



Advanced Investigative Techniques for Cold Case Sexual Assaults

Lessons learned in *D*etroit Cold Case Sexual Assault Investigations

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Advanced Investigative Techniques

- If the criminal investigator approaches the case with the idea that a DNA hit in the sexual assault kit equals a conviction, the case may be headed for failure.
- Anticipating the position of the defense attorney at the beginning of your investigation will help guide your efforts to overcome these defense positions that may impact your case at trial.
- It will assist in developing advanced interrogation techniques, building evidence to validate the survivor's account of the event, and overcoming the issue of consent at trial.

Lessons learned in Detroit Cold Case Sexual Assault Investigations

The Detroit SAKI site identified a number of barriers that stood in the way of a successful cold case sexual assault investigation and prosecution.

In 2009, over 11,000 untested rape kits were discovered in Detroit Michigan. After several years of planning and fundraising, the WCSAKTF was created in 2015. Over the past several years, we have:

- convicted 190 sexual offenders (mostly serial sexual offenders)
 - representing over 1600 victims of sexual assault
 - collectively representing 2500 – 4800 years in prison from these 177 convictions

Defining Micro- Corroboration

1. Verifying small details that can often demonstrate (or undermine) the credibility of a witness.
2. Identifying what seems to be insignificant evidence often overlooked in normal investigations because of overwhelming other physical evidence. (why look on Facebook for photos of the suspect holding a gun when you have the suspect arrested at the scene with the murder weapon)
3. Identifying or documenting these small details overlooked when the crime was reported.
4. ***Identifying new evidence now that we have a suspect.*** (traffic tickets, parking tickets, other arrests from the time surrounding the crime, or other connections that tie the suspect to the [1] crime, [2] scene or [3] victim).



Customer Statement

Original Invoice : 026-0581712

Art Van Furniture

22555 GREENFIELD RD
SOUTHFIELD MI 48075
(248) 569-3770

The address on the receipt is the address of the defendant

Sold to:

Charles Pugh
1431 Washington Blvd Apt 1008
Detroit Mi 48226 1722
Home : (313) 399-0700
Work : (248) 552-5283

Delivered To:

Charles Pugh
1431 Washington Blvd Apt 1008
Detroit Mi 48226
Home : (313) 717-4638
Work : (248) 552-5103

Salesperson:

23067 OZELLA

TP	Qty	Model Number	Description	Delivery Date	FS	Completion Date	Price	Extended Price
Invoice Number: 026-0581712				Date: 7/02/03				
Deposits: Credit Card: 81.62								
TK	1	AMWO 97463	Computer Desk/Western Alder	Wed 07/02		Thu 07/02	77.00	77.00

The date establishes the first sexual assault

The sales person still works there and becomes a witness on the case

The Verdict

Charles Pugh

Charles Pugh
was sentenced after a guilty plea
to the Michigan Department of
Correction for a period of 5 – 15
years.



Micro-Corroboration

Victim left women's shelter at 330 am to take a city bus to a community center who then bussed her and others to Kmart by great lakes crossing... She gave the route she walked and where she picked up the bus... The Detective obtained historical bus routes off the internet and contacted Kmart to verify the employment of the victim (her name and she worked days nothing further). The Detective also contacted the community center project that ran the work program and confirmed they had such a program. This all countered the defense story that the victim was a prostitute.

The Verdict

William Fuller

William Fuller
will be a guest at the
Michigan Department of
Corrections for the next
70 – 100 years....



Linking the Suspect to the Crime Scene

Court O Case 04T84724 Pty DOI Charge PROH TURN Type OI Status CLSD
Name ALMAHE/MODHAFFER/A

ISTATE OF MICHIGAN | CASE NO: 04T84724 DOI OI
119TH JUDICIAL DISTRICT! REGISTER OF ACTIONS STATUS: CLSD 10/05/04
10R1s2013sJ

JUDGE OF RECORD:
JUDGE:

CITY OF DEARBORN v

ALMAHE/MODHAFFER/A
4915 CABOT
DETROIT

CTN:
TCN:
SID:

ENTRY DATE: 06/21/07
OFFENSE DATE: 09/29/04 930 PM
VPN: MI ZBR745 05

DOB: 01/01/1970 SEX: M RACE: W DLN: ID
VEH YR: VEH MAKE: VIN:

NXT ROA CASE 04T84724 PTY DOI COUNT 00 INQ ALMJIE/J ST
F1-Top F2-Bottom F9-Print F13-OutQ Page/Roll F3/F24-Prior

Date of offense –
four days prior to
assault

Location of sexual
assault was the
same address
listed by
defendant as his
residence

Defendant claims he does not live in Michigan and does not even know the areas. A traffic ticket issued four days prior to the assault clearly establishes the defendant living in Detroit at the residence where the assault occurred.

The Gold Tooth Case

This is not Carlton
Dickerson!!!



This is Carlton Dickerson in MDOC until 2042



The Gold Tooth Case

- Victim was sexually assaulted in the City of Detroit on 07-25-1999 – attacker was unknown
- Victim described her attacker among other details as having two gold teeth
- No new leads were established at the time and the CSC Case remains inactive for 18 years until the rape kit is tested as part of SAKTF

The Gold Tooth Case

- When Carlton Dickerson is developed as a suspect, he has no dental issues whatsoever.
- Det Mike Sabo knows he needs to explain the gold tooth issue at trial
- Defense will clearly try to make jury believe sex was consensual and there is still some guy with gold teeth out there assaulting woman in the City of Detroit

The Gold Tooth Case

-2 months later (09-22-1999), Carlton Dickerson is arrested on an unrelated crime. During interrogation, Detective notices that Dickerson has removed his gold teeth (rims).

-Dickerson lies about throwing the gold teeth away and the Detective locates the teeth in Dickerson's back pocket

The Gold Tooth Case

-The Detective is unsure why Dickerson would do this, but knows he should confiscate the teeth and tag them as evidence.

-Additional checking by Det Sabo, reveal the original DPD Detective from the 09/1999 arrest was still available and remembered the case. He testified at trial about the teeth and the report he wrote in 1999 regarding the gold teeth.

The Forensic Interview

- Paul Warrick case and the forensic interview
 - 8-year-old victim and details of the house in which the assault occurred.
 - Suspect interrogation confirms details supplied by the victim in forensic interview



The Bath Tub Case

- Victim was taken to a home and sexually assaulted at gun point in the City of Detroit.
- After the assault, the defendant filled the bath tub with water and made her bathe.
- The victim noted she was made to take a bath because there was no shower head. It was only functioning as a tub with a tub filler.
- Det Pat Moug returned to the home years later and photographed the bathroom tub. Shower head still missing***





Luster Burns was sentenced to an additional 10 years for trying to destroy evidence on the case.



Locating the vehicle linking the suspect to the crime

- Victim describes the vehicle she was forced into and sexually assaulted in 2001 (newer silver or grey Jeep)
- OIC conducts a computer search of every address the suspect lived around the time of the assault.
- With the assistance of MSP, OIC obtains a list of vehicles and discovers a 2000 Jeep Cherokee registered to a cousin of the suspect living at the same address of the suspect.

Linking the suspect's vehicle to the crime

-Once the OIC had a possible vehicle, he conducted a paint match based on the VIN using an internet search and NICB

-PaintRef.com

-This confirmed the color of the vehicle was silver stone metallic

Victim views a photo of a Jeep (same year and color) and confirms it could be similar or the same



Linking the suspect's vehicle to the crime

This photo of the vehicle and work done by the OIC to validate the color match on the suspect car was entered as an exhibit at the trial.

Jurors commented after the trial about the great work done by the detective to validate small details. **(locating a cousin's vehicle that was living with the suspect at the time)**

Jury Found Michael Fleming guilty after just 19 minutes of deliberation



The Interrogation

-The interrogation of a suspect of sexual assault with DNA is a completely different type of interview.

-Allow the DNA/CODIS evidence to prove it happen. You need to prove there was no consent

-Craft your questions accordingly!!!!!!!!!!!!!!

The Interrogation

-Treat the interrogation like the suspect is testifying.

-Remember! The jury may be listening (what does that mean?)

Interrogation

- This is not a REID interview
- Allow the DNA to prove it happened. Craft your questions to prove it was not consensual

Interrogation

- Rarely will the defendant testify at trial
- This is your chance to question the defendant as if he were on the stand testifying
- And follow up with questions like???

Interrogation techniques

- Do you really think anyone will believe it was consensual based on:
 - Her injuries
 - The location
 - What other ways could you prove lack of consent. What question would you ask?

***-Remember this interview could be played for the jury
at trial.....craft your questions accordingly!***

Defense attorneys do this all the time

- Question A Who?
- Question B Where?
- Question C What?
- Question D When?
- Question E Were you working as a prostitute that night ?
(prosecution objects but the jury already heard the question that suggests an answer!!!!!!!!!!!!)

Using the interrogation to prove lack of consent

-Identifying evidence that helps prove lack of consent

-It is your responsibility to craft questions to prove lack of consent

Interrogation

- Never conduct an interrogation of a suspect without first reading the medical records and understand everything in the medical records. Everything means everything! Every code, abbreviation, hand-written note in the margin,everything. These details are crucial!

LAB REPORTS

- Where is the DNA hit???? Ask about sexual acts.
 - Anal swab - Does the defendant deny anal sex “I don’t do it in the ass” -quote from Ronald Edwards case
 - Oral - Does the victim report oral/anal/vaginal and how does this compare to what the defendant claims

Medical records

**Perhaps the single most important piece
of evidence for your case**

Medical records

- Could consist of medical records from the hospital
- Records from WCSAFE
- WCSAFE records may have photos of injuries
 - **You must ask for them from WCSAFE**

Medical records

-Let's talk

-Most hospital are required to maintain records for 7 or 10 years

-If requesting records from 19 years ago will the clerk even bother to look?

Medical records

- Make a personal appearance at the hospital records department
- Lay it on thick!!!!!! Share details of the case, explain how the suspect is identified in 6 rape kits!!!
- Share a success story from the last time they helped out with medical records

Patient Name: _____

MR/Case Number: _____

E. Symptoms since assault

Physical pain/psychological/emotional/ ADL impairment/other "Sad, scared, mad" patient is
leaving

F. Post assault activity/hygiene

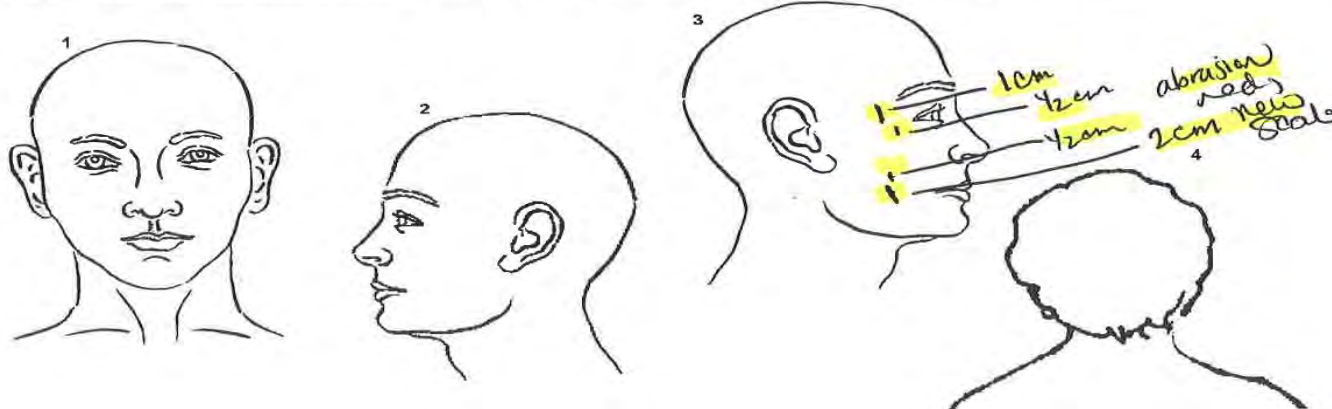
No	Post assault activity	Yes	Patient Statements	Unknown
	Urinated	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	Defecated	<input checked="" type="checkbox"/>		
	Genital wash/wipe	<input checked="" type="checkbox"/>	"first guy to the bathroom"	
	Douche			
<input checked="" type="checkbox"/>	Bath/shower			
	Brushed teeth	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	Vomited			
	Smoked	<input checked="" type="checkbox"/>		
	Drank/ate	<input checked="" type="checkbox"/>	"taco belle"	
<input checked="" type="checkbox"/>	Use of intravaginal product		Specify:	
<input checked="" type="checkbox"/>	Clothing change/missing			
	Other:			

PHYSICAL EXAMINATION/ASSESSMENT

G. General physical assessment

Pulse 68 Respiration 20 Blood pressure 116/76 Temperature 98.7 Weight approx 150lb

H. Head, neck, and oral examination: Please diagram, measure, and describe areas of patient trauma and pain.



I. Strangulation assessment No Yes N/A

Breathing Changes	Voice Changes	Swallowing Changes	Physical	Behavioral Changes	Other
<input type="checkbox"/> Difficulty breathing <input type="checkbox"/> Hyperventilation <input type="checkbox"/> Unable to breath <input type="checkbox"/> Other:	<input type="checkbox"/> Raspy voice <input type="checkbox"/> Hoarse voice <input type="checkbox"/> Coughing <input type="checkbox"/> Unable to speak	<input type="checkbox"/> Trouble swallowing <input type="checkbox"/> Painful to swallow <input type="checkbox"/> Neck Pain <input type="checkbox"/> Nausea <input type="checkbox"/> Vomiting	<input type="checkbox"/> Petechiae eye <input type="checkbox"/> Contusion/Bruise <input type="checkbox"/> Ligature marks <input type="checkbox"/> Other: Note on body map	<input type="checkbox"/> Agitation <input type="checkbox"/> Amnesia <input type="checkbox"/> Hallucinations <input type="checkbox"/> Combativeness	<input type="checkbox"/> Loss of consciousness <input type="checkbox"/> Dizzy <input type="checkbox"/> Headaches <input type="checkbox"/> Urinated <input type="checkbox"/> Defecated

Patient Name: [REDACTED]

MR/Case Number: [REDACTED]

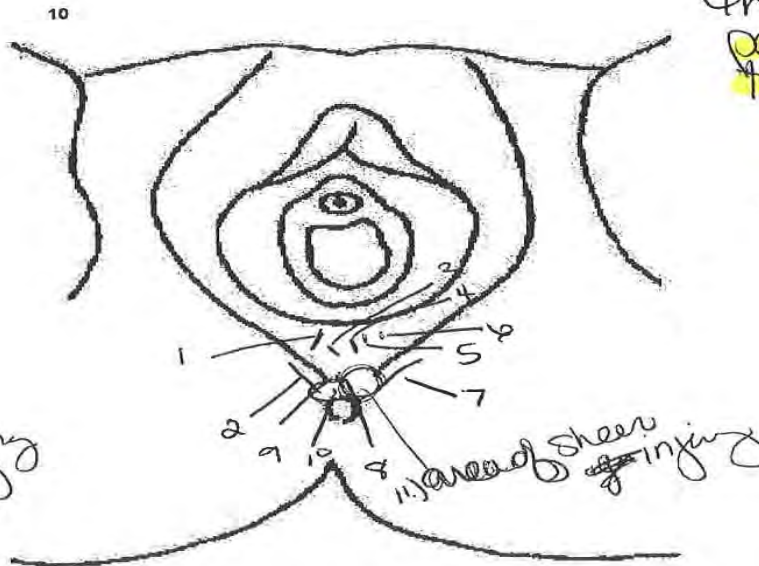
K. Detailed Anogenital Examination Female Patient: N/A

No Trauma	Anogenital Structure	Trauma Identified (describe and document on body map)
<input checked="" type="checkbox"/>	Anus	
	Rectum	NOT VISUALIZED
	Vulva:	
<input checked="" type="checkbox"/>	Vestibule/Periurethral/ Clitoris/Clitoral hood	
	Perineum	
<input checked="" type="checkbox"/>	Labia majora	} SEE BELOW
	Labia minora	
	Posterior fourchette	
	Fossa navicularis	
<input checked="" type="checkbox"/>	Hymen	
<input checked="" type="checkbox"/>	Vagina	
	Cervix	NOT VISUALIZED

Please diagram, measure, and describe areas of patient trauma, pain, alternate light source findings, and Toluidine Blue positive areas (if used) on the maps below.

Skintears:

- 1 3.6mm
- 2 22.3mm
- 3 5.8mm
- 4 3.7mm
- 5 2.4mm
- 6 1.7mm
- 7 13.4mm
- 8 4.2mm
- 9 0.8mm
- 10 2.4mm
- 11 - area of sheering injury
2.0mm x 5.3mm



patient states that it is very painful to touch her vaginal area.

Speculum exam discussed and patient opted to not have it done.

Forensic blue used for further analysis of extent of injury.

Medical records no longer available ?????

-If medical records are not available...

-Perhaps billing records are available to show the survivor was at the hospital *(this may build credibility for your survivor)*

Overlooked items in medicals

- Are these the clothing items you were wearing at the time of the assault? (**discussion**)
- Missing/torn/dirty items of clothing
 - Shows lack of consent
- Were you menstruating at the time of assault?
 - Tampon?
 - Does defendant deny having sex with partners while menstruating?

Know the victimology

- Age, race, overall appearance
 - Does the defendant deny having sex with:
 - Women outside his own race
 - Large women
 - “I would never have sex with a girl that big” -quote from Ronald Edwards case. Edwards is currently at MDOC for 24-40 years
 - She is too fat! Too ugly!
 - Do I look like I would have to rape that?

Victimology

- Does she live alone?
- Have pets ?
- Where does she work?
- What kind of car does she drive?
- Does she have kids?

If defendant claims to know the victim or have an extended relationship, he should know the answers to these questions.

Exculpatory evidence in the interrogation

-DO NOT IGNORE IT

-During the interrogation, the defendant may reveal evidence which is exculpatory.

-In a case at the WCSAKTF, the defendant claimed to know the victim and supplied details of her house, relatives, described a fire house next to her home (which he claims to have visited – not the scene of the sexual assault).

Exculpatory Evidence

- When the victim was interviewed again after the arrest, she admitted knowing the defendant – charges were dismissed.
- During the interrogation – the suspect told detectives he was the father of a child with the Victim's niece and had consensual sex with the victim more than once.
- As part of the original investigation, victim viewed a photo line-up and denied knowing anyone-claimed it to be a stranger rape

Victim's account of the event

- Does location suggest lack of consent
 - Alley
 - Vacant home/building
 - Vehicle
 - Open field

Victim's account of the event

**-Use sensory questions during forensic interview
with the victim**

-Neurobiology of trauma

Victim's account of the event

- Do the sexual acts committed suggest lack of consent?
 - **Use of objects inserted**
 - **Which order were they committed**
 - ATM? Suggests not consensual

Victim's account of the event

Do words spoken by the attacker suggest lack of consent ?

Fucking crack whore

Do what I say, and I won't hurt you

How did it end?

- He just walked away
- He told her to count to 100 before leaving
- He pushed her out of the car and drove off

Addressing the issue of consensual partners

Almost always the first step in any investigation of cold case sexual assault.

Consensual partners

In *Detroit*, we convicted a consensual partner

Arthur Jemison

22 -40 yrs



Consensual partners

-If it were not for a great forensic interview with the victim, and a Detective paying attention to details in the case, the case may have closed as a consensual partners.

-4 year gap between sexual assault and beginning of consensual relationship

Dealing with identical twins



LF 27855

STATE OF MICHIGAN
DEPARTMENT OF PUBLIC HEALTH

39

145511

CERTIFICATE OF
LIVE BIRTH

121 -

STATE FILE NUMBER
7203908

CF		1 CHILD - NAME (FIRST) Kyle (MIDDLE) Ry'chard (LAST) Mitchell	
CHILD	2 SEX Male	3a PLURALITY - SINGLE, TWIN, TRIPLET, ETC. (SPECIFY) Single	3b IF NOT SINGLE - BORN 1ST 2ND, 3RD, ETC. (SPECIFY)
PLACE	4a DATE OF BIRTH (Month Day Year) December 16, 1990	4b TIME OF BIRTH 2:03 A M	
CERTIFICATION	5a HOSPITAL NAME - IF NOT HOSPITAL GIVE STREET AND NUMBER Hutzel Hospital	5b CITY, VILLAGE, OR TOWNSHIP OF BIRTH Detroit	5c COUNTY OF BIRTH Wayne
	6a I CERTIFY THAT THE ABOVE NAMED CHILD WAS BORN ALIVE AT THE PLACE AND TIME AND ON THE DATE STATED ABOVE	6b CERTIFIER'S NAME & TITLE (print or type) Karen L. Jason, RRA Dir M	
	SIGNATURE <i>Karen L. Jason, RRA</i> DATE Dec 20, 90		
	6c NAME AND TITLE OF ATTENDANT IF OTHER THAN CERTIFIER Michael D. Brooks, M.D.	6d MAILING ADDRESS OF ATTENDANT (STREET NO., CITY OR VILLAGE, STATE, ZIP) 1800 Tuxedo Detroit, MI 48206	
	7a REGISTRAR'S SIGNATURE <i>Alma J. Hansen</i>	7b DATE RECEIVED BY LOCAL REGISTRAR - (Month Day Year) JAN 16 1991	
MOTHER	8a MOTHER'S NAME (FIRST, MIDDLE, LAST) Cindy Macheal Mitchell	8b SOCIAL SECURITY NUMBER 377-56-5277	8c STATE OF BIRTH - NAME COUNTRY IF NOT USA Michigan
	8d MOTHER - SURNAME BEFORE FIRST MARRIED Mitchell	8e RESIDENCE (check one box and specify) <input checked="" type="checkbox"/> INSIDE CITY OR VILLAGE OF <input type="checkbox"/> TWP. OF Detroit	8f COUNTY Wayne
			8g STATE Michigan
FATHER	9a FATHER'S NAME (FIRST, MIDDLE, LAST)	9b SOCIAL SECURITY NUMBER	9c STATE OF BIRTH - NAME COUNTRY IF NOT USA
			9d DATE OF BIRTH (Month Day Year)
	10a I CERTIFY THAT THE PERSONAL INFORMATION PROVIDED ON THIS CERTIFICATE IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF	10b THE PARENT(S) REQUEST THAT INFORMATION ON THIS BIRTH BE RELEASED TO THE SOCIAL SECURITY ADMIN FOR ISSUANCE OF A SOCIAL SECURITY NUMBER AND CARD	
	SIGNATURE (PARENT OR OTHER INFORMANT) <i>Cindy M. Mitchell</i>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Form Number
7203908

This is a true and correct representation of the vital record facts on file with the Division for Vital Records, Michigan Department of Health and Human Services. This is issued to the Michigan State Police. It is issued for ADMINISTRATIVE USE ONLY, NOT FOR PERSONAL USE. It can be used only by the receiving agency for the purpose approved with its application. It is not valid for any other purpose.

Date Issued: March 13, 2018

Identical twins

Edwardo vs. and Fernando

The father and son team

William Randolph King Sr.

Vs.

William Randolph King Jr.

State of Michigan)
ss.
County of Wayne)

SEARCH WARRANT AND AFFIDAVIT

To the Sheriff or any peace officer of said County:

The Affiant, having subscribed and sworn to an affidavit for a Search Warrant, and I having under Oath examined the affiant, am satisfied that probable cause exists.

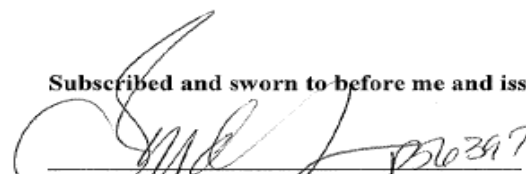
NOW, THEREFORE, IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN, I command that you search ;


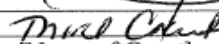
2014 Dodge Ram Pickup Truck, white in color, Michigan license plate DCV5590 (10/15) with VIN: 1C6RR7TT5ES282280, including any parts interior parts removed.

and to seize, secure, tabulate and make return according to law the following property and things:

mucus, or other body fluid containing human DNA (Deoxyribonucleic acid)

AFFIANT 
Investigator Ken Muscat
9/9/2015.


ASSISTANT PROSECUTING ATTORNEY
Assistant Prosecuting Attorney
Mich. State Bar No. P-[Bar No.]
Magistrate


JUDGE of 
Judge of the [Name of Court]
WAYNE County., Michigan, and a

does not remember much about the 2005 assault. King told Affiant the second male subject involved in the 2014 sexual assault allegation was his son, William Randolph King Jr (08/03/64, SID:1208812T). King (Senior) told

and details surrounding the event. McClintock said after the two men sexually assaulted her, they told her to get into the back seat of the 4 door white Dodge Ram Pickup truck. They drove for approximately 45 minutes and made

feared for her safety and according to her, she felt she needed to leave her DNA behind in the truck for someone to find if something happened to her. McClintock told me she smeared nasal mucus on and under the rear seat of the truck for someone to find at a future date should her name be

truck. However, a computer search of the CLEMIS reporting system revealed King was stopped by police in the City of Ferndale on 04/28/14. He was issued a speeding ticket while driving a white Dodge Ram pickup truck bearing Michigan license plate DCV5590.

During the interrogation of William King (senior) he confirmed his son drives a white Dodge Pickup truck and thought his son owned the vehicle.





The Verdict

William Randolph King was convicted after a jury trial and sentenced 40 – 70 years in the Michigan Department of Corrections.



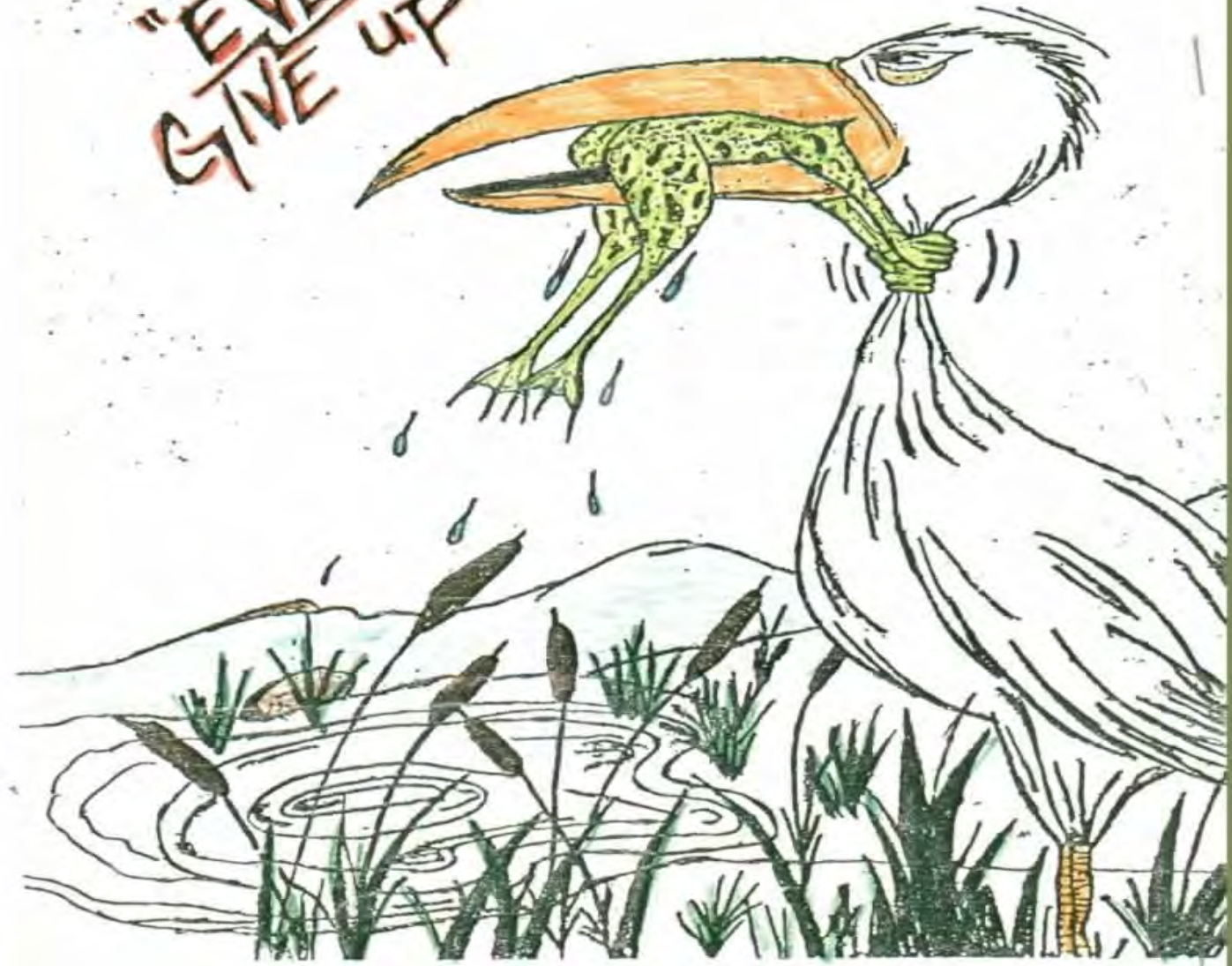
Using Micro-corroboration in a date rape case

- Closely examine complete criminal history
- All entry's on the CCH- what started as a rape case may be charged as disorderly, A&B, or trespassing
- Contact every jurisdiction the suspect lived to check local reports/contacts that never made it to a CCH –CLEMIS, CRISNET, SUNGUARD, Campus police, OSSI...

Using Micro-corroboration in a date rape case

- These other reports from neighboring jurisdictions may produce a great 404b witness
- Check with the State Police –sexual motivate crime reports for your suspect's name or activity in the DD-0079
- Witness interviews become highly important (who was at the party? who did the suspect call the next day or after the assault ? Surveillance cameras documenting victims level of intoxication – Evan Reed case)
- Suspect phone and credit card dumps – who bought the alcohol, who did the suspect call or text around the time of the assault?

DON'T
"EVER"
GIVE UP



Contact Information



Lead Detective, Sergeant Ken Muscat

(313) 224-0273

kmuscat@waynecounty.com

Sergeant Mark Farrah

(313) 224-5741

mfarah@waynecounty.com