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THE PROBLEMS ON THE PROTECTION OF HUMAN RIGHTS IN THE CRIMINAL INVESTIGATION PROCESS OF THE POLICE OFFICERS: CASE STUDIES IN THAILAND

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Abstract

Although, in Thailand, human rights are guaranteed under the Constitution and the mechanisms for human rights protection are regulated in the investigation process, namely, organizational mechanisms supervised by the chain of command, the management of organization in accordance with the principles of good governance, and the control of morality and ethics of the officials. Furthermore, the human rights protection mechanisms outside of the organization are also preceded by empowering the judicial bodies and the Human Rights Commission of Thailand to inspect the performance of police officers. However, the important problem is that, in Thailand, the human rights protection is obvious only in the investigation process regarding narcotic, money laundering, special investigations and anti-participation in transnational organized crime which the details are prescribed in the investigation method, process, and investigation duration to protect the human rights, while there is no explicit human rights protection law for general investigation established. For general investigation, the law defines the terms of investigation broadly and entitles the police officers to use their discretion to choose the investigation method without prescribing the scope or criteria to choose the appropriate investigation method causing the police officers, unintentionally, choose the investigation method which violates the human rights.

Keywords: Human Rights, Protection, Investigation, Police Officers, Thailand

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Introduction

Thailand has a problem with human rights violation. Selby (2018) mentioned about the origin of human rights in Thailand while pointing out the human rights violation in Thailand. He opined that politics was an obstacle to human rights development of Thailand in the early stages before developing into a problem in the process of justice. Among a range of human rights violation problems in Thailand i.e., human rights in homosexual person, rights of accused in the social unrest cases, rights of the migrant workers from neighboring countries and so on. The important problem from the past to the present is the problem on human rights in the criminal case, especially, the performance of police officers' duties, such as, to use of force against the accused, which is a human rights violation, the unlawful performance of duties, and considered as a human rights violation in the process of justice (Pinthong, 2012). For the liberal democratic state, the state has a duty to maintain social order. Government officials, therefore, have a duty to ensure that the people live in society peacefully. Under such principles, the Constitution of the Kingdom of Thailand 2017 thus prescribes the state to have a duty to maintain public order for the ultimate purpose, which is to create peace in the society by preventing crimes and protecting the safety in life and properties. The mission of the process of justice is to control crimes and protect the liberties of the people by lawful methods. These two missions, like a single coin having two sides, shall be balanced (Packer, 1964). The general elements of the process of justice consist of 3 elements, namely inputs, process, and outputs which the inputs are the important elements leading to the 2nd and 3rd stages.

The police officer is one of the inputs in the process of justice having the power to maintain public order for the people's interest. In Thailand, police officers are responsible for conducting both investigation and inquiry. Furthermore, police officers are also responsible for several duties, i.e., arrest the suspected person, find the evidence, conduct inquiry, provide protection and convenience to the general people, including duties regarding the delivery of summons and warrants (Chaturvedi, 2006). Investigation power of the police officers is a key starting point of the role of maintaining the public order in case there is an occurrence of the unrest. In this regard, the process will start by seeking the facts and evidence to know details of the offenses pursuant to the Criminal Code.

However, to conduct the investigation, which is the duty of the police officers, in some cases, it may affect the rights and liberties of the people as prescribed by law to be human rights violation, although such action is the performance of duties to maintain public order and protect the human rights as guaranteed by the Constitution of Thailand. Generally, the performance of duties of the investigators shall be limited to not be against the principles of human rights according to the law. There are research results regarding the problems on human rights relating to the investigation in Thailand found that the problem on human rights is moderate, where the most problem is found during the investigation before the incident (Borwornchai, 2020) and human rights violations in the process of justice. The causes of human rights violations are the actions, both intentionally and unintentionally, the excessive use of power and non-compliance with the relevant laws and regulations.

The problems on human rights in the investigation process in Thailand, especially the problems and faults in the criminal investigation of the police officers, questioning whether the investigation process or investigation methods are in accordance with the human rights principles or not, are the important problems. Data from the National Human Rights Commission's investigation of human rights violations between 2002 and 2009 found that there were 743 cases reported, especially 65 human rights violations by police officers. Most of the action takes place during the investigative process (Buacharoen et al., 2011). The criminal investigation process is the starting point of the justice process started by the police officers. In case the police officers lack the knowledge and expertise on the investigation

methods or do not respect the human rights principle or use their power beyond the scope permitted by law, the human rights may be violated.

This research has three important objectives. There is a need to study the meaning and practice of human rights and how they are defined and practiced. This led to a comparison study of human rights protection principles in the criminal investigation process in Thailand. In particular, research on the issue of the use of authority in criminal cases affecting human rights.

Literature Review

Principles of criminal investigation in Thailand, “Investigation” is considered as a main measure to suppress and prevent crimes. The investigation is conducted by the administrative or police officers who perform the duties under their authority to accomplish the purpose of maintaining public order and knowing details of the offenses. Criminal investigation is a fact-finding process, based on legal principles, from the persons and objects in reverse order of the events. It is a post-incident investigation (Weston et al., 2000) which is the process of answering the question of what the offenses are, as well as, when, where, why, by whom, and how the offenses were conducted. The investigation is, therefore, a process to gather the information regarding the crimes more than the collection of evidence and information to be used in the courtroom (Vanderbosch, 1968). There are several investigation methods. The choice of investigation methods is under the discretion of police officers based on the circumstances, such as surveillance, undercover investigation, an investigation by the informant, police intelligence, and so on.

An investigation is the duty of police officers to prevent crimes. Previously, the liberal perspective considered that police officers are “law enforcement officers” which means a person who acts against a person violating the rights of others. Nevertheless, currently, the role of police officers may be considered as conflict managers more than law enforcement officers (Kleinig, 2008). The power of police officers shall be under the law. A police officer is a person who has a duty to maintain public order. The investigation power of police officers comes from 2 grounds. First is the power pursuant to Criminal Procedure Code prescribing the police officers to have a duty to maintain public order and have the criminal investigation power throughout the Kingdom, as well as, to have power to arrest the offenders, with or without a warrant of arrest, and power to conduct the inspection search on a person or properties in accordance with the conditions prescribed by law. Second is the power pursuant to administrative law or administrative police according to the code of police regulations regarding the cases which broadly prescribe the general authority of police officers to maintain the public order, both inside and outside, for the interest of the people, to heal the sorrows and nourish the happiness of the people and maintain public interest.

Considering the principle of using the power of police officers in the investigation process, the investigation criteria and methods are not specified by the Criminal Procedure Code of Thailand, causing the performance of duty of the police officers may affect the rights and liberties of the people due to the investigation is proceeded under the discretion of the police officers. Therefore, police officers are entitled to choose the investigation methods. The problem is that the scope or condition to use the power of the inquiry officers in criminal cases should be obvious in order not to affect the human rights of the people unreasonably. Especially considering the principle of probable cause, not reasonable suspicion. Probable cause is the case where there is reasonable ground to believe that the suspected person has committed or omitted the criminal offense. However, the definition of “probable cause” is not specified by the Criminal Procedure Code. As a result, the investigation methods cannot be controlled or inspected whether it is appropriate or not.

Probable cause is clearly different from reasonable suspicion. Regarding the definition and practices, reasonable suspicion means the reasonable fact for the officers to believe that a crime was in the process of being committed or any action is involved with the offense (Zalman, 2002). The reasonable suspicion may apply to the case where the crime was going to be committed, was in the process of being committed, and had been committed. The suspicion depends on the fact received by the police officers and such facts should be reasonable for the officers to proceed with some action against a such suspected person who may not be involved with such an offense. Regarding probable cause, it is an occurrence at the time that a crime was in the process of being committed or was going to be committed, and had been committed, relating to the prosecution. The police officers, therefore, apply the principle of probable cause to the use of power in the investigation methods.

Regarding the principle of the use of discretion in the choice of investigation methods of police officers, due to the performance of duties of the police officers is the action relating to the rights and liberties of the people, the discretion on the choice of investigation methods may therefore cause the dissatisfaction to the people affected by the performance of duties. However, discretion is the use of authority pursuant to the law, which depends on the conditions or circumstances, in consistency with justice. Consequently, discretion is a moral concept between law and morality (Milte & Weber, 1977). Discretion is the use of common sense under certain exceptional circumstances, which may be the action that is not in accordance with the official methods or maybe the use of fair mind of the police officers for choosing the criminal process to find the offender. The report of Police Department, the U.S. Department of Justice 1973, provides a recommendation to police officers that the use of discretion in the prosecution of police officers should be limited so that each police officer shall have guidelines and forms for proceeding with the process of justice more accurately and clearly (Adams, 1990).

All severe problem conditions cause of human rights violations by Thai police are intentional or deliberate overuse of their powers and failure to comply with relevant laws and regulations. This makes solve complex problems. Especially issues of violations of people's rights and liberties in the judicial process, so important that they are pushed to reform the country as specified in the 2017 constitution.

Hypothesis

Organized crime can take many different forms. To stay up with criminals, officials may need to conduct a number of undercover investigations. However, police investigations into crimes may affect peoples' rights and liberties. The Thai Criminal Procedure Code provides the definition of an investigation. However, the investigation's parameters or requirements are not made explicit. The duty officer may run into issues when deciding what standards should be used in the investigation so that it is legal and does not unnecessarily interfere with people's rights. All of this led to the assumption that raised the query of whether the study concepts and parameters of Thai judicial investigations are unclear, which poses practical issues for human rights protection. That should set clear guidelines for officials to be able to perform their duties correctly.

Research Methodology

The study on the protection of human rights during police criminal investigation research uses the qualitative research methodology. It is a documentary research made up of studies taken from a variety of research papers, books, journals, reports, and newspapers on issues related to laws, philosophies, and notions of roles from Thai publications and foreign languages. The official's position of authority during the investigation principles and procedures for looking into criminal cases as well as those for defending people's human

rights are supported by laws and principles. The data will be presented in an analytical descriptive manner, which will show how it is consistent in practice and the issues involved.

Research Findings

Human rights refer to the rights of human beings based on natural law. Which gives importance to the individual. It is seen that human beings have certain rights that are inherent from birth and cannot be transferred to each other or taken away, although the definition of human rights has always been controversial, even the United Nations' Universal Declaration of Human Rights does not define this term. Thailand has ratified the Universal Declaration of Human Rights since 1948 as a member of the United Nations, which upholds this declaration. Human rights have practical consequences when they are international law, namely the International Covenant on Civil and Political Rights (ICCPR), a multilateral treaty adopted by the United Nations General Assembly on December 16, 2016, that entered into force on March 23, 1976. Thailand ratified the treaty on October 29, 1996, and it entered into force on January 29, 1996. In 1997, there were two main types of human rights recognized in international law: civil rights and political rights. Specifically, civil rights in life, body, and legal equality Protection against arrest, detention, or search.

The protection of human rights in the investigation process of Thailand, previously, the protection of human rights was only the protection applied for each of states. At present, it has been developed by establishing cooperation in each country to protect human rights, resulting in the same direction of development. Such development continually proceeded, until 10th December 1948, which the United Nations held the meeting, and the Universal Declaration of Human Rights 1948 (UDHR) was announced. In the content of the Declaration, various rights that the people should have, the exercising of the right of such rights in a way not to violate the rights of others, including the use of power of the state not to affect such rights, are specified (Griffin, 2009). The rights are classified into five types, namely, civil right, political right, economic right, social right, and cultural right. Thailand is one of the members of the United Nations that applies such Declaration in the state.

In the 2017 constitution, human rights are recognized in Article 4, paragraph 1, stipulating that human dignity, rights, liberties, and equality of the person shall be protected, and this human right is binding upon all government agencies in applying the law against the people. According to Article 27, a person can invoke human dignity or exercise such rights and liberties under article 28. The constitution also guarantees a person's right to life and liberty, as well as freedom from arrest, detention, and search; any action affecting rights and liberties shall not be done except by virtue of the provisions of the law under Article 31. Consequently, the police investigation process cannot violate the human rights stipulated by the Constitution, and the choice of investigative methods that affect rights and liberties must only be within the scope provided by law.

The concept of human rights in Thailand has evolved sequentially. Haberkorn indicated that the human rights in Thailand are mainly driven by political events, especially the time of political dictatorship, where the rights and liberties are restricted, and human rights are violated (Haberkorn, 2018). At the present, Thai society has a tendency to develop the human rights, by improving political rights and civil rights more than the time which the government was from a coup and dictatorship, by maintaining democracy and developing the human rights simultaneously (Christie & Roy, 2001). During the development of human rights, Thailand continues to face serious human rights violations committed by the government officials, such as, the murder of human rights defenders, the problem on ethnic violence in Thailand causing the unrest in the south of Thailand, which several security laws are applied, and so on (Croissant, 2005).

The protection of human rights in the investigation of Thailand is based on the Constitution stating that “human dignity, rights, liberties and equality of the people shall be protected”. In addition, the Organic Act on the National Human Rights Commission, human rights are defined that human dignity, rights, liberties, and equality of the person, which are all guaranteed or protected under the Constitution, the laws or treaties to which Thailand is a party to and has an obligation to comply with. Furthermore, the Constitution also contains a provision protecting the rights and liberties in life and person by stating that arrest and detention of a person shall not be permitted except by an order, or a warrant issued by the Court or on other grounds as provided by law. Therefore, Thai law has clear provisions for protecting human rights.

Currently, the investigation process in Thailand is based on 3 main human rights principles. First is the principle of Presumption of Innocence according to Article 11 of the UDHR that appears in the Constitution of Thailand. This principle is not an assumption applied in a general sense or based on probability. On the contrary, it is a principle that obliges the person involved in the criminal justice process to treat the accused or defendant without prejudice or to treat them as innocent (Holland & Chamberlin, 1973), regardless of any facts relating to the accused or defendant. This principle is a general principle applied equally to everyone, regardless of status, available evidence, or criminal records of such a person (Kitai, 2002). Second is a principle of Due Process that appears in Section 3 of the Constitution of Thailand. This principle is from the Due Process Model, which is contrary to the Crime Control Model. In performing the duties of police officers in the justice process, the rule of law shall be applied by considering the necessity of protecting the fundamental rights and liberties of the people, not focusing only on crime protection. Third is the principle of Access to Justice that appears in Section 68 of the Constitution of Thailand, which is a fundamental human right, guaranteed by the law that shall be protected and assisted in accordance with the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

The human rights protection mechanisms in the investigation process to prevent the abuse of power in Thailand consist of internal auditing and control, and external auditing. Regarding internal auditing and control, it consists of hierarchical control, the control based on governance in which the rule of law or compliance with the law is applied (Agere, 2000). The control of the police ethics and morality which the police shall be trained and maintains the discipline rigorously (Phetthong & Ivković, 2015). Regarding external auditing, there are judicial bodies that are authorized by the law to inspect the performance of government officials, especially to have the power to consider the criminal warrant for investigation, and the National Human Rights Commission of Thailand having the power to investigate and report the correct facts relating to all human rights violations.

The trust of the Thai police in the eyes of the people lies in their role in suppressing and preventing crime. The investigation process is, therefore, an important mission to determine whether the police are a government agency fully performing its duties or not (Sahapattana & Cobkit, 2016). The principle of criminal prosecution in Thailand applies the combination of two principles, namely, the principle of criminal prosecution proceeded by the people, and the principle of criminal prosecution proceeded by the state. For the criminal prosecution proceeded by the state, it is criminal proceedings based on discretion (Opportunity Principle). When an offense has occurred, the police officer may not take further action if it has appeared after the investigation that the accused actually committed the crime but there is no sufficient evidence to proceed with the prosecution. The investigation is, therefore, very important as the starting point of the case. Discretion in choosing the investigation methods is thus important.

The important problem of human rights relating to the investigation in the Criminal Procedure Code of Thailand is lacking general criteria, for protecting human rights, which shall be applied in the investigation. The system of Thailand allows for the discretion of the police officers in the investigation leading to the problem of the use of discretion of the investigators when the law broadly defines the investigation, and the investigation criteria is not specified. The law establishes the power to investigate criminal cases, especially the case of suspicion, by using the term “may cause an offense” without certain guidelines prescribed. Therefore, it depends on the discretion of the officers to consider which events are suspicious, what is the reason for choosing such investigation methods, especially the search of the person in a public place can only proceed when there is reasonable suspicion. However, the law does not provide the definition of “reasonable suspicion.” The powers of the police are, therefore, extensive which may affect human rights, including the choice of investigation methods that may violate human rights, such as the use of police informants, tracking by using electronic devices, stalking, and wiretapping. Such operations are under the discretion of the police officers to find the facts. In case there is any unjust operation, it may be a human rights violation.

In any case that is considered to have reasonable grounds for suspicion, administrative or police officials will have the power to search. According to the principle of interpretation, a public search is an exception and must be interpreted narrowly. People’s rights and liberties will be severely harmed if the law is interpreted in a way that gives the official or police excessive power without overburdening administrative officials or police. The problem of not setting boundaries when choosing an investigative method leads to uncertainty in the performance of duties.

The practical problem is the fear that Thai law does not protect the police in the performance of their duties. The Narcotics Control Board even made a very urgent letter No.SOR ROR 1206/4277 to the Office of the Council of State on July 26, 1979, stating that the Narcotics Prevention and Suppression Law empowers police to search in the event of an incident. There is a reasonable suspicion that the drug is hidden, and there is reason to believe that if action is not taken immediately, the drug will be displaced or the hidden person will escape. If no drug or person is found, it will violate rights and liberties. The circumstances of the case and the evidence, an investigating officer is “reasonable” enough to suspect or believe so. The virtue of being possible only, it doesn’t mean that when you go in, you will have to find drugs. Such or such a person will be arrested based on suspicion or belief. In good faith, it is not enough to be protected. It must appear that the reason, This suspicion or reason for believing must also be reasonable to be possible, for example:

Judgment of the Supreme Court No.8722/2555, the area where the crime occurred was on Sutthawat Road, not behind Soi Rong Than, where there were crimes involving drugs, firearms, and property on a regular basis. The defendant did not appear suspicious—he was probably just sitting on the phone. The police claimed that there was suspicion against the defendant and asked to search, but there was no evidence to back it up, raising suspicions about the defendant. It is a question based on feeling alone. It held that there is no reasonable suspicion under the law under the Criminal Procedure Code, Article 93, and that the search of the defendant is therefore unlawful. A defendant who has been subjected to an unlawful act shall have the right to argue and retaliate in order to defend his rights, as well as to ignore any order resulting from the unlawful treatment.

The selection of improper investigative methods is a serious problem for police. The case is notorious across the country. The police covering a suspect’s head until the suspect’s death has made national headlines and is a stain on Thailand’s investigative process. Pol Col. Thitisan “Joe Ferrari” was the subject of a case investigation that made national headlines. Utanapol, head of Muang Nakhon Sawan Police Station, was involved in torturing

a suspect for serious drug crimes by using a plastic bag to cover his head until the accused died on August 5, 2021. Currently, the Central Criminal Court has sentenced him to death for corruption and misconduct.

The protection of human rights in special investigations may only be required in certain cases, especially some types of investigation methods, such as wiretapping, luring, and the use of police informants, which are actions affecting the rights and liberties of the people that are protected by law. The investigation shall therefore be proceeded under the scope of law which Thai law restricts the investigation methods to be three types that are finding for the vehicle, wiretapping, and cover operation. This is applied in the investigation regarding narcotics, money laundering, and anti-participation in transnational organized crime where the law protects human rights by prescribing the details relating to the process, steps, and duration of investigation for these special investigations.

Conclusion

Although the justice process of Thailand provides the human rights protection mechanisms in the investigation process, both internal and external of the organization, for protecting human rights in the investigation process. However, practically, the protection of human rights in the investigation process still contains many problems, especially the protection of human rights in a criminal investigation of police officers. Although in Thailand, it is stipulated in the Constitution and the law, the important problem is that the law provides only a broad definition of the investigation. The power of the police officers to proceed with the investigation is mainly based on discretion without the scope or criteria for the use of discretion in the investigation specified, causing the problem in determining the investigation methods which may violate human rights. In addition, the investigation system of Thailand prescribes the protection of human rights in some investigation methods only for special cases regarding narcotics, money laundering, and anti-participation in transnational organized crime even though these cases are a minority of the investigation method, while, in practice, there are no explicit human rights protection laws for general investigations which are a majority.

Based on this research, Thailand's criminal law should be amended to establish the extent of investigative discretion and the principle of selecting the initial investigative method, resulting in the coverage of all investigative operations rather than the protection of investigative methods in each law. The Royal Thai Police should pay more attention to investigative problems that previously focused only on the inquiry process by having a training course on the selection of investigative methods that are appropriate to the facts.

Recommendations

- 1) Laws should be reviewed or revised so that human rights protections are prescribed in general investigative procedures, not only in special laws on drugs, money laundering, special investigations, and suppressing transnational organized crime.
- 2) Preliminary guidelines for the use of investigative discretion should be established. Guidelines may be established for the police to establish rules on the use of discretion in the selection of investigative methods.
- 3) Encourage the treatment of suspects according to the rights set by the Constitution. In order not to have any ambiguity in the rights of suspects who commit crimes in relation to security with less rights than the rights of the accused.

References

- Adams, T. (1990). *Police field operations*. 2nd ed. Indiana: Prentice-Hall.
- Agere, S. (2000). *Promoting Good Governance: Principles, Practices and Perspectives*. London: Commonwealth Secretariat.

- Borwornchai, D. (2020). Knowledge Management About Investigative Work That is The Best Practice of The Detective 4.0 Era. *Journal of Arts Management*, 4(2), 385-398.
- Buacharoen, S., Wiwatwanich, C., & Wattanasin, K. (2011). *The research project causes of human rights violations in the judicial process by police officers*. Nonthaburi: Office of the National Human Rights Commission of Thailand.
- Chaturvedi, J. (2006). *Police Administration and Investigation of Crime*. New Delhi: Isha Books.
- Christie, K., & Roy, D. (2001). *The Politics of Human Rights in East Asia*. London: Pluto Press.
- Croissant, A. (2005). Unrest in South Thailand: Contours, Causes, and Consequences Since 2001. *Contemporary Southeast Asia*, 27(1), 21-43.
- Griffin, J. (2009). *On Human Rights*. Oxford: Oxford University Press.
- Haberkorn, T. (2018). *In Plain Sight: Impunity and Human Rights in Thailand*. Wisconsin: University of Wisconsin Press.
- Holland, N., & Chamberlin, H. (1973). Statutory Criminal Presumptions: Proof Beyond a Reasonable Doubt? Doubt?. *Valparaiso University Law Review*, 7(2), 148-167.
- Kitai, R. (2002). Presuming Innocence. *Oklahoma Law Review*, 55, 265-266.
- Kleinig, J. (2008). *Ethics and Criminal Justice: An Introduction*. Cambridge: Cambridge University Press.
- Milte, K., & Weber, T. (1977). *Police in Australia - Development, Functions and Procedures*. Sydney: Butterworths.
- Packer, H. (1964). Two Models of the Criminal Process. *University of Pennsylvania Law Review*, 113(1), 1-68.
- Phetthong, N., & Ivković, K. (2015). Police Integrity in Thailand. In K. Ivković, & M. Haberfeld. (eds.). *Measuring police integrity across the world* (pp. 269-293). New York: Springer.
- Pinthong, P. (2012). Excessive Force of Police Power in Thailand: The Effect upon Human Right Violations. *Thai Journal of Public Administration*, 10(2), 135-135.
- Sahapattana, P., & Cobkit, S. (2016). The relationships between police performance and public confidence: a case study of Thailand. *Police Practice and Research*, 17(2), 171-182.
- Selby, D. (2018). *Human Rights in Thailand*. Pennsylvania: University of Pennsylvania Press.
- Vanderbosch, G. (1968). *Criminal Investigation*. Washington, D.C.: International Association of Chiefs of Police.
- Weston, P., Lushbaugh, C., & Wells, K. (2000). *Criminal Investigation: Basic Perspectives*. 8th ed. New Jersey: Prentice-Hall.
- Zalman, M. (2002). *Criminal Procedure: Constitution and Society*. 3rd ed. New Jersey: Prentice-Hall.

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