

“Who is Where?” Cold Case Investigation and Collaborations Between Law Enforcement and Academia

Homicide Studies
2023, Vol. 27(4) 493–505
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DOI: 10.1177/10887679221137583
journals.sagepub.com/home/hsx



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Abstract

Innovative strategies can be utilized to investigate unsolved homicides, particularly through translational criminology. We present a case study of a collaboration developed between faculty and students in the School of Criminal Justice at Michigan State University and Michigan State Police’s First District in Lansing, Michigan. We highlight the benefits of including academics and students in these investigations and explore and critique the methodology we utilized to review a 41-year-old cold case homicide. We argue that these teams are a valuable resource with implications for the criminal justice system, the legitimacy of law enforcement, and the victims and their families.

Keywords

cold case homicide, translational criminology, multidisciplinary approach, investigation, policing, inactive homicides

Introduction

Translational criminology refers to the interface between scientific discoveries through empirical research and policy and practice (National Institute of Justice/

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Correction (June 2023): Article updated online to correct “(cite)” to “(Davis et al., 2014)” in the Discussion section. Reference “Davis, R. C., Jensen III, C. J., Burgette, L., & Burnett, K. (2014). Working smarter on cold cases: Identifying factors associated with successful cold case investigations. *Journal of Forensic Sciences*, 59(2), 375–382.” has also been added in the References section.

United States Department of Justice, 2011). It is concerned with the applicability of criminological knowledge which can solve real-world problems. Although the term is relatively nascent, the practices have an established tradition in the discipline of criminal justice. Collaborations between law enforcement and academics to approach specific problems related to crime have become increasingly common and there has been significant progress in the relationships between the two (Bradley & Nixon, 2009; Cordner & White, 2010; Engel & Whalen, 2010; Fyfe & Wilson, 2012; Goode & Lumsden, 2018).

Perhaps one of the most notable of these partnerships was during the 1970s when there was a growing number of stranger killings, seemingly random and motiveless. As a response, the Federal Bureau of Investigation (FBI) formed the Behavioral Science Unit (BSU), which included a specialized group of agents who developed and refined offender profiling, an innovative method utilized as a tool to infer personality characteristics from crime scene behaviors. One of these agents, Roy R. Hazelwood, discovered an academic paper authored by forensic nurse and academic Ann W. Burgess on rape victimology and suspect motivations. Hazelwood, a trailblazer in criminology who always sought innovative methods, made a phone call to Burgess. The rest is criminological history—Burgess became the academic force behind the FBI's most celebrated crime-fighters. The partnership resulted in both advances in scholarly knowledge and investigative practice.

In more contemporary criminal justice practice, new issues have arisen which demand innovative responses. The United States has experienced what Adcock and Stein consider an “epidemic” of cold case homicides (2014). While definitions vary, a cold case is one which has become inactive because investigative leads have been exhausted and the crime remains unsolved (Regoeczi et al., 2008; Walton, 2017). Despite the growing problem of unsolved cases, only about 18% of the nation's approximately 18,000 law enforcement agencies have designated “cold case units” to investigate these cases and approximately 20% of those units do not utilize proper protocols or evidence-based practices (Adcock, 2018). These unsolved crimes must often be assigned low priority by law enforcement agencies due to limited resources and competing duties and responsibilities (Mardigan & DePue, 2017). Law enforcement and academic collaborative models of cold case investigation can provide not only the resources necessary to investigate these cases, but also can assist with developing and implementing protocol. Quite often, however, there are mutual misunderstandings which can negatively affect or even prevent these relationships (Bradley & Nixon, 2009).

Historically, there have been several barriers to successful academic-practitioner partnerships, as these relationships can range from difficult to extraordinarily challenging (Steinheider et al., 2012; Yu, 2017). Law enforcement and academics occupy “very different worlds” (Burkhardt et al., 2017, p. 509). Several research traditions have led to the perception that academics are anti-police (Engel & Whalen, 2010). MacDonald (1986) discussed the concept of the *dialogue of the deaf*, where law

enforcement and academics have defensively criticized and talked at one another, failing at effective communication. Despite these challenges, it is possible to acknowledge these difficulties and work to develop mutually beneficial relationships that allow for the successful dissemination and application of scientific research on policy and practices (Fox et al., 2020).

The collaboration between law enforcement agencies and academia to work cold cases is not new. There are examples of these partnerships across the country with varying protocols and practices, specifically in relation to the roles and responsibilities of the academic partners in the collaboration. In some cases, academics and students prepare the case files while investigators focus on traditional law enforcement tasks. Other models include university partners who are actively involved in case management and provide analytic products, investigative recommendations, and other specific services such as forensic analysis.

This paper presents a case study of one such collaboration between cold case units and academia. We discuss the development of the team and the roles and contributions of team members as we worked to investigate a 40-year-old cold case homicide. We review our method of case organization and management of case data and discuss the utility of team strategies in re-interviewing and re-investigation. There are unique challenges presented by these collaborations which must be overcome and navigated successfully, and we identify how we managed these issues. Drawing from our experiences, we argue that these teams are a valuable resource with implications for the criminal justice system, the legitimacy of law enforcement, and the victims and their families.

Literature Review

Defining Cold Cases

Retired law enforcement officer and academic James Adcock has referred to the growing number of cases which remain unsolved as a “cold case epidemic” (Adcock & Stein, 2014). It is difficult to measure the scope of the problem, as there are no national statistics gathered on the amount of cold case homicides (Walton, 2006/2017). The homicide solvability rate has decreased over the past several decades, with about 40% of cases remaining unsolved (U.S. Department of Justice & Federal Bureau of Investigation, 2018). These crimes are often labeled as “cold.” There is no one standard definition of a cold case homicide, but Walton (2006/2017) describes them as cases where investigators attempted but could not solve or resolve the case through the identification of the perpetrator or cases where perhaps the suspect was known to investigators but there was insufficient evidence for arrest and conviction. Generally, a cold case can be understood as a case which is at least 1 year old where there has been no activity, the original investigators are no longer working on the case, and there are no more leads (Walton, 2006/2017).

The Team Approach to Cold Case Investigation

As Walton (2006/2017) has stated, the lone detective who follows gut instinct and solves the crime has been relegated to the annals of fiction. Cold case investigation must involve the ability to work as a team toward the common goal of case resolution. Yet too often, law enforcement lacks the personnel necessary to develop and sustain teams to work on these cases. There are innovative ways to address this limitation. The National Institute of Justice (NIJ) (National Institute of Justice/United States Department of Justice, 2019) compiled a working group of experts to develop a guide to best practices in cold case investigations. They highlighted 23 recommendations for agencies that centered around the needs and scope of a cold case unit, designing a cold case unit, implementing a cold case unit, operating a cold case unit, and identifying support for a cold case unit. This last category, ways in which to support a cold case unit, is where academia provides three invaluable forms of support—subject matter expertise, resources, and labor (National Institute of Justice/United States Department of Justice, 2019).

Subject matter expertise is an especially salient issue, as specialization within fields and disciplines is central to academia. This provides a wealth of information on specific topics, both within the social sciences and beyond. Additionally, academics can provide access to resources such as educational training, statistical software and data management and analysis, and funding sources. Students are often especially eager to volunteer their time to assist with these investigations and can participate in important tasks such as indexing and organizing cases, open source data mining, as well as constructing databases with relevant case information.

For these collaborations to be successful, several components are necessary. Yu (2020) identifies three elements: a *champion* on the practitioner side who is an advocate for the partnership and actively seeks to develop it, tenured *stakeholders*, and *compromise*, or a commitment by all team members to work together to advance knowledge in the field. The champion is key, as they initiate the partnership and generate support for the collaboration and navigate organizational and bureaucratic structures. Stakeholders are those who will benefit from this partnership and can inform the discussion of needs, goals, and objectives. Lastly, compromise is an important consideration in successful collaboration, as disagreements are certain to arise throughout the process.

There are a wealth of benefits which result from practitioner/academic partnerships, including the generation of new ideas and perspectives, improved policies, procedures, and relationships, and successful performance outcomes (Hansen et al., 2014). To illustrate these benefits, we present a case study analysis of our law enforcement/academic collaborative cold case investigative team. A case study is “an empirical inquiry that investigates a contemporary phenomenon within its real-life context, especially when the boundaries between the object of study and context are not clearly evident” (Dul & Hak, 2008, p. 4; as cited in Yin, 2003). Case study methodology is used to explore, describe, and capture the complexity in a single case (Ebneyamini et al., 2018). This method is especially useful in investigating, analyzing, and

understanding existing events and processes which occur in a single or collective case (Yin, 2009). We emphasize the utility of translational criminology and the ways in which these models can assist in solving the growing problem of cold cases.

A Call for Assistance: Law Enforcement's Cold Case Dilemma

Typically, cold case investigation was something that law enforcement did when things were “slow.” When there was no active case, the practice was to pull a cold one and do what one could. The concept was similar to the original development of cold case units back in the 1990s when crime dropped, and detectives had the time to go back and reexamine cases. Some of the detectives from the Michigan State Police (MSP) had been working cold cases slowly over periods of time. These investigations were a way to keep busy and stay productive, but there was only so much that could be accomplished using this method. Between 2019 and 2020, the captain of MSP at the time inquired about the number of cold cases in the district, and the detectives developed a spreadsheet which identified 54 cold cases.

During the COVID pandemic, one detective sergeant started working on cold cases, but quickly realized this was an impossible task for one person and these cases would never be solved using the current method. He decided to do some research and began studying cold case models across the country, reading the National Institute of Justice's recommendations for cold case investigation. He reached out to other cold case investigators, who suggested partnering with a local university. These detectives are examples of Yu's (2020) concept of a *champion*. Given the detective sergeant's position within the organization and his wealth of investigate experience and knowledge, he was able to create a sense of “buy in” from important stakeholders within the agency, who granted him the ability to open the cold case investigative process to “outsiders” in the academic community. His social and cultural capital within the bureaucratic structure facilitated successful collaboration (Gayadeen, 2022).

Developing the Team

In April of 2020, the detective sergeant contacted the School of Criminal Justice at Michigan State University (MSU). He explained that MSP was forming an unofficial cold case unit and was soliciting volunteers from academia to assist with the investigations. Two faculty members and four graduate students eagerly responded. COVID19 restrictions and safety protocols dictated that the unit activity would occur online. The academic members were fingerprinted at the police post and background investigations were conducted.

The initial meeting took place via Microsoft Teams. After formal introductions were conducted, the investigator informed the team that he had selected a case to review. This was a cold case from 1981 where a young woman had been brutally stabbed and beaten and her body dumped in a rural location. To make sure that no one on the team had any ties to the case, one of the law enforcement officers on the call

read off key names in the case file. The next step was to distribute the case information to the team members. This was done through delivering each member a password-protected USB which contained the case file, a scanned PDF of all of the documents pertaining to the case, in no particular order.

The first step in reviewing the case was to read the case. The detective sergeant instructed all members not to take notes during the first reading, rather to simply read through and make sense of the information. The “making sense” of it all was a challenge in and of itself—the team read over 1,000 pages of 41 years’ worth of police reports, lab reports, evidence logs, witness statements, LEINS, suspect interviews, and case notes in no discernible order. The first critical task was to organize and index the case files. Indexing entailed reading through the case and creating a database which included all of the names, vehicles, evidence, and relevant information in the file and where each occurred in the file.

The review team also provided timelines of suspects and potential avenues for re-investigation. In some cases, the academic partners developed interview questions for witnesses and suspects and suggested interviewing strategies. Throughout the period of April 2020 through February 2022, the detective sergeant conducted interviews and re-interviews with witnesses and suspects. The team met weekly in virtual platforms to discuss our progress until approximately January of 2022, when the team opened up the opportunity for undergraduate students at MSU to become involved in the investigative process.

Experiential Learning: The Cold Case Investigation Course

The decision to open the experience to undergraduate students resulted in the development of an independent study through the university entitled “Cold Case Investigation.” The course was designed to provide a hands-on application of best practices and procedures in relation to cold case units in law enforcement agencies. Students engaged directly with detectives to assist in their investigation of the cold case homicide. They gathered, synthesized and analyzed police investigative files and used such information to create a victimology for their case, applying theoretical constructs from both victimology and criminology. They studied the development and process of cold case units and their impact for law enforcement agencies, victim families, as well as the larger community in which they are situated. Two days a week the students worked with the detectives on the case file, and academic discussion of all readings and course materials occurred with the professors and detectives once a week.

In April 2022, the class took a trip to the town where the homicide was committed. The team met three of the original detectives who worked on the case for lunch at the bar/restaurant where the victim had last been seen. Cold case investigation builds on the work of others, and this offered an invaluable experience for the team (Walton, 2006/2017). Police reports are constructions which offer a limited view into the life of a case, and having firsthand accounts of those who conducted the original investigation offered context and perspective that was lacking from the official case file. We learned more about investigative decisions, leads, and reasons why the case was difficult to resolve. We drove to the apartment complex where the victim lived, visited

one of the potential suspects known addresses, and stood at the location where the body was discovered. In seeing the crime scene, we gained knowledge about the suspect that we could not have gleaned from the case files, specifically that the offender must have been familiar with the location.

Additionally, visiting these locations resulted in bringing the case “to life.” What had been words in a case file transformed when we went to the small town where the crime occurred. We gained an appreciation for investigators as we sat and conversed with the individuals who worked tirelessly on the case only for it to go cold. Reinterviews with those who knew the victim allowed for us to develop a more comprehensive victimology. The victim was no longer a “high risk homicide victim,” but a holistic person whose young life was cut violently short. This context was critical, both for the investigation and for all of the team members on a personal level. We were able to see the effect this crime had on the victim’s loved ones, investigators, and the community as a whole.

This experience, along with a guest lecture from a local homicide survivor, led to a discussion of the team’s mission. We wanted to provide more consideration to the victims and survivors of these homicides. We made the commitment to being victim-centered and offender-focused. This places the victim and the survivors at the center of our investigations, to be treated with dignity and compassion. We met with a victim advocate employed by the agency so she could inform our processes. It is our goal to provide trauma-informed investigations and support the survivors. In terms of being offender-focused, it is our continued mission to seek to identify and locate suspects and hold them accountable for the harms they have inflicted on the victims, families, and communities.

Deliverables and Outcomes

The outcomes of this collaboration thus far have been fruitful. We have made strides not only in the investigation of the cold case, but in the development of a cold case process and organization system and a sustainable cold case collaboration.

In terms of the investigation of the specific cold case, we have successfully eliminated one suspect through examination of the case facts, reinterviews, and polygraph examination. We continue to review the evidence and conduct reinterviews with witnesses and suspects. We are generating re-investigative strategies and continuing to utilize the local media to draw attention to the case. The work we have done thus far on this case has been a learning experience for all partners on cold case investigation and developing methods of case review that are effective and efficient for the goals of investigation, education, and research.

We have developed a process for cold case organization. The first step is to assemble the case and ensure that all documents and evidence are included. In our experience, boxes of case files would “pop up” in places as files had been misplaced or forgotten over the decades they sat in storage. Gathering all the case data can be an arduous task, but it is important to have all of the case files to examine. Once all documents have been recovered, we removed all the duplicate paperwork to reduce the

volume and redundancy that years of investigation had produced. Over time, multiple copies of reports had been printed and added to the boxes as each investigator created their own file, making for a repetitive case file. It is important to note that any document that differed in even the most miniscule way was retained in the main case file. Organized case files are then scanned into PDFs. This creates a digital case file that can be used to review and index the file. After the team reviews the case, the next step is to discuss the solvability factors and determine whether to reopen for investigation. If the case is reopened, it becomes an active investigation and is assigned detectives and allocated resources. If a case is not reopened, it remains stored for future consideration.

In the First District, we realized how important it was to maintain the integrity of these case files and ensure they do not become dust covered boxes in a closet. We began the arduous task of collecting all of the cold cases from across the district. The detective sergeant and a dedicated trooper visited all the posts and compiled all the cold cases. A large closet space in one of the MSP buildings was converted into a Cold Case Library where all of the cases are now housed. We will continue to organize and index these 54 cases so that they are ready for future investigation. But most importantly, as we work, we are developing cold case review protocol and practice. We are concerned with sustainability as we seek to ensure that these cases receive priority and do not simply become messes of paper in boxes scattered across the state. The victims and their families deserve better.

Discussion

Best Practices versus Reality

In the criminal justice profession, “best practices” or “evidence-based practices” are often a lofty and unachievable goal, and the cold case unit we formed was no exception. In academic books and journals, the cold case evaluation guides and models were linear and straightforward. But the reality was an overwhelming mess of papers, inconsistency in investigative progress, lack of resources, and enough enthusiasm necessary to make the best of what we had. Additionally, the team was developed during the COVID-19 pandemic lockdown, and so we were constrained by the mandates which were in place and spent the first year working on the case remotely and communicating through Microsoft Teams.

The law enforcement agency lacked the resources necessary to develop or support the unit. There was no initial inventory performed and no attempt to centralize all the cold cases into a centralized case management system. Rather, it began with a detective sergeant who was interested in reexamining these cases. In terms of personnel assignments, we were unable to adhere to any of the best practices, which greatly affected the case status. The unit was never designated as an official MSP unit, and troopers were assigned for several months at a time; however, they were always involved in multiple roles outside of the unit and could not dedicate their time to the cold case investigation. This was especially difficult, as any investigative steps that

were made ultimately came to a screeching halt when troopers were reassigned or simply “disappeared” from team meetings as they were delegated other responsibilities. Thus, the lack of development and implementation of the cold case unit at the agency level was a challenge from the beginning, and this greatly affected the possible outcomes for the case. As the NIJ Working Group (National Institute of Justice/United States Department of Justice, 2019) noted, these units are most vulnerable when agencies need personnel or resources, but decision-makers must understand the value of allocating resources to unresolved crimes.

Managing Expectations

Law enforcement and academia are institutions which are distinctly different in process, culture, and argot. One of the challenges we faced as a team was managing our expectations and overcoming the inherent differences between academia and law enforcement. For the academic partners, we quickly realized that our working process and practices differed from our law enforcement partners. As academics, it was not uncommon to work odd hours, sending emails on evenings and weekends and working on the case early mornings and late nights. The boundaries of work and life are fluid in academia, and there was an expectation that this would be true for law enforcement as well. The law enforcement on the team, however, were protective of their personal time. They worked their shifts and responded to calls and emails only during work hours. This was puzzling and frustrating at first for the academics. Eventually the academic partners learned that this boundary-setting is critical to law enforcement due to the nature of their work. Burn out, stress, alcoholism, divorce, and other health issues are common problems that law enforcement face if they are not intentional about managing work/life balance. There is also the reality of law enforcement being on the clock without agency approval when answering work calls and emails, creating potential issues regarding employment and overtime restrictions, something not applicable to the academic partners on the team.

Additionally, the academic partners realized that much of their expectations about the investigative process of cold cases was based on the works of fiction. There is a dearth of resources available to the investigators and the team. There were limited detectives and troopers to work the case, and troopers were often transferred from the team when they were needed elsewhere. The crime lab was sometimes reluctant to test a 41-year-old piece of evidence for the third or fourth time in the hopes of finding something new. The academics were also disappointed to learn that, although the media often reports on cold cases solved through DNA, that is not the outcome for most cases. A relatively small portion of cold cases are resolved through DNA evidence (Davis et al., 2014). Unlike active homicide investigations, cold case investigations moved very slowly, a pace at which the academics struggled to understand.

For law enforcement, they had to “reign in” the academic partners, who wanted to hit the streets and conduct interviews immediately. They found the culture of academia to be quite different than the bureaucratic system they worked within and did not understand why the academic’s research institution did not value the investigative

efforts the academics brought to the team. Additionally, the culture and language of academia were new to law enforcement, who quickly learned about the differences through our conversations, especially with younger generations of students, whose political and social ideas were quite different than their own.

Thus, many of the expectations we had were challenged in practice. Some of these became running jokes, for example, warning a new team member about one academic's 5 am emails regarding the investigation. While these differences were occasionally a source of frustration on both sides, they were also valuable learning opportunities. Most often, humor was an effective tool to communicate and work through any issues that arose.

The Benefits of These Collaborations

Despite the challenges, there are a myriad of benefits to collaboration for all partners. For the law enforcement partners, academic faculty and students offered new perspectives, expertise, and could take on organizational tasks that allowed law enforcement the ability to conduct interviews and investigation. Law enforcement typically reviews cold cases from a solvability standpoint but lacks the resources to clean up the cases for investigative work. The students performing these tasks allowed detectives to be brought up to speed much more quickly on cases when not having to sift through boxes of files to gather case details. In this sense, academic partners can “warm up” cases so that they are ready for active investigation.

Academic partners were able to learn more about the investigative process, improve and apply their unique skill sets and academic knowledge, and in our case, receive access to utilize police data for research purposes. Fox et al. (2020) asserted that, no matter the outcome of the cold case reinvestigation, for students the experience “transformed what was purely conceptual into reality, solidifying the academic knowledge we gained, while also reminding us of the real-world implications of criminological and forensic psychology research” (p. 96). The criminal justice students who completed our course had never seen a police report prior to the class. The experience led to exposure to criminal justice professionals that they never would have encountered if their learning had been contained to the classroom.

Sustainability

Adcock (2018) asserts that law enforcement is oriented towards the present and the future but tends to ignore the past. Cold case investigation is not only focused on the past but can inform the present and future. By examining these cases to analyze why and how they went unsolved, we can empirically identify factors related to these outcomes and work to improve practices in contemporary homicide investigation.

We argue that cold case investigation should be victim and survivor centered. As Walton (2006/2017) described, the wounds of murder do not heal, and the family and friends of the victims do not receive closure. For each homicide victim in a cold case, there are an estimated 6–10 family members who they leave behind (Gross, 2007;

Kilpatrick & Acierno, 2003). The one question which was posed to our collaborative team at the beginning of our inception was, “when is a homicide no longer important?” In our estimation, the answer should always be “never.” For the victims themselves and the families and communities impacted by these crimes, justice is an elusive concept which has evaded them for years, even decades. Many survivors feel ignored and unheard by investigators and believe information regarding the case is actively withheld from them (Wellman & Meitl, 2021).

The partnership between the Michigan State Police and Michigan State University is not the first of its kind but does present a model of collaboration which has benefits to both law enforcement and academic partners. Some agencies may not be in proximity to university with a program in criminology or criminal justice to draw on criminologists as subject matter experts and students as a labor force to prep cases. In these cases, technology can allow for the ability to share sensitive files on protected law enforcement servers. If agencies can scan all documents, they can send PDF files to a distant academic partner for removing duplicates, organizing, indexing, and case review. The use of virtual meeting platforms allows team members to work from a distance and still provide value time and resources for investigators who often lack both in their agency.

One of the issues with cold cases is how to measure “success,” given that most of these cases will not be solved. Our team has decided that success means that each case is given the consideration and investigation that the victims deserved and, in many cases, did not receive. The collaborative process ensures that no victim is forgotten. Despite the solvability of the case, each one holds something useful for investigators and academics in the development of evidence-based practice in cold case investigation.

Declaration of Conflicting Interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author(s) received no financial support for the research, authorship, and/or publication of this article.

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