

THE ROLE OF DRAWING IN THE CONTEXT OF CRIMINAL INVESTIGATION



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Abstract: This article addresses the importance of graphic representation in the field of criminal investigation. In fact through the mechanisms and the act of drawing, processed in its majority by software, it is intended to unveil all the capabilities of this tool in the illustration and understanding of a particular crime. Throughout this study we searched to define the role played by the drawing as part of the investigation, highlighting its potential in the process of solving a crime. Assuming that drawing, as part of the Criminalistics, is permeable to scientific investigation, and considering that drawing, as such, has only been scientifically treated in a very superficial way (up to this moment), there is a need to analyse the story and the silver linings of the image created from a particular crime — the image that studies, explains and reveals (and unveils) the crime. Taking into consideration the internship developed at Lisbon's Laboratory of Scientific Police (LPC — Laboratório de Polícia Científica de Lisboa) a reflection organised under analytical and methodological objectives that seeks to understand the concerns of drawing in criminal context is propounded. The first group of objectives aims towards understanding the presence of drawing in the department of 'criminalistic image' by analysing and decomposing the processes of representation used in the criminal field. As to the methodological objectives, it is proposed to highlight the procedures used when drawing is applied in criminal investigations, thus following a case study that makes it possible to understand how drawing contributes to the analysis of a particular crime (1).

Keywords: forensics; drawing; crime investigation.

INTRODUCTION

Considered by Manfredo Massironi as a docile tool, drawing has kept itself available for those who used it to create their art pieces. The materials, rudimental in its majority, have made drawing very versatile and able to prove its utility in a vast range of distinct areas, showing the broadness of its functions and the potential of its various applications (Massironi, 1982).

It is important to recognise the ability of drawing to communicate an idea, even when the considered idea is not valid. Its function is not to judge but only to express and represent the idea, despite its formal validity or scientific accuracy. The constant presence of this versatile tool became essential in the process of communicating, and this particular aspect will be the starting point towards studying the purpose and the implications of drawing when applied to criminal investigation.

(1) All the references to the case study mentioned in this essay were changed in order to preserve the identity of intervenient.



DRAWING IN THE CONTEXT OF CRIMINAL INVESTIGATION

Drawing in criminal context relies essentially in its capability to illustrate an event and verify that the product of this action (this illustration) results in a unique document (Reis, 2003).

The activity of the forensic artist is to seek information in order to know and explore the scenery, the intervenient and the whole story of the crime. Hence, the act of drawing ceases to be a mere display of technical skills and becomes an exercise of recreation of the crime, where the most relevant facts are highlighted by the drawer.

In this context, the forensic artist clarifies through drawing certain aspects of the crime, stressing the legal relevance and severity of those particular aspects (Taylor, 2001).

Drawing has the potential to be a tool able of clarifying the silver lining of the crime. Through the drawing it is possible to show in court most of the time the severity of the event contributing therefore to aggravate the sentence of the criminal. This ability to support the premises of the investigation may contribute to make better justice.

Although the utility of these drawings relies on the images presented as follows, it is important to define, from the beginning, its application in different types of crime. In this context drawing proves to be particularly important when investigating violent crime such as homicide, kidnapping, theft and some crimes of sexual nature.

Considering the facts, the role of drawing differs depending on the type of crime suggested by those facts. If a certain individual is victim of armed robbery and ends up suffering a near miss shot, the drawing has the ability of understanding the performance of the gun and, therefore, to show that even though the victim was not hit, still the near miss shot represented a hazard to the victim's life and wellbeing. In this case the drawing works as a simulator that seeks to reconstruct the phenomenon through the creation of a graphical narrative of the facts. This kind of record usually results in the

acknowledgement and understanding of the expert in relation to the story of the crime and, therefore, it is from this first contact that one will try to adapt the potential of the drawing considering the type of crime that has been committed.

Thus, for example, in the context of a rape, the victim is directed towards the making of a composite sketch. In the case of a crime committed in a particular place, several sketches are made in order to reconstruct the past event (these sketches are also known as infographics) (?).

These drawings as well as most of the images produced in this area are usually processed by software which allows the artist to work in the structure of the spaces with some accuracy and skill. They are usually subtitled in order to make them easier to read and understand.

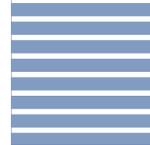
The role of the expert is to scrutinise the several possibilities and adapt them to the characteristics of each case, considering the potential of the drawing and thus optimising the graphic qualities that are essential to fulfil its purpose. Developing technical skills is essential to obtain a good evaluation in each case, as the foundation of the drawing is a clear conscience and a commitment with the story of the crime.

It is not only about illustrating or making a record of a crime, but also about creating an element that perpetuates the evidence. Although the later uses photography to support its existence it reaches its supremacy and independence when it allies thought to the graphic representation. This symbiosis helps to clarify any gaps that photography cannot surpass.

Drawing and photography work side-by-side in order to overcome the specific limitations of each one of these tools. While the drawing graphically explains the moment that precedes the crime, the photography serves to document the traces it leaves behind.

At the scientific police lab the experts involved in the area dedicated to criminalistic drawing try to optimise its use as a helpful tool that is able to verify the authenticity of the facts reported by victims, witnesses and police force.

(?) Infographics, as the name indicates 'info + graphic', is information that can be translated in graphical terms. This type of visual representation makes the understanding of a certain subject easier by expressing it through drawing.

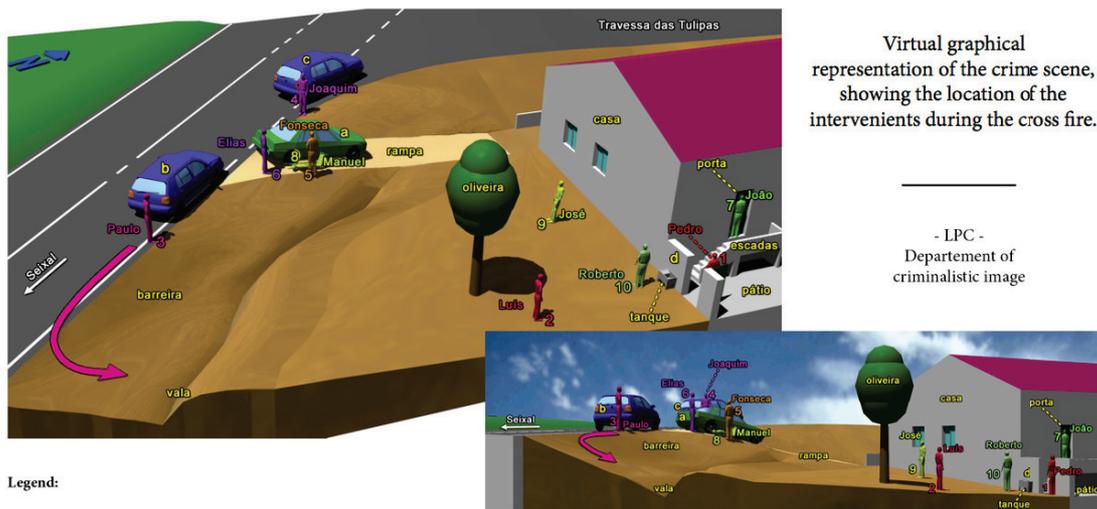


A CASE STUDY

The shooting sequence shown in Figure 1 was first analysed by crime investigators as follows: they assumed, at first, that the shot that hit the police officer Pedro (1) had been fired by one

of the accused, João (7). The drawing however would clarify what had actually happened. The bullet that hit Pedro had been accidentally fired by police officer Luís (2) who had also entered the action.

Figure 1. Shooting sequence in case A.



Virtual graphical representation of the crime scene, showing the location of the fire and the intervenients during the cross fire.

- LPC -
Departement of
criminalistic image

Legend:

a - Position of the car driven by João, when he parked in the access ramp;
b - Police car position. The driver could hear some shots; however he was not able either to quantify or identify where they came from;
c - Police car position. After arrival the driver heard the gunshots, but was not able either to quantify or identify their origin;
d - Wall above the laundry tank, where Luís, shot three to four times with his semi-automatic gun.

1 - Pedro's position, when he was shot in the courtyard entrance;
2 - Position of Luís, when he fired three to four times in the direction of the wall (d), above the laundry tank;
3 - Position of police officer Paulo, when he shot two times in to the air. This person followed the arrow path in the direction of the suspect 9 (José);
4 - Position of police officer Joaquim, when he heard both shots. In the meanwhile he also fired one time into the air;
5 - Position of police officer Fonseca, when he arrested a suspect sat in the back of vehicle (a) and heard the gunshots.

6 - Position of police officer chief Elias, when he realizes that five to ten shots were fired. However he could not identify their origin;
7 - Position of João, while he entered the house and closed the door behind. Police officer Pedro (1), was chasing him;
8 - Position of Manuel, at the moment he was arrested in the ground. Police officer Fonseca (5), who was holding a rifle, fired three times in the direction of the courtyard towards suspect (7);
9 - Position of suspect José, when he heard the gunshots and was afterwards arrested by two police officers;
10 - Position of suspect Roberto, at the time of the gunshots and when suspect (7) entered the courtyard.

If we scan through Figure 1 we realise that this drawing comes alive based on the information provided by the inspectors and which is nothing but the summit of the key moment in which the shot that hit Pedro has been fired.

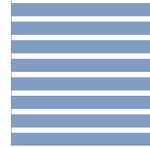
Analysing the drawing it is possible to verify the position of each intervenient and define the role each one played. If we focus on the main characters, Pedro, João and Luís, it is possible to verify that the relative position of these three elements defines what in fact has happened.

According to the evidence given, Pedro has gone upstairs with the purpose of neutralising João who was entering the house, but no sooner did he climb the first steps than he was shot on the back. At that precise moment Luís shots three times against the wall with the same intention of neutralising João but apparently one of the shots

hit Pedro. The evidence showed and the drawing reinforced the fact that João was not carrying any kind of gun since it has never been found. With this specific case it is easy to understand the role played by the drawing in the criminal investigation.

In some cases the act of scrutinising these images is conclusive for the understanding of the chronology of the facts and for proving what has actually happened. One should realise that the production of this type of drawing is impartial and it has the mere purpose of establishing facts and clarifying their veracity, although some cruel facts often are revealed. The impartiality presented in the images shows in a certain way the ethics behind the work that follows the rules of the investigation itself and has the unique purpose of clarifying in graphic terms the outline of a particular situation.





FINAL REMARKS

When depicting the crime the drawing has the purpose of telling the story of the event parcelling the moments into images which show facts and clear suspicions. This aim is more evident when these drawings are presented in court with the purpose of corroborating evidence, traces and descriptions given by several intervenients in a crime. In this context we impart to the drawing the possibility of

establishing the necessary links among the several elements displaying the result of that fusion. It can therefore be concluded that the drawing is extremely helpful to the criminal investigation, as the drawing has within itself a total roster of the gathered facts. When considering the vast numbers of criminal cases that have been exhaustively analysed by the different judicial actors we conclude that the drawing can play the role of the shortcut which leads us to the heart of the matter.

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