach to cold case analysis will bring new energy into an investigation by producing new and exciting leads. It will make the investigative process more efficient and may even give victims and their families some hope of justice.