Framing in criminal investigation: How police officers (re)construct a crime

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Abstract

Failures in criminal investigation may lead to wrongful convictions. Insight in the criminal investigation process is needed to understand how these investigative failures may rise and how measures can contribute to the prevention of this kind of failures. Some of the main findings of an empirical study of the criminal investigation process in four cases of major investigations are presented here. This criminal investigation process is analyzed as a process of framing, using Goffman's framing (Goffman, 1975) and interaction theories (Goffman, 1990). It shows that in addition to framing, other substantive and social factors affect the criminal investigation.

Keywords

Criminal investigation, framing, interaction, Goffman

Introduction

For the past few decades there has been an increasing awareness of the problem of serious failures in criminal investigation in the Netherlands. Such failures can have serious consequences, including wrongful convictions (Rossmo, 2009). They have occurred not only in the Netherlands but also in many other countries, such as the United States, Canada and the UK.

One of the Dutch miscarriages of justice that attracted a great deal of media attention, and has led to social and political unrest, was the so-called Schiedam park murder case (Van Koppen, 2008; Posthumus, 2005). In that case, the police investigation team focused on one suspect. The police officers became convinced that he

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was the true offender, while they ignored evidence that pointed in other directions. As a result, an innocent person was prosecuted and ultimately wrongfully convicted. The evaluation of this miscarriage of justice was a catalyst for the reform of criminal investigation in the Netherlands. One of the measures that was recommended to prevent these kinds of failures in the future, was the introduction of independent 'contrarians' (Salet and Terpstra, 2014). Debates about the causes and remedies of such investigative failures occurred in several countries (Findley, 2012; Gould *et al.*, 2012; Groenendaal and Helsloot, 2015; Macfarlane, 2008; Snook and Cullen, 2009; Stubbins and Stubbins, 2009).

The Schiedam park murder case, and also other cases, made it clear that criminal investigative officers sometimes focus on only one suspect and persevere in that suspicion. They persist in believing in their own (re)construction of what happened in the criminal act, despite a lack of evidence for their (re)construction. To understand how these investigative failures may arise and how measures can contribute to the prevention of this kind of failure, insight in the criminal investigation process is needed. The foregoing raises the following questions about the criminal investigation process. How do research directions arise during the investigation process? How do teams of criminal investigative police officers (re)construct what happened in a criminal act? How do they come to the belief that certain persons are the likely suspects and what their motives were for committing the crime? How do investigation teams search in those directions? What factors contribute to a situation where the police officers strongly believe in their (re)construction, even if the empirical basis is rather weak? How do they deal with contradictory information or with members of the team who do not share the same belief? How does their (re)construction change? These questions relate to 'the problem to find', which is the first 'chapter' of the criminal inquiry. This chapter starts when the criminal investigator begins his search for the criminal and it ceases when he becomes confident that he has found him (Kind, 1994: 157).

Some of the main findings of an empirical study of the criminal investigation process in four cases of major investigations (such as murder cases) are presented here to answer these questions. This study shows how major investigation teams in four Dutch police forces (re)construct the crime in their search for the offender (Salet, 2015). These major investigation teams are set up in the case of a capital crime and consist of on average 10 to 30 police officers. The team exists for the duration of the investigation which can vary from a couple of weeks to more than a year. The members of a team have meetings, particularly in the initial phase of the inquiry, on a daily basis. In this study, these meetings in four different major investigations were observed. The main focus of this study in on the way that investigation teams (re)construct crimes; it is not about the truthfulness of the (re)construction in specific cases.

Here, framing (Goffman, 1975) and interaction theories (Goffman, 1990) are used to analyse the criminal investigation process. According to Hawk and Dabney (2014: 1143), Goffman's frame analysis (1975) was scarcely used in research in the field of criminology. They suggest applying his framework in studies of criminal investigation (and other types of police work) (Hawk and Dabney, 2014: 1144–1145). Although Goffman's interaction theory was used in research on police work in

general (Manning, 1977; O'Neill, 2015), it was scarcely used in studies of criminal investigation. Goffman's perspective does seem to offer several leads for research into criminal investigation and that is why in this study the (re)construction of the criminal incident by the members of the investigation team is analysed as a process of framing.

In the next section I outline some main elements of Goffman's framing theory and explain why his concept seems to be suitable to study the investigation process. Further, I focus on the methods used in this empirical study. I then go on to describe one of the cases I observed and present the main findings of this research project. Finally, I analyse criminal investigations as a process of framing, using Goffman's perspective, and discuss some implications both for understanding this process and for Goffman's theory.

Framing, deframing and reframing

In his frame analysis, Goffman assumes that individuals in any ongoing situation face the question: 'What is it that's going on here?' In other words, individuals ask themselves how they should define the situation (Goffman, 1975: 8). Individuals act according to what the situation means to them (Goffman, 1975: 2). Definitions of a situation are built up in accordance with what Goffman calls frames. Frames are the principles of organisation that govern (social) events and our subjective involvement in them. 'Frame' is the term Goffman uses to refer to such basic elements. To interpret or define situations, individuals have frameworks at their disposal (Goffman, 1975: 10–11).

According to Goffman, individuals are able to pursue a line of activity (a story line) across a range of events that are treated as out-of-frame, subordinated in this particular way to what has come to be defined as the main action (the definition of the situation). Goffman states that individuals have the capacity to disattend competing events that are not interpreted as the main definition of the situation, defining them as out-of-frame activity (Goffman, 1975: 201–202, 210).

Goffman also distinguishes situations that are open to different interpretations. This is what Goffman calls ambiguity (Goffman, 1975: 302–305). For errors in belief about how a situation should be framed, he uses the term misframing (Goffman, 1975: 308). Ambiguous situations might, if wrongly explained, result in misframing. Breaking a frame (hereafter 'deframing') is the situation when something happens, an occurrence that cannot be effectively ignored, to which the frame cannot be applied. This happens when someone interprets the situation wrongly and thus acts inappropriately (Goffman, 1975: 347–350). When this break occurs and a new or different frame has to be applied, Goffman talks about reframing. Although Goffman is very optimistic about the adequacy of frameworks and believes that misframing is often only short-lived, he acknowledges that there are some vulnerabilities or risks with framing (Goffman, 1975: 440 et seq.). Activities that must be predicated on a small amount of information are especially vulnerable to misframing. This happens with events that occur only once and in apparent isolation from other events. Events that occurred in the distant past are also, and especially, vulnerable to misframing, because it seems that the further back in the past an event took place, the less readily evidence about it can be collected. To conclude,

situations that must be interpreted based on the information coming from one source increase the vulnerability of framing (Goffman, 1975: 448–450).

According to Goffman's interaction theory, framing takes place during interaction (face-to-face interaction). Interactions occur during an encounter, an occasion when a given set of individuals are in one another's continuous presence (Goffman, 1990: 26). During an encounter, the participants try to contribute to a single overall definition of the situation. Due to the fact that individuals act according to what the situation means to them, the behaviour of participants can be influenced by changing the definition of the situation. The definition is derived from the impression that others make. So, when an individual appears before others, he will have many motives for trying to control the impression the others have of the situation. On a given occasion, participants put on a performance that serves to influence any of the other participants in some way. According to Goffman, the participants contribute to a single overall definition of the situation or 'working consensus' (Goffman, 1990: 1–27). In his theory, Goffman describes how these processes develop in practice and where problems may arise during interaction. He draws a comparison with structural features of the dramaturgy. For example, Goffman distinguishes between a 'front stage' and a 'back stage' (Goffman, 1990: 109–115). At the latter stage performers can fall out of character (or lose face) (Goffman, 1990: 167; Goffman, 1972: 94–95; Goffman, 1967: 8). Goffman also shows how disruptions of performances can be prevented or restricted. This is what Goffman calls the art of impression management. He describes several techniques and strategies that individuals use to control the impression they give and give off, and to maintain the existing definition of the situation (Goffman, 1990: 223 et. seq.).

Goffman's frame analysis might be useful to understand how members of a criminal investigation team (re)construct crimes, how they search in certain directions, how they deal with contradictory information and maintain belief in their (re)construction. The interaction perspective seems to be useful to study how these processes occur during interactions between members of the criminal investigation team and how members are dealt with who do not share a common belief in the definition of the situation. Based on Goffman's theories, it seems relevant to consider how framing occurs during interaction between members of the criminal investigation team. Goffman's theories may be helpful to understand how a definition of a crime is (re)constructed, how this definition can change and why it might not change.

Methods

This study concerns the criminal investigation process in major investigation teams of the Dutch police: how crimes are (re)constructed and why the belief of the team members in the reconstruction does or does not change; how the investigation teams search in certain directions; how a team handles information pointing in another direction; and how team members respond to diverging views of their fellow members. The aim of the research was to describe, analyse and understand the complexity of these processes. Because this study focuses on 'how' and 'why' questions about the criminal investigation process − a contemporary set of events over which the investigator has little or no control − a case study approach was used (George and Bennett, 2005; Yin, 2009). The

case study method is ideally suited to identify general processes, patterns and the inter-dependence of factors, and to understand and explain them, through the in-depth study of a few cases. Analytical rather than statistical generalisation is pursued.

The development and change of research directions are gradual processes taking place over a longer period of time. During this process, new information is regularly found and collected. The question is how this (new) information can change priorities and scenarios of the criminal investigation. Both substantive and social aspects of the investigative process seem to be relevant to this question. Not only decisions and priorities are important, however; so are social processes and social relations that may influence the decision-making process. Given the nature of the research question it would not be sufficient to reconstruct the criminal investigative process ex post facto. Because a direct form of research was needed, I decided to observe daily routines in criminal investigation teams (Spradley, 1980). I expected the changes to be most visible at the start of the investigation process, so the observations were most intensive during the initial phase. Depending on the progress of the case, a decision was taken as to whether saturation had occurred and the research could be terminated. For example, when the investigative team considered the investigation to be more or less completed and the number of meetings drastically decreased, the observations were terminated. In most cases the observations ended after four weeks. The observations took place between April 2012 and February 2013.

The observations focused primarily on the meetings in four different cases of major criminal investigations (such as murder cases).[1] Among these meetings were team briefings, brainstorming sessions and the meetings of the leaders of the team. The meetings were observed qualitatively. The observations of these meetings in the four investigations took about 54 hours in sum. In addition, there were also observations of team members at their workplace to perceive the spontaneous and routine framing processes. In each case I spent about four or five working days on these observations. Finally, informal interviews were held with some of the team members and some relevant documents were studied.

Because each criminal investigation occurred in a different police force, I could observe four different police organisations. The police forces were asked to call me immediately at the start of the investigation, for example right after the discovery of a corpse. This meant that I didn't know what kind of case was to be investigated, but the procedure gave me the opportunity to study the initial phase of the investigation process. Most observations took place in the first two weeks of the investigation. During the observations, the focus was on points of interest that were derived from Goffman's framing (Goffman, 1975) and interaction theories (Goffman, 1967, 1972, 1990). First of all the focus was on aspects such as the layout of the room, the body language of the participants and the style of communication used by the team members (for example, intonation and expression). In addition, I paid attention to the course of the meeting. For example, was an agenda used or did any disruption occur? Further, I focused on what matters the police officers discussed and what decisions and priorities were set by the team. Finally, I looked at the social processes. How did team members interact with each other? Were there any tensions between them and how did they handle those tensions?

The main findings of this research project are presented in the next section. First one of the observed cases is described as an example to show how a criminal inquiry works in practice. Then I go on to describe the criminal investigation process in more analytic terms and focus on the question why teams do not always consider information pointing in another direction or why they don't investigate alternatives. Finally, I analyse this as a process of framing, using Goffman's perspective.

A criminal investigation of an attempted murder

One day, the police control room of a Dutch police force receives a telephone call that a man has been shot on the street in broad daylight. A police car and an ambulance are sent to the crime scene. The ambulance takes the victim to the hospital, while the police officers arrest the two men who accompanied the victim. The police officers who arrived first at the crime scene collect some information. Their findings are transferred to the major criminal investigation team that has immediately been set up.

The next morning, during the first briefing of this team, the research activities up to that moment are discussed. It turns out that the victim survived the shooting. The victim and the two men who were arrested are important sources of information at the start of the investigation. The victim says that he was walking in the street and was shot at from a car. It turns out that he was able to alert two friends (the two men who were arrested), who called the police. The two friends tell the police that they don't know what happened and they both deny having shot the victim. They are concerned about their friend and are willing to cooperate with the police.

Based on this information, the members of the team start their search for the perpetrator with an investigation in the neighbourhood, interrogation of the victim, his two friends and of other witnesses, and investigation of telecommunications data and CCTV at the crime scene.

The community police officer suggests that the victim's son might have shot his father. The next morning the community police officer reports that a witness saw a boy running away. He thinks this might have been the victim's son. The team also receives information that the victim's son probably possesses a weapon. The leaders of the team decide to attach a tap to his telephone. This research direction ends up on a sidetrack because the team prefers another research direction.

The members of the team presume that the victim and his two friends are not telling the truth. They think it is suspicious that the victim can't tell them exactly what he did on that particular day. He gives no information about specific points of time and his appointments. The detectives who interrogated the victim doubt his story. The team members therefore spend a lot of time and energy interrogating the victim and his friends. They also invest time investigating the victim's neighbourhood.

The stories of the neighbourhood residents suggest that the victim became involved in a dispute in his house on that particular day. A witness saw a couple of men running out of the house after hearing a bang. The witness noted the number of the licence plate of the car in which the men drove away. This is important information for the investigation team. In addition, the neighbourhood residents report that men regularly stay in the

victim's house for a short period of time. The team interprets this information as a sign that the victim might be dealing drugs from his home.

In the meantime, the victim's friends attest that the victim told them to tell the police that he was shot on the street. Another friend of the victim who was in the victim's house on that particular day attests that he heard a shot in the victim's house. The victim, on the other hand, sticks to his story that he was shot outside on the street. He says he saw a witness and that he is going to look for this witness. Nevertheless, the team members do not believe the victim and decide to search the victim's house, where they find a bullet that might fit the weapon that was probably used.

Based on the story of the witness who noted the licence plate number, the team tries to find out who is the owner or user of the car registered with that licence number. The team tries to reconstruct what might have happened, following the statements of the neighbourhood residents, the victim's friends, the victim, other witnesses, and the historical data of mobile phones. On day nine of the investigation, the team believes it has found the three men who came out of the victim's house on that particular day and drove away in the car.

Starting from the possible motives, the leaders of the team create a couple of possible scenarios of what might have happened. The other members of the team are invited to contribute to these scenarios during a brainstorming session. The team members think that the victim was shot in his house by the three men after a dispute about drugs. In addition, the team members also take into consideration the possibility that the victim's son shot his father. To conclude, the team members keep in mind that an unknown person might be involved who shot the victim because of some dispute, possibly in relation to drugs.

Almost one week later, the team members decide to arrest the three men who are supposed to have left the victim's house. At the time of the arrest one of the men is carrying a weapon. This weapon might have been used to shoot the victim. After the arrests, the victim is confronted with these findings. The victim then admits that he was shot by one of the three men in his house. The major investigation team closes the case and the public prosecutor decides to prosecute the three men.

The criminal investigation process: a cyclical, non-linear process

This study shows that the process of large-scale criminal investigations by the police can be divided into four steps, the last three of which can be seen as a cyclical process. This process comes to an end when there is a serious suspect, which leads to a decision about his prosecution. The process can also be ended when most of the relevant directions have been investigated, but do not result in a serious suspect.

The start of the investigation

The criminal investigation starts with the information found by the police officers who were the first to arrive on the crime scene. This information forms the main starting point for members of the investigation team. Based on this information they start their investigation with a number of standard procedures, which they use to get a first impression of

what might have happened. The team members investigate the crime scene, the victim and possible suspects and their backgrounds, and trace and question witnesses. This first step is largely a matter of routine. The acts performed seem to be done automatically, with no explicit justification or argumentation for the decisions made. These routines are hardly questioned by members of the team.

The interpretation of the findings

The first information is collected at the start of the investigation process. As a rule, the investigation team interprets these findings immediately. By sharing the information with the other team members during team briefings, the team tries to gain an overview of all the information available. At that time the information found and collected may appear to arise in a disorganised, random manner. During this second step the team puzzles over the information and tries to connect the new information with the impressions they already have about the case. These impressions are rather implicit and pre-reflexive. When the information does not match these impressions, the information is often reasoned away. While discussing the findings, the team members try to influence the interpretation by presenting the information in such a way that the other members are convinced of the 'validity' of their view. For example, they tell their story in a convincing way by use of intonation and mimic. A similar pattern occurs when team members are uncertain about their point of view. They phrase their opinion cautiously; for example, 'I just want to mention this', 'I only want to discuss the point', or 'It's just an idea'. By doing this, they try to present their point of view with a certain reserve. The way the discussion proceeds between the members of the team might influence the interpretation of the findings. The dynamics of the discussion may vary depending on the individuals who are present during the meeting and their function or position in the team. Some of the team members dominate the discussion more easily than other members, depending on their function or position in the police organisation.

Directions of inquiry

In the third step of the criminal investigation, the team members construct several directions of inquiry (including scenarios, motives for the crime and lines of inquiry) based on the interpretation of the findings. An important aim in this step is the reconstruction of potential motives of the crime under investigation. For example, in one of the cases the victim had several fights with acquaintances, which the team interpreted as a possibility that the victim was murdered out of revenge. This is one of the directions the team investigated.

Again, the team puzzles over the findings and tries to fit them into their directions of inquiry, resulting in a new direction or a confirmation, change or termination of the existing directions of inquiry. When the team discusses the research directions during a briefing or brainstorming session, the members of the team strive for consensus. In these formal settings, individual team members will usually only suggest 'realistic' directions – in other words, suggestions that seem to be acceptable to the majority of the team members. They expect that when the leader of the team or other team members feel a

suggestion is unrealistic, they will not consider it seriously and will wave the idea away. However, in the background, team members often have more open informal discussions, for example at the coffee machine. Here, no clear rules of order will dominate, or the team leader is not present. Therefore, in the background there is more room for creative and maybe even deviating views.

Actions

After directions of inquiry and priorities have been set, the team makes decisions about the further actions to be taken during the criminal inquiry. This step is closely related to decisions about priorities; in fact, they may be taken simultaneously. Most of the time the investigation team is seeking confirmation of the research direction or scenario in which they believe. Many of the decisions in this step are based on a (mostly implicit) cost–benefit analysis basis: the team members weigh the cost of a certain method of investigation against the expected benefits. The most promising research direction is usually investigated first. This step may also depend on routines; for example, telephone taps are often routinely deployed.

Once again, the actions taken provide new information. As soon as this information is collected, the team interprets its meaning or implications in the light of the information already available. These new findings and the way they are interpreted by the members of the team may result in an adjustment of directions of inquiry and actions. This is usually a very gradual process. As a result, radical ruptures with a fundamental change of perspective are very exceptional in criminal investigations.

In criminal investigation the directions of inquiry are not investigated one –by one; hence the process is not a simple linear one: often several directions of inquiry are investigated simultaneously. At some point during the process the police team tries to create an overview and set priorities by writing out possible scenarios for the case. However, most of the time the team reacts on an ad hoc basis. Consequently, the process has a predominantly inductive rather than deductive character (Kind, 1994: 157–158). As the investigation proceeds, one direction of inquiry becomes increasingly dominant in the investigation. This gradual process continues until one dominant, fairly complete story of what 'really' happened remains (at least, this is what the team members are inclined to believe).

Why not consider information pointing in another direction

During the investigative process the teams are given ample opportunity to consider information pointing in an alternative direction and to create other potential (re)constructions of the crime, or to investigate alternative scenarios; however, in practice, the team often predominantly searches for information that is more or less naturally in line with pre-existing views. This occurs for a variety of reasons. For example, organisational factors such as (time) pressure by supervisors, the media or other institutions, and a limited purpose of the investigation may hinder the search for alternatives. Also factors related to substantive aspects of the investigation are important. For example, knowledge and experience, expertise, expectations, 'gut feeling' or 'common sense' and the nature of the evidence (team members attach more weight to forensic evidence, for example). Besides these substantive aspects, there are also social aspects of the police inquiry by

the team. To conclude, factors that relate to police culture (Reiner, 2010), such as the need for action and an attitude of suspicion towards 'outsiders', also seem to be relevant. Four of the aforementioned factors that are closely related to the framing process are discussed in more detail below.

First of all, knowledge and experience gained by investigative officers during previous investigations, training and other moments in their career are important in the investigation process. For example, the routines used at the start of the investigation are largely based on knowledge and experience gained from previous police inquiries. Such knowledge and experience can both promote and hamper the consideration of alternative directions of inquiry or scenarios, the consideration of a deviant (re)construction of the crime or the consideration of alternative actions in the inquiry. It can also hamper reflection on routines.

In addition to their knowledge and experience, team members' expectations are also relevant to understanding the investigation process. When some event does not match their expectations, the investigating officers will judge it as unlikely or strange. This involves a discrepancy between reality and expectation.[2] This often occurred in the police investigations that were studied. An unexpected event can trigger the consideration of an alternative scenario. However, the opposite is also possible. If a suggested alternative scenario does not match the team members' expectations, the members can readily disregard and dismiss the scenario as impossible, improbable or unrealistic.

A third factor that may influence the interpretation of findings is what officers call 'gut feeling' or 'common sense'. The officers often think that they do not have to explain this intuition. It is seen as something taken –for granted and is highly 'prereflexive'. This is closely related to the impressions team members have of the crime. Such impressions can determine the officers' intuition and vice versa. Investigative officers try to interpret and give meaning to behaviour, events or situations by using 'typifications' (Berger and Luckmann, 1966). If a team does not believe a suspect or witness, thanks to the negative image they have of this type of person, any alternative interpretations that this person presents run the risk of not being taken very seriously.

Finally, team members affect the investigation process during the team discussions. The extent to which team members are able to exert their influence in the police inquiry varies. This has partly to do with the hierarchical relationships in the team. For example, the public prosecutor, the official in the Netherlands who has the formal authority over the criminal investigation, is often highly influential. But team members who have a lower position in the police organisation may also exert influence. This has to do with access to and control over resources, such as information, people and instrumentalities (Mechanic, 1962). Moreover, social relationships, personal factors such as social skills and the position of the team member can be relevant to the extent to which team members can influence the investigative process. For example, an alternative direction of inquiry suggested by a young, inexperienced but highly educated team member runs the risk of not being taken seriously by the members of the 'old boys' network'.

Analysis in terms of framing, deframing and reframing

Framing (Goffman, 1975) is a process that may be witnessed at several moments in the criminal investigation process. When a corpse is found, the police may define the

situation as a crime. This frame 'tells' the team to start the standard procedures and how to investigate the crime scene, (the background of) the victim, potential suspects, and how to trace and question witnesses. Framing does not only happen during this initial phase of the investigation process, but also in later stages. Some pre-existing views about how crimes are usually committed and how they should be investigated have a major impact on the decisions made during the investigative process. For example, the frame 'murder' 'prescribes' for the team that the murderer should have had a motive to commit the murder. With such a frame, the investigative team will try to discover what the motives for the crime were, because this might bring them closer to the suspect. For example, the fact that the victim possessed expensive jewellery that could not be found any more after the murder offers the team the frame 'robbery with murder'. Tacit impressions of what might have happened are an important source for interpreting the findings and for creating the directions of inquiry. As a result, framing in criminal investigation occurs along two dimensions. First, criminal investigators use frames about how to investigate a crime; for example, the structure of the team is based on the frame that in the case of, for instance, a murder, a special team should do the investigation. It also clarifies which standard actions should be employed and which rules are relevant. Second, there are frames used by police officers in the reconstruction of the crime. In this process of reconstruction they use certain ideas or notions about how people typically interact and how or why they might commit certain crimes. These ideas offer the team potential interpretations of what might have happened. The two dimensions − how to investigate a crime and ideas about how and why crimes are committed − are interdependent.

During the investigative process it may become clear that the team has made a mistake; for instance, they may have misframed the situation. This may happen when a situation can be defined in multiple ways (Goffman calls this ambiguity). This is why investigation teams often feel that they have to investigate several directions. Although members of police teams are often inclined to stick to a certain view, they are also able to perceive events 'out-of-frame'. This makes it possible for a team to investigate multiple directions at the same time. One of the directions is seen as the 'leading' definition of the situation. However, by taking other potential directions of inquiry into account and by ascribing a certain meaning to them, the team members are able to accept changes in the definition of the situation and to switch between them. For example, in the case described earlier the investigative officers took into account the possibility that the victim was shot by his son, although the leading direction of inquiry concentrated on the men who ran out of the victim's house.

The findings of the investigation can falsify any interpretation as being wrong. Breaking frame, or deframing, is likely to happen when the findings cannot be neglected, but the frame is incompatible with the information collected. As a result, police officers feel that they have to reframe the situation. Deframing and reframing may happen in the course of the investigation. These processes are very important given the investigative failures that have occurred in cases of wrongful conviction. Goffman is optimistic about misframing, stating that misframing is usually only short-lived. In the investigative processes reported here, misframing was indeed regularly of short duration. For example, because in one case the investigating officers found out that a potential suspect had a watertight alibi, the team had to deframe and search for another suspect. However, there may also be situations in which

misframing or ambiguity dragged on. This situation occurred in one of the cases where the team investigated several potential directions of inquiry, but the results did not lead to one quite complete reconstruction of the crime and one serious suspect. According to Goffman's theory, this can be explained by the nature of the criminal investigation process, because it generally concerns the reconstruction of a mostly isolated event that happened in the past.

Despite the fact that Goffman states that such situations are prone to misframing, he does not describe the circumstances under which deframing and reframing are likely to happen. This study has revealed several factors, such as knowledge, expectations and 'gut feeling', that may have an impact on framing, deframing and reframing processes in criminal investigation.

In addition, the social factors that have an impact on the criminal investigation process may well be understood by looking at Goffman's interaction theory (Goffman, 1967; 1972; 1990). For instance, during the different kinds of meetings the members of the police investigation team try to achieve what Goffman called working consensus. This determines the (social) order of the meeting and the subjects that are open for discussion. For example, it is generally not appreciated to suggest unrealistic scenarios during a team briefing. These briefings are meant for brief notices and particularities. Information that may cause deframing is defined as out-of-order. This, however, is an impediment to suggesting alternative interpretations and reframing, and may therefore limit an open discussion where deviant views and alternative directions of inquiry are tolerated. This mainly happens during formal meetings, which can be seen as an example of Goffman's 'frontstage'. On the other hand, on the 'backstage', for example during informal meetings, team members are able to discuss and brainstorm more openly. Moreover, the way that members of the police team present the investigative findings may have consequences for their interpretations; for example, the way team members introduce their opinion announces how the information or point of view presented should be framed. To conclude, discussions during different meetings depend on the relationships between the police team members. Sometimes tensions during a discussion may become palpable. However, consensus is nevertheless achieved about the definition of the situation. This may be explained by several techniques of impression management that the team members apply. By using these techniques, the members of the team try to avoid losing face or acting out of character. The performance and definition of the situation are maintained as a result. However, this may affect the framing process and may hamper deframing and reframing, because alternative scenarios are not considered seriously.

Conclusions

This study shows how a team of criminal investigation officers try to (re)construct a criminal incident. This analysis shows that four steps can be distinguished in the investigation process, and how framing, deframing and reframing happen during encounters between the members of the investigative team. Goffman's perspective turned out to be very useful in understanding this process. It provides insight into the processes that are taking place within the team of criminal investigation officers. Substantive aspects of criminal investigation (for example, what are the directions the team is investigating and which directions are prioritised?) and also social aspects (for example, how do social relations between team members

influence the decision-making process?) are both important to understand framing in criminal investigation. Goffman's perspective is helpful to gain more insight into how these aspects both influence each other and contribute to the (re)construction of the crime and change therein. However, this study of criminal investigation also shows that in addition to framing, deframing and reframing other factors also impact the process of inquiry.

First of all, factors such as knowledge and experience of officers, their expectations, 'gut feeling' or 'common sense', and the tacit impressions they already have about criminal incidents have a huge impact on the framing process in criminal investigation. These factors also explain how the members of the team interpret their investigative findings, how they create directions of inquiry and adjust, confirm or terminate a certain line of investigation, and how they investigate these directions. To some extent, the investigative officers share certain knowledge, experience, expectations, 'gut feeling' or 'common sense', and tacit impressions because of their common background and experience. This is why members of the investigative team rely in part on the same frameworks. This affects the framing process and may make it harder to deframe or reframe the (re)construction of the crime when it turns out to be inadequate or wrong. If there are several frameworks in a team that differ in important respects, this may promote deframing and reframing. The findings of this study about these substantive aspects of the framing process in criminal investigation (and the other substantive factors briefly mentioned above), complement Goffman's framing perspective. These factors do not only show how frameworks are affected, they also make clear how they may hinder deframing and reframing.

Besides these substantive aspects, social relations may also be important to framing in criminal investigation. This study shows that the members of the team differ in their influence on the investigation and framing process. Influence is not exercised only by the leader of the team or the public prosecutor. This study demonstrates that members of the team who have a low-level-position in the hierarchical police organisation may also influence the process. It means that power and influence may also be highly relevant to understand framing in criminal investigation and how police detective teams operate. Goffman's interaction theory does not offer an adequate explanation for this phenomenon. Goffman only refers to 'definition power' (Goffman, 1975: 444–448), by which he means that some individuals have the power to affect the definition of the situation and some do not. This power may be engendered by the way individuals present themselves and how they use techniques of impression management. However, this perspective is insufficient to explain the social aspects found in the present study. This is due to Goffman's focus on the encounters between individuals and his disregard of the (social) context in which individuals operate and within which encounters take place. Goffman's perspective may be fruitfully complemented with the concepts of influence and power. For example, Mechanic's concept of the impact of access and control over resources (Mechanic, 1962) can be useful here. He shows that people who have a lower position in a hierarchy are also able to exert power. Influence is not static, but it also has to do with personal skills, including social skills, and, as Mechanic showed, power is also related to dependency. Such a dependency may be created by acquiring, maintaining and controlling access to information, people, and resources. People who have a higher position in the hierarchy of the police organisation may have easier access to these resources, but people with a lower position may also have access to them. Thanks to their, for example,

expertise or charisma, they can have access to these resources. These social factors are relevant to understanding the criminal investigation process.

Finally, this study may be relevant to creating measures to change 'wrong' frames in criminal investigation. Measures promoting deframing and reframing may contribute to the prevention of what is generally seen as tunnel vision. For example, in the Netherlands the 'critical review' has been introduced to guard against tunnel vision (Salet and Terpstra, 2014). This study shows that both critical members of the team and critical reviewers have to realise that changing (or improving) the frame is not only a matter of the 'best arguments', but also has to do with the resources to make arguments count. These resources are dependent on social and power relations in the police force. This means that critical reviewers should contribute to an open-minded team that takes seriously suggestions made by outsiders or young, inexperienced team members. They should encourage the team to reflect critically on their routines and directions of inquiry. They should stimulate investigative officers to think outside the current frames and be open to team members who stand up and suggest deviant directions.

Declaration of Conflicting Interests

Funding

Notes

1. For my orientation I started this research project with the observations of a couple of meetings of one team. Subsequently the observations in the other three teams took place.
2. This is a way of reasoning by police officers that is consistent with findings in other studies about the police in the Netherlands. Terpstra (2008: 171–184) and Çankaya (2011: 69, 79).

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