

## **Special Feature: The Changing Investigative Environment and Police Initiatives**

### **Preface**

Revisions to the post-war police system placed responsibility for the first right of independent investigation on the police, which came to bear the duty of executing investigations for Japanese citizens. Since then, police investigations have not only fulfilled the role of properly and swiftly applying and implementing penal laws in criminal justice proceedings, but they also have come to play an important role in executing responsibilities and duties of the police that protect the life, physical body and property of an individual and maintain public safety and order. To fulfill this role, the police have striven to enhance and strengthen their investigative abilities to accommodate changing trends in the state of criminal affairs.

Certain improvements in the crime situation can be seen, including a steady decline in the number of confirmed criminal offenses after peaking in 2002, as well as an improvement in the crime-clearance ratio for serious crimes such as murder and robbery since 2002. On the other hand, police investigations are encountering serious issues that include the fact that there has been a significant drop in the past 20 years in the number of clearance of larceny, which is a representative offense that facilitates feelings of anxiety about public security among Japanese citizens, and that the total damage for special fraud, such as remittance fraud, is the highest it has ever been.

Against the backdrop of such issues, there are changes in the environment involving police investigations stemming from changes to social conditions and system reforms. The advancement of an ageing society and shifts in family compositions resulting in an increase in the number of single households have weakened human relations in regional communities and made it difficult to obtain important information through traditional investigative police methods such as canvassing. In addition, although the spread of new services such as mobile phones

and the Internet have greatly contributed to improving convenience in citizens' lives and economic activities, these services make tracking criminals difficult because of their improper use. Furthermore, changes are being forced on the very modality of police investigations centering on interrogations due to changes in the court system and its application in accordance with a series of reforms to the judicial system.

Therefore, the police are working to secure traceability linking traces of crimes and criminals, and promoting initiatives for thoroughly gathering objective evidence and conducting proper validation through efforts that include ensuring the cooperation of private businesses and improving utilization/systemization of technology. The police are also reviewing measures that would change the approach to police investigation, such as adopting audiovisual recordings in interrogations and new investigative methods.

In this special feature, Section 1 outlines criminal affairs and issues in investigation. Section 2 touches on changes in the social landscape and system reforms that are impacting police investigations, and Section 3 presents police initiatives in response to these changes. Section 4 introduces overseas investigative methods, while Section 5 introduces the results of a household survey on police investigations and takes a look at the future state of police investigations.

The state of police investigations in the future is closely related to the role the police should play in ensuring the safety and security of Japanese citizens, and consequently, is closely related to public security in Japan in the future. Hopefully, this special feature will help people to deepen understanding of police investigations in Japan and think about public security going forward.

## Special Feature: The Changing Investigative Environment and Police Initiatives

### Section 1: Crime Situation and Issues in Investigations

The number of confirmed criminal cases has steadily declined since peaking in 2002, indicating a steady improvement in the crime situation. However, there has been an increasing trend in the number of child-abuse, stalking and spousal violence cases, and total losses from special fraud such as remittance fraud were the highest it had ever been in 2013, demonstrating that the crime situation remains unpredictable. In addition, with a spate of cybercrime incidents and successive cases of cyber-attacks, threats in cyberspace are escalating and posing new issues for public safety.

#### 1 The Situation of Criminal Cases

In 2013, the number of confirmed criminal cases was 1,314,140, a decrease of 89,130 cases from the previous year. The number of cleared criminal cases was 394,121, a decrease of

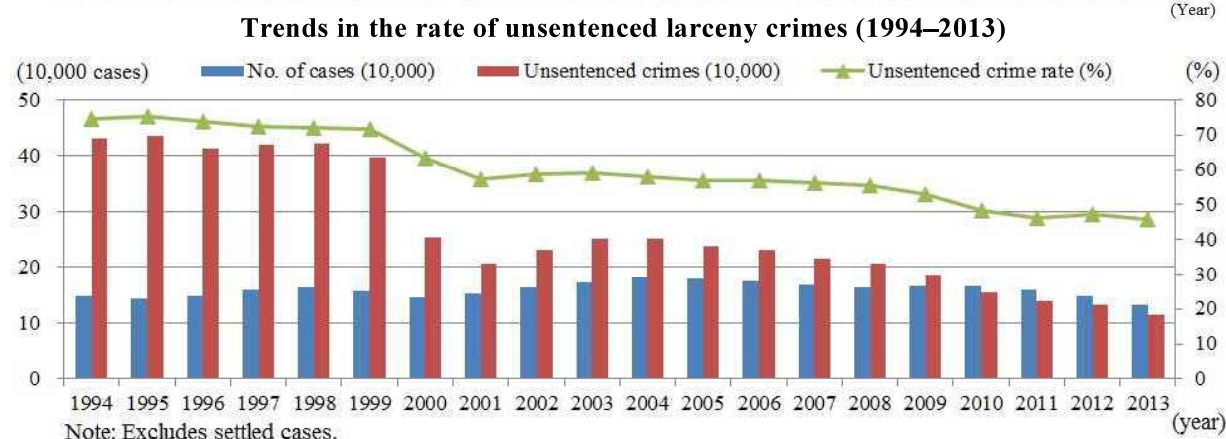
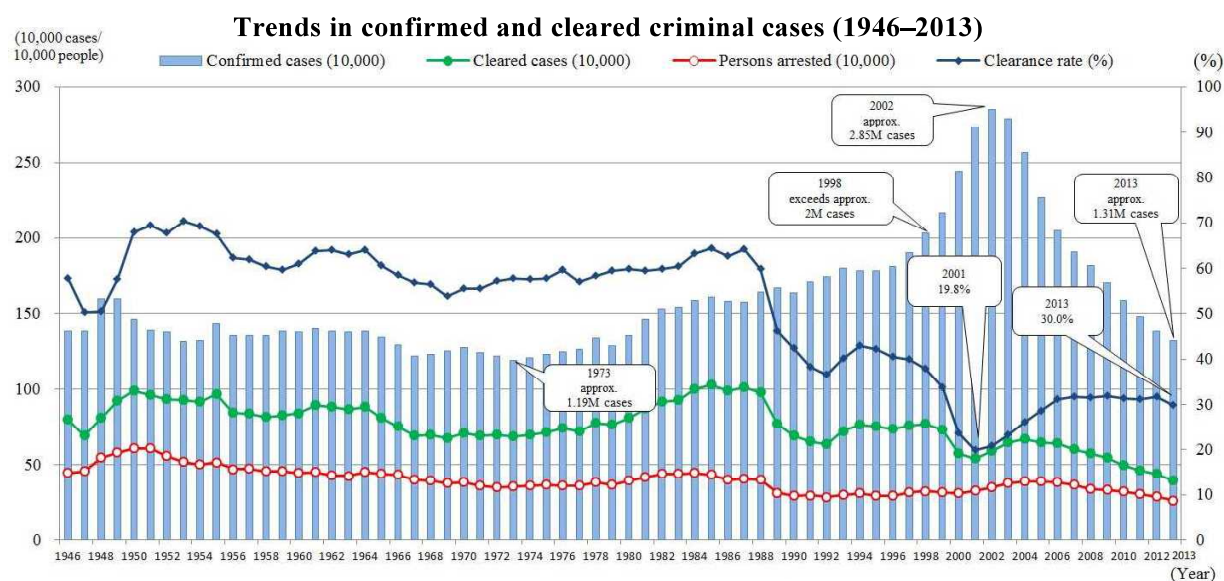
43,489 cases from the previous year and the first time since WWII that it numbered under 400,000.

#### 2 Issues Involved in Larceny Investigations

The number of clearance of larceny has continued to fall since 2005. The decrease in the number of clearance of larceny between 2002 and 2013 comprises over 70% of the fall in the number of overall cleared criminal cases during that same period.

##### (1) Trends in Clearance of Unsented Larceny Crimes

Recently, clearance of unsented larceny crimes has markedly dropped. Of the number of cleared larceny cases that exclude settled cases, the number of unsented crimes in 2013 fell by half compared to 2004, and the percentage also has decreased by 28.5 points over the past 20 years.

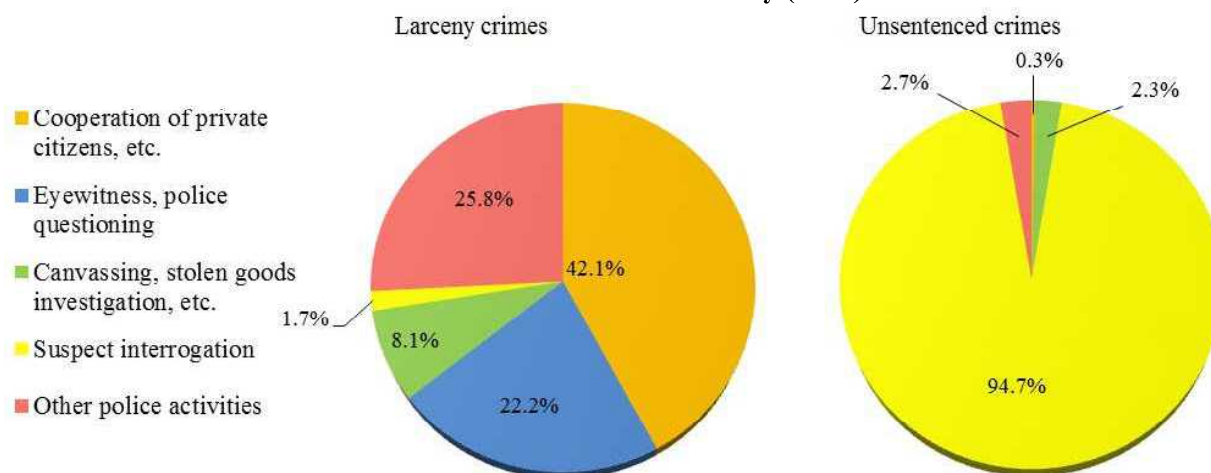


## (2) The Clues of Clearance of Unsented Larceny Crimes

The clues of clearance of unsented larceny crimes primarily consists of “interrogations of the suspect.” Obtaining a statement about the unsented crime in the interrogation of the suspect is essential to investigations of unsented larceny crimes.

case and duties outside of direct investigation that should be conducted by police officers in the criminal investigation division are thought to impact the difficulty of sparing sufficient time to interrogate a suspect.

**The clues of clearance of larceny (2013)**



## (3) Reasons for a Decline in Clearance of Unsented Larceny Crimes

The fact that it is becoming difficult to obtain a statement from a suspect about an unsented crime is a major reason for the decrease in the number of cleared larceny cases.

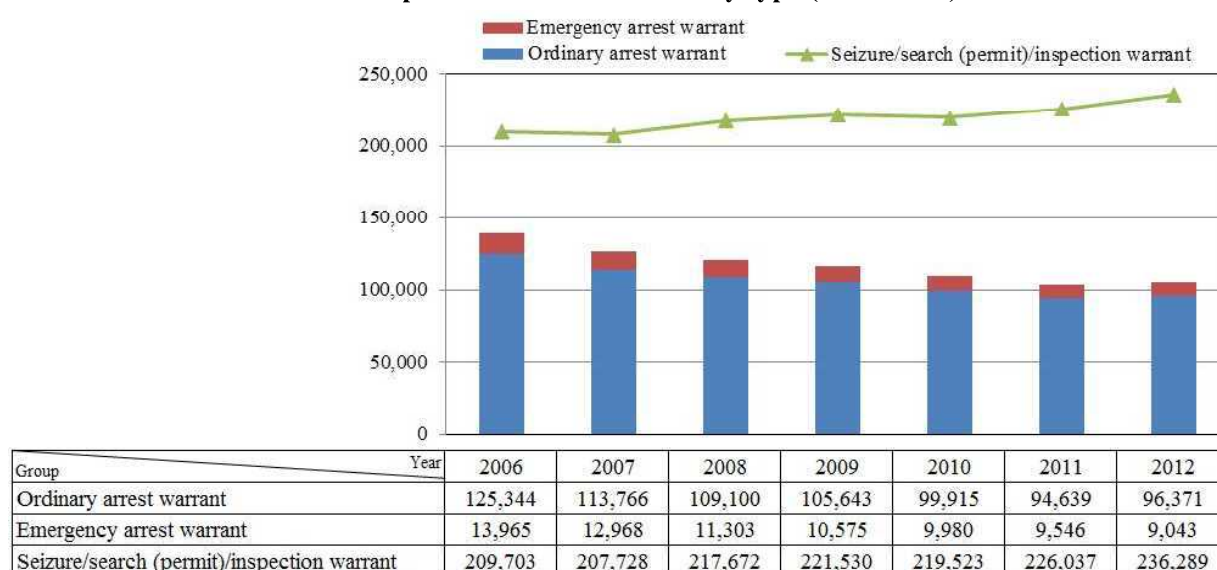
To give some background, factors such as an increase in investigative matters for a single

## 3 Special Fraud, such as Remittance Fraud, and Issues in Investigations

### (1) Special Fraud

Since May 2003, when “Hey, it’s me” type of remittance call fraud cases began to become prevalent, both the number of confirmed cases and total amount in losses have trended at high levels, but through intensification of police

**Number of persons issued warrants by type (2006–2012)**



Note: The number of persons issued a seizure/search (permit)/inspection warrant in 2012 includes persons issued a seizure warrant ordering records and written permit.

Source: Judicial statistics

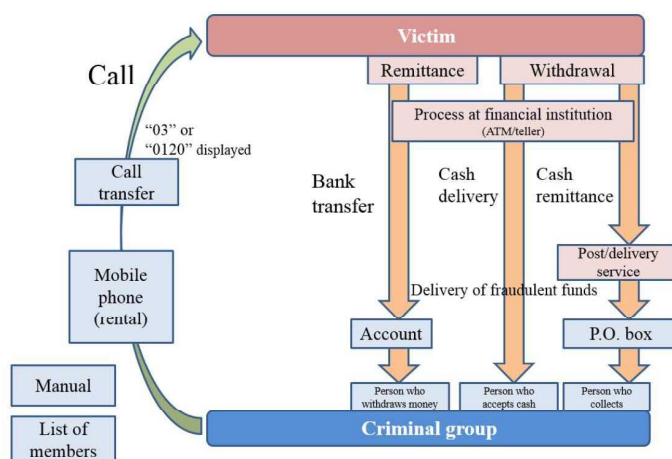
crackdowns and measures, such as preventive action through unification of government and the people, in 2009 the number of confirmed cases and total losses have each declined by a third compared to 2004.

However, since 2011, there has been an increase in swindle by impersonation that primarily targets the elderly and uses the criminal technique of directly receiving cash. The subsequent total losses have grown. In addition, from around 2010 special fraud that does not fall under remittance fraud has become frequent, including fraud under the pretext of trade, such as financial instruments resembling unlisted stocks and corporate bonds. Since then, the number of confirmed cases and total losses for special fraud in general has continued to increase. Total losses in 2013 were approximately 48.95 billion yen, the highest to date.

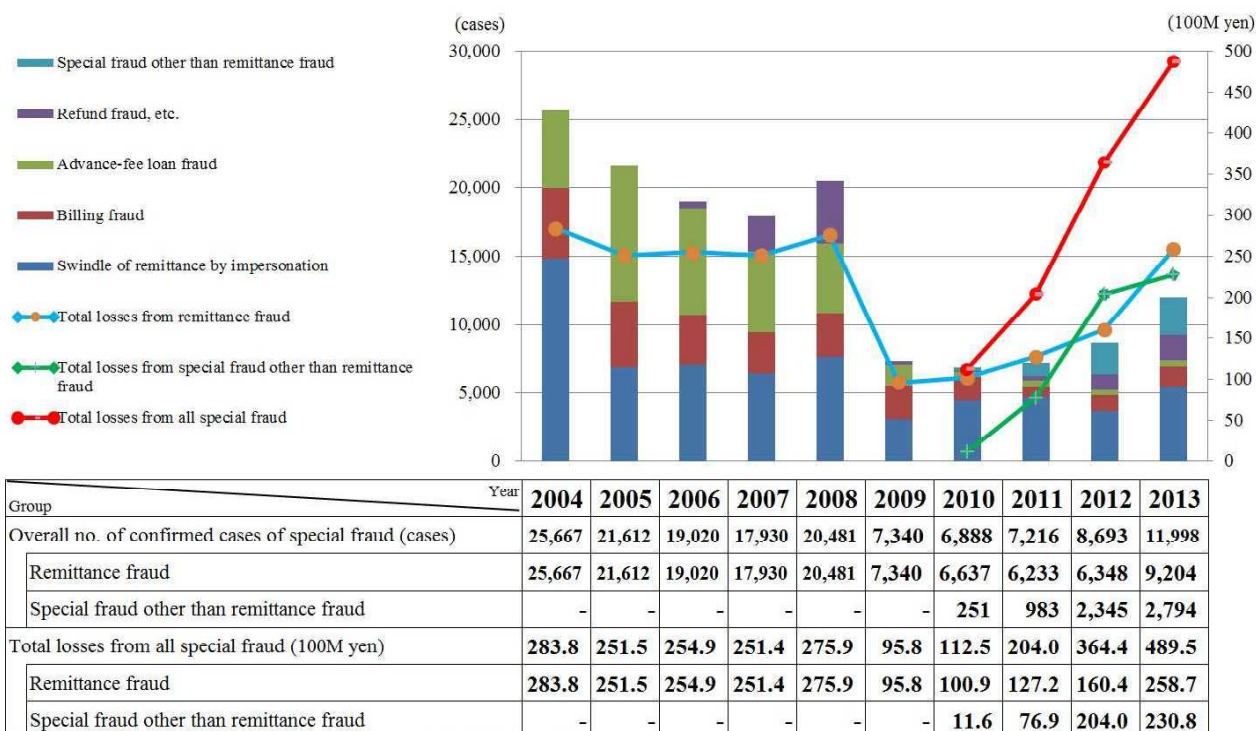
Elucidation of the criminal group as a whole is difficult so as not to leave behind traces of contact even within the group.

In addition, various services are abused in special fraud to accommodate aspects of

#### Various services abused in criminal acts of special fraud



#### Trends in the number of confirmed special fraud cases/total losses (2004–2013)



Note: Special fraud other than remittance fraud was totaled from February 2010.

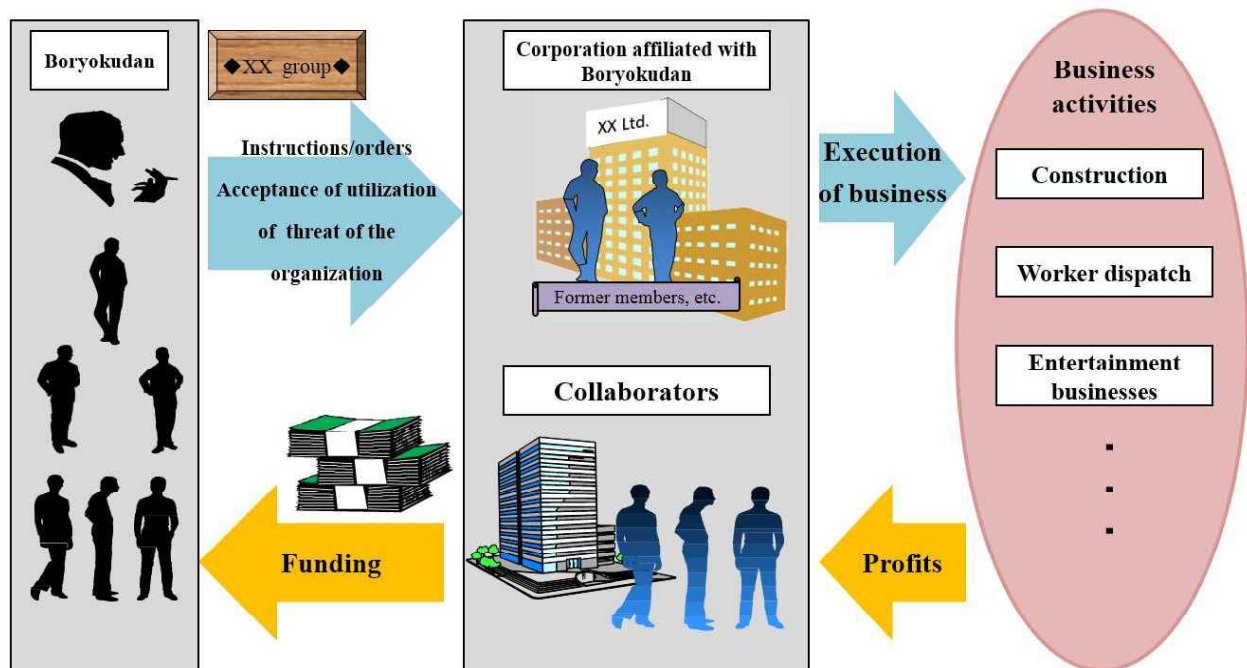
#### (2) Issues in Special Fraud Investigations

Criminal groups that carry out special fraud, particularly leaders and core members, take on different roles, such as the role of the person who repeatedly phones and dupes the victim, and the role of the person who goes to a home or other location to receive the cash.

criminal acts. Call forwarding services and rental mobile phones are abused as means of contacting the victim, and postal and parcel delivery services, savings accounts in another person's name, and commercial mail receiving agencies are abused as ways to receive fraudulently gained money.



## The organization/activities of non-transparent Boryokudan



### 4 Issues Concerning Organized Crime Investigations

#### (1) Issues on Boryokudan Crime Investigations

In investigations of Boryokudan crime, there are issues concerning not only how to arrest perpetrators, but also concerning how to figure out the organizational activities including the organization's sources of funding and high-ranking persons involved.

However, activities of Boryokudan have been diversifying and becoming more secretive because the Boryokudan have infiltrated into a variety of private sectors while concealing their organizational backgrounds, as well as exploited affiliate corporations and collaborators for funding. In addition, information on Boryokudan organizations, and statements from victims of Boryokudan crimes have been difficult to obtain because they are vigilant against police crackdowns and strengthen controls against members.

#### (2) Issues on Investigations on Drug Offenses

Drug offenses tend to stay unrevealed since they do not have direct victims and are generally carried out secretly. Often, it is difficult for law enforcement agencies to grasp clues in cases.

In addition, in many cases, drug offenses are conducted by criminal organizations such as

Boryokudan and foreign criminal organizations. These organizations tend to take defensive measures including division of labor, such as the transport and storage of drugs, sophistication of command structure, and instructing what to testify if arrested. This makes it difficult to figure out the details of their activities and supply routes.

Furthermore, in addition to smuggling cases that use shrewd deception methods such as hiding drugs in the carry-on luggage of aircraft passengers, there are also cases where drug couriers deny the awareness of participation in smuggling.



**Stimulants concealed in a modified briefcase**

## Section 2: Changes in the Environment Surrounding Police Investigations

Due to changes in the environment surrounding police investigations, it is difficult to trace criminals, and the modality of police investigations has itself been forced to change. Thus, the focus is on reforms to systems and changes in the social landscape that impact police investigations.

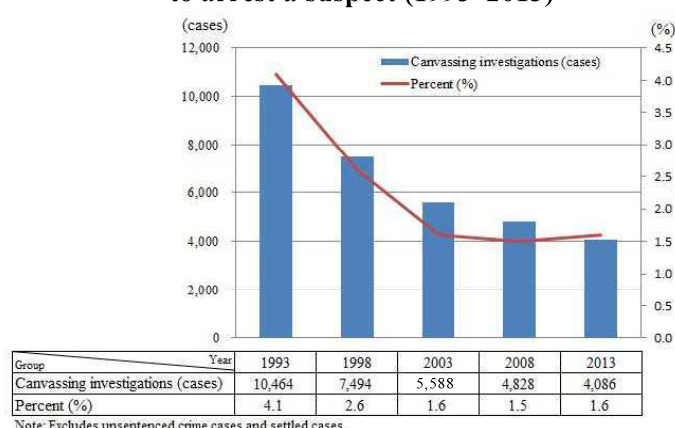
### 1 Changes in the Social Landscape

#### (1) The Weakening of Human Relationships in Regional Society

As the number of single households increases in accordance with the advancement of an ageing society and population influx from regional areas to cities, there is a growing weakening of human relationships in regional society. In this way, it has become harder for the police to obtain important information through traditional investigative methods such as canvassing, and the number of cleared criminal cases that start with canvassing to arrest a suspect has greatly declined.

On the other hand, in recent years security cameras are now being placed in locations open to the general public, such as in train stations and convenience stores, and they have come to play an important role in securing the safety of the public.

**Trends in the number of arrests for criminal offenses that start with canvassing to arrest a suspect (1993–2013)**



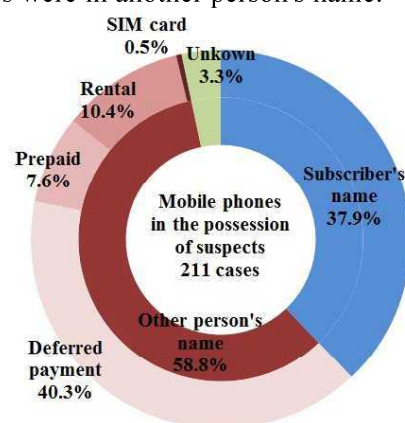
#### (2) Various Services Abused as Means for Untraceable Offenses

##### I. Mobile Phones

Mobile phones have rapidly become popularized, and the number of subscribers keeps rising. There are cases of unlawfully

entering into a mobile phone contract by means such as utilizing a fake form of identification, changing the name through fake adoption, using the name of a dummy company, and instances where rental mobile phone businesses do not thoroughly confirm the identity of the user. Thus, it is difficult to identify the mobile phone subscriber/user.

Amid this, mobile phones are frequently being abused in crimes as a means that does not leave any traces of the offense. For example, the National Police Agency conducted a survey on names used for mobile phones possessed by suspects from criminal groups involved in special fraud cases cleared by the prefectural police nationwide. It showed that from May 1–May 31, 2013 approximately 60% of the mobile phones were in another person's name.



**Names used for mobile phones in the possession of suspects from criminal groups perpetrating special fraud (May 2013)**

##### II. Internet

Amid an increasing number of Internet users, the anonymity of the Internet is being abused in criminal offenses.

##### III. Other Services

Just like mobile phones, savings accounts are being abused as a means to collect and send criminal proceeds. They are opened by persons pretending to be fictitious persons or third parties or legitimately opened accounts are bought and sold.

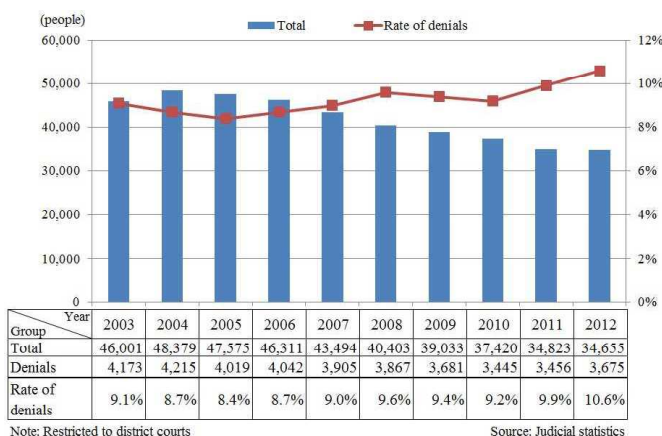
In addition, recently a delivery receiving service, called a commercial mail receiving agency, has become popularized and is being abused for purposes such as serving as a place to send fraudulently gained money and passbooks for savings accounts that are unlawfully traded.

## 2 Reforms in Systems Involving Police Investigations

### (1) Changes in the Environment Involving Investigations

In a succession of judicial system reforms, while the lay judge system was introduced, cases of denial have been increasing and the environment involving investigation is changing at a dizzying speed. In addition, the police are trying audiovisual recordings in investigations to review an approach that contributes to effective/efficient proof of credibility and the voluntary nature of statements in trials by lay judges.

**Denial rate of persons finally disposed in ordinary first-instance cases (2003–2012)**



#### I. An Increase in Cases of Denial

In crimes such as injury, fraud, and larceny,

the percentage of persons denying guilt when the procedural steps in an ordinary first instance case are concluded is trending up. The role played by investigation is significant in the elucidation of facts in a case and the acquisition of information on unsentenced crimes, but this increase in cases of denial shows that it is becoming difficult to determine facts through police investigations at the investigative stage.

### II. Actions Taken by Lawyers for Suspects

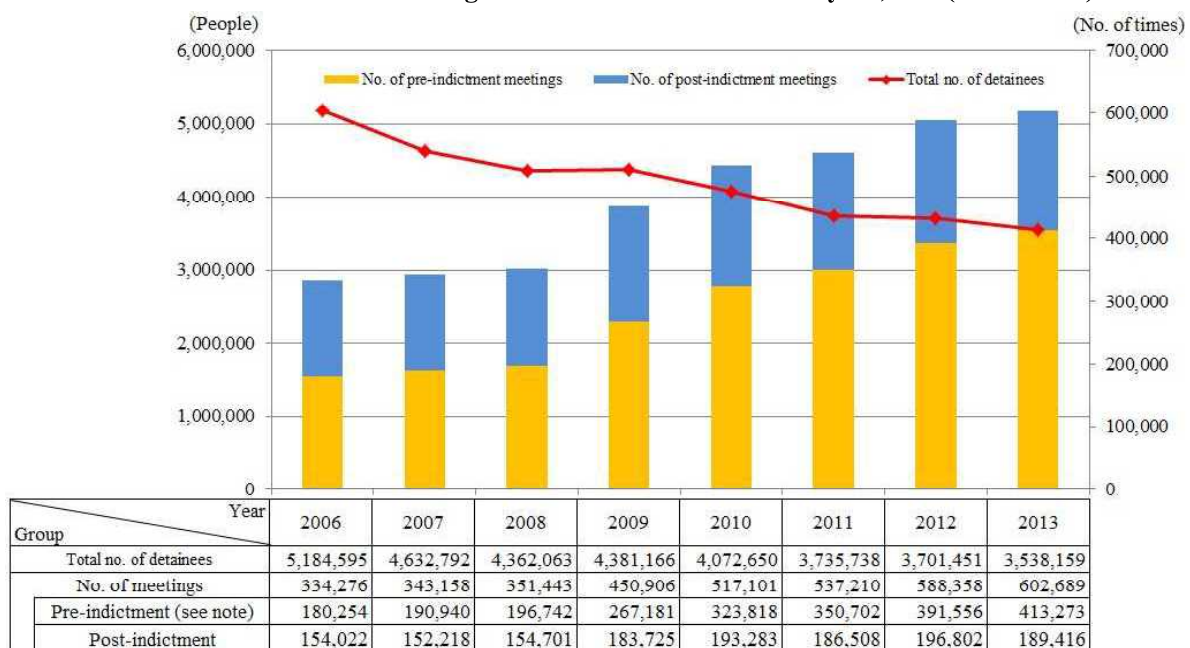
The court-appointed defense counsel system for suspects was introduced in October 2006. The appointment of a public defender from the investigative stage enables the lawyer to grasp points at issue early on, and improves and expedites criminal trials.

Since that system was introduced in 2006, the total annual number of detainees has decreased, but the number of meetings between detainees and lawyers continues to increase.

### III. The Introduction of the Lay Judge System and the Trial-based Audiovisual Recordings of Interrogations

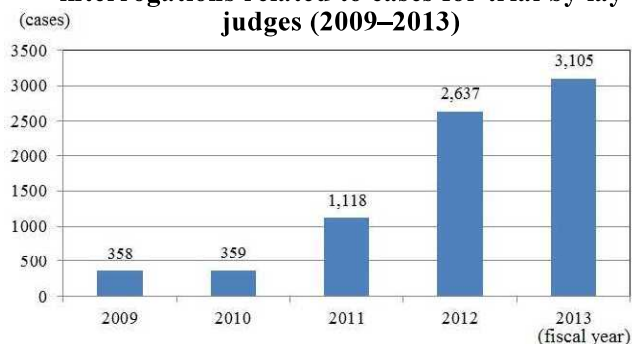
To review an approach that contributes to effective/efficient proof that statements were made voluntarily in trials by lay judges, the police have begun the trial-based audiovisual recordings of interrogations. All the prefectural police have been implementing the trial-based audiovisual recordings since April 2009.

**Number of meetings between detainees and lawyers, etc. (2006–2013)**





### Number of audiovisual recordings made during interrogations related to cases for trial by lay judges (2009–2013)



The trial-based audiovisual recordings of interrogations also lead to physical and human burdens placed on the police. For example, until the end of FY2013 the National Police Agency and the prefectural police put 1,116 pieces of audiovisual equipment into place, which required approximately 1.085 billion yen in expenditures. In addition, 3,315 cleared cases are reported as cases subject to trials by lay judges in FY2013. Of those, 3,105 cases utilized audiovisual recordings, generating new work such as watching and listening to DVDs, and transcribing recorded voices.



**Implementing audiovisual recording during an interrogation (image)**

### (2) Increase in Work that Accompanies a Focus on Objective Evidence at Trial

In accordance with the introduction of trials by lay judges, an even greater emphasis is being placed on objective evidence that contributes to the lay judges' accurate formation of convictions at trial. With the serious succession of cases of innocence that question the investigative approach, the police are gathering objective evidence even more thoroughly.

The process of focusing on this kind of objective evidence contributes to effective proof of criminal offense, but also leads to an

increase in work related to gathering objective evidence and expert testimony, and is putting constraints on investigations. For example, there is a growing number of instances where personnel involved in criminal identification appear at trials as witnesses. Often, testimony is sought as to whether the police properly gathered and identified objective evidence, including the gathering of objective evidence at a crime scene and the police procedure for DNA profiling for identification. This kind of work carried out for the purpose of handling activities related to proof at trials is increasing.

### Witnesses at trial involved in criminal identification (2009–2013)



Group	Year	2009	2010	2011	2012	2013
Trial by lay judges		1	43	57	98	75
Other trials not by lay judges		204	288	311	377	386

### (3) Prolonging of the Investigative Period that Accompanies the Abolition/Extension of the Statute of Limitation on Prosecution

In April 2010, laws were announced and enforced that revised a portion of the Penal Code and the Code of Criminal Procedure, abolishing and extending the statute of limitation on prosecution of serious felonious and violent cases.

The police maintain necessary systems for cases for which an investigation headquarters is established until the case is resolved. They re-examine investigative paths, gather new information, reassess various kinds of information, probe important information, and reappraise evidence. Even in cases for which an investigation headquarters is not established, the police proceed with investigations in conformance with cases that have established investigation headquarters. On the other hand, these initiatives possess aspects that force constraints on placing investigators in other cases.



### 3 Rapidly Advancing Alternation of Generations

#### (1) Rapidly Advancing Alternation of Generations

Police officers are retiring in large numbers. In the 10-year period from 2003, there was a change in over 40% of regional police officers. With the rapid advancement of an alternation of generations, many young investigators are being employed while many investigators in criminal divisions are retiring. Amid this change, the number of highly experienced investigators at police stations is decreasing, and passing on investigative techniques necessary to criminal investigation is becoming an issue.

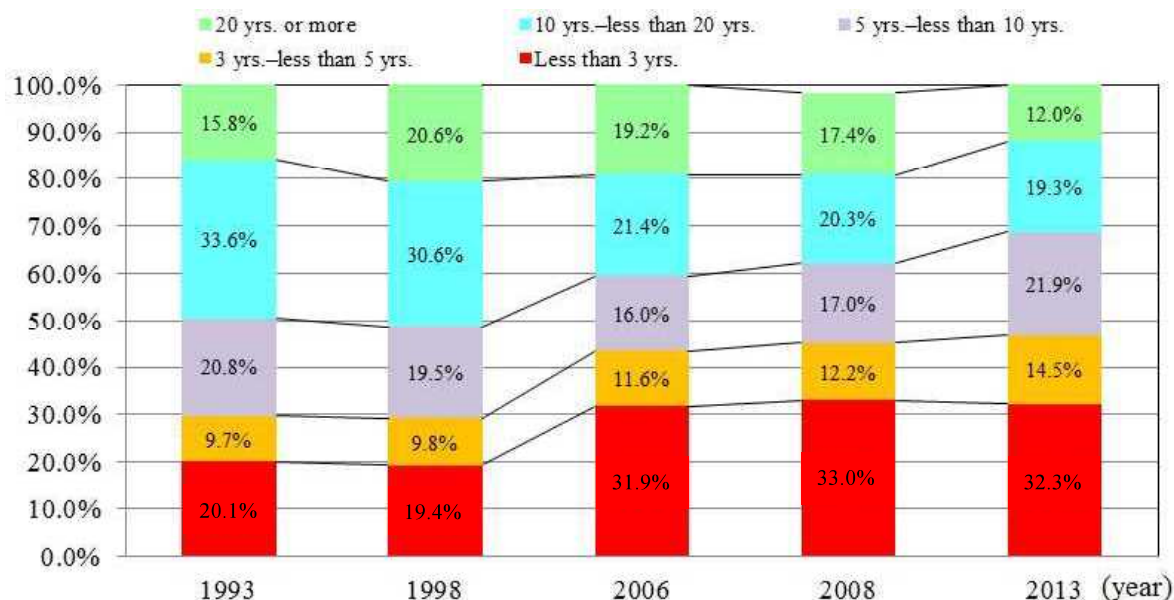
becoming shorter. Also, young investigators are required to instruct newly hired investigators, even if they have only a few years of investigative experience.

Thus, as the tradition of passing on investigative techniques simply through OJT becomes difficult, the development of organizational initiatives is necessary so that investigative skills can be systematically handed down.

### Section 3: Police Initiatives

The following are police initiatives for handling changes in the environment surrounding police investigations.

**Trends in the number of years of investigative experience possessed by police investigators (1993–2013)**



#### (2) Issues with Passing down Investigative Techniques

Traditionally, investigative techniques have been passed down through on-the-job training (OJT) in which young investigators work with highly experienced investigators to learn from older investigators and supervisors, and gain actual hands-on experience on many occasions. At police stations in particular, the alternation of generations is fast moving forward and the number of highly experienced investigators is declining, while many young investigators are being employed. This means the period of instruction for each young investigator on investigative techniques through actual work is

### 1 Initiatives Subsequent to Changes in the Social Landscape

#### (1) Utilization of Security Camera Images

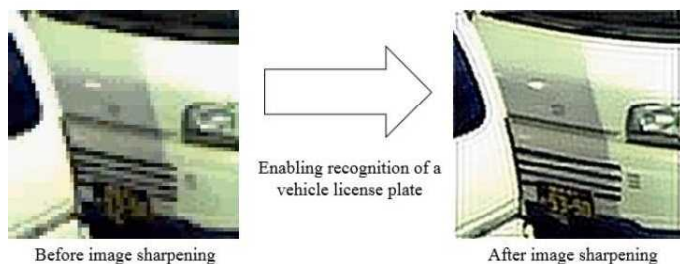
Since security camera images are effective as proof of criminal acts and in identifying suspects, they are utilized in various scenes of a police investigation, including when confirming the movements of persons involved in a case, and publicizing images when searching for someone. They have now become indispensable for police investigations.

The data on recording media such as hard discs on which security camera images are recorded is often erased after a certain period of time because it is written over. Since some are

erased within a few days, the police are developing a system that enables security camera footage to be quickly gathered and analyzed after an incident.

In addition, security camera images collected by the police are sometimes unclear due to the performance of the recording equipment and filming circumstances. That can impede analysis, so technical developments are being advanced that sharpen images.

#### Image sharpening technology



#### (2) Measures against Various Services that are Abused as Means for Making Offenses Untraceable

When services such as mobile phones, the Internet, and savings accounts are abused, they enable criminal offenses from being traced. Therefore, the police are promoting efforts in collaboration with private businesses for measures against the abuse of such services.

#### I. Mobile Phones

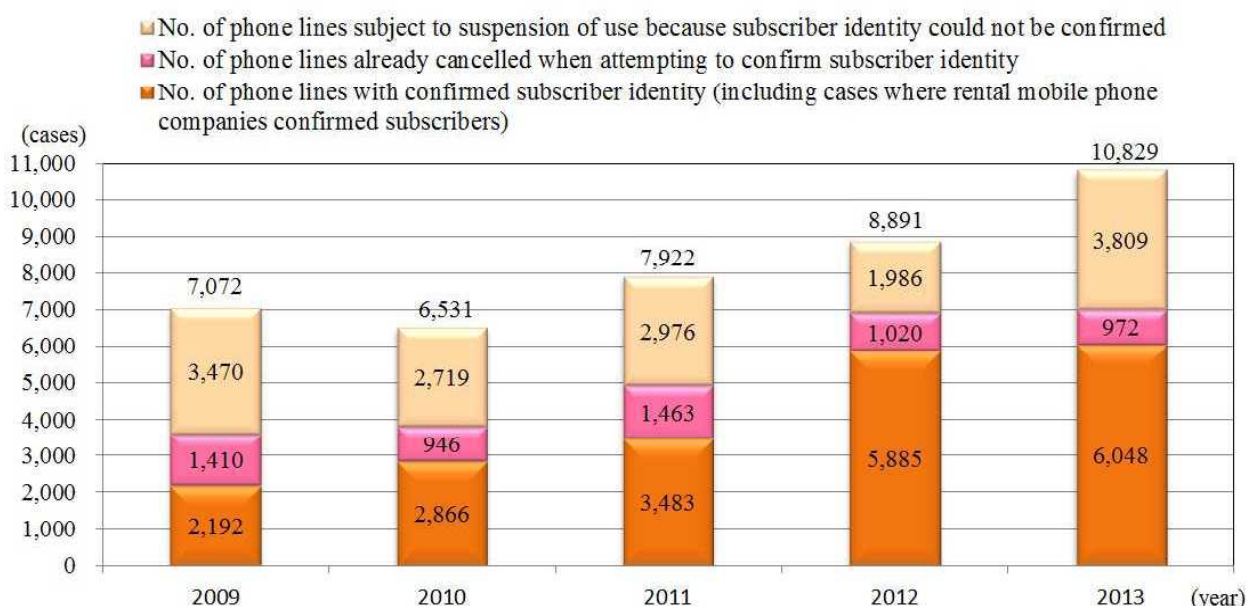
Sometimes mobile phones are illegally obtained when identity verification is insufficient, or falsified identity records are utilized. Because these mobile phones are actually used by a person different from the subscriber (the name under contract), it is hard to identify the user when abused in a crime.

In addition to encouraging private corporations to thoroughly conduct identity checks, the police are advancing initiatives such as requesting mobile phone service providers to confirm the identity of subscribers, based on the Mobile Phone's Improper Use Prevention Act.

#### II. Internet

Cyberspace is characterized by a high level of anonymity and leaving little trace of criminal offenses. The police encourage confirming identity through ID documents at Internet cafe businesses and retaining records of computer usage. Also, because there are no systems in place in Japan that require businesses such as Internet providers to regularly retain traffic data, and it can be difficult to trace a criminal offender when dealing with cyber crimes, the police and relevant ministries and agencies are discussing the way of retaining traffic data.

#### Police requests for subscriber confirmation (2009–2013)



\* The results of subscriber confirmation conducted upon request from a police chief are the total number of phone lines for which the NPA received information from mobile phone service providers.

### III. Other Services

Savings accounts in fictitious names or another person's name are often abused in crimes such as special fraud and money laundering. Recently, services such as post office boxes and telephone answering services are also being abused in crimes such as special fraud.

In addition to striving for crackdowns on actions such as selling/buying savings accounts, the police are taking measures against savings accounts, such as providing information to financial institutions so that accounts can be frozen. Also, based on the Act on Prevention of Transfer of Criminal Proceeds, the police are collaborating with relevant institutions and working on the proper confirmation during transactions by specific businesses, such as those offering post office boxes.

## 2 Initiatives for Securing Objective Evidence

### (1) Collecting Objective Evidence in an Initial Investigation

#### I. Developing an Initial Investigation System and Comprehensive Identification Activities

To carry out investigation activities that utilize mobility, the police establish a Mobile

Investigation Unit, and hurry to the scene and relevant locations when a crime occurs in order to apprehend the criminal. A Mobile Identification Unit and a Crime Scene Investigation Unit are put together to thoroughly carry out on-site identification activities, and promote R&D of relevant techniques and the development/maintenance of equipment.

## II. Advancement in Work Handling Corpses

During 2013, the police handled approximately 170,000 corpses, which is approximately 1.2 times higher over the past 10 years.

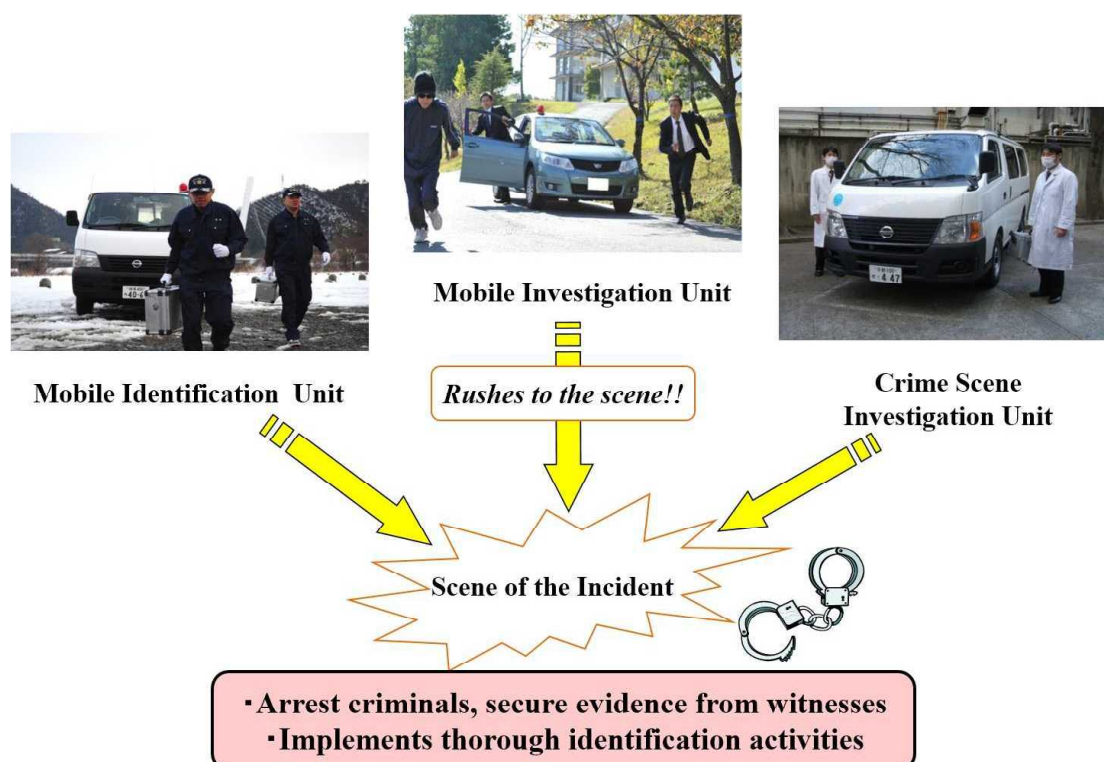
The police are working to enhance the education and training of police officers to improve the ability to determine whether a death was caused by a crime. Even when a death investigator is unable to be on the scene, the police arrange devices that enable the death investigator to confirm the scene in real time through video and sound of the site.

### (2) Utilizing Technology

#### I. Digital Forensics

Electronic devices such as computers and

### Maintaining an initial investigation system and thorough identification activities



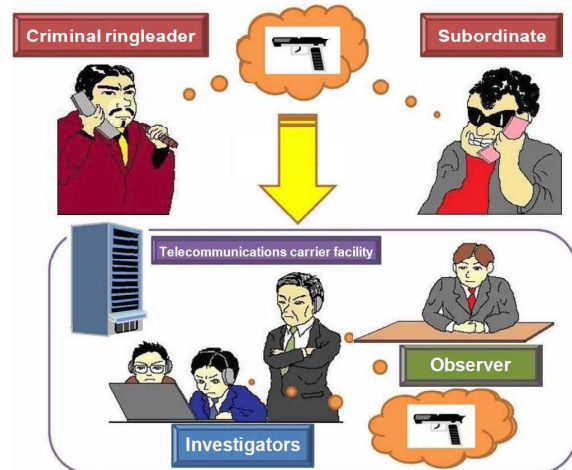


mobile phones are becoming popular in public and being abused in various crimes. Information preserved on electronic equipment used in a crime can be important objective evidence in a criminal investigation. Digital forensics, which analyzes and turns the information into evidence through proper procedures, is becoming important.

In April 2014, the National Police Agency reinforced the Digital Forensic Center to analyze electromagnetic records that particularly require advanced technology, and gather technical information owned by private corporations that contributes to digital forensics. The center employs persons who possess advanced, special knowledge and techniques, and maintains high-performance equipment for digital forensics to extract and analyze information recorded in damaged electronic equipment.

The Act on Wiretapping for Criminal Investigation recognizes the implementation of wiretapping for various offenses such as crimes involving drugs and firearms, organized murder, and collective stowaways.

#### An illustration of wiretapping



#### Digital forensics

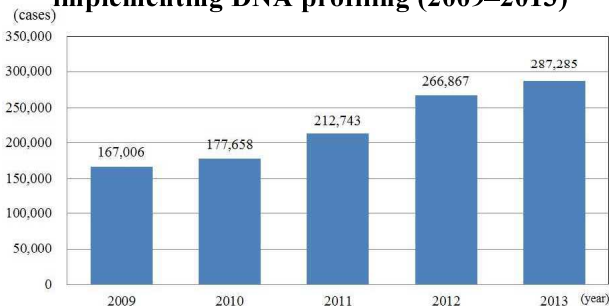


## II. DNA Profiling

The number of incidents of DNA profiling is growing each year.

The police are strengthening systems for DNA profiling and utilizing it for confirming unsentenced crimes and investigations into felonious cases, such as murders, and near-at-hand criminal offenses, such as larceny.

**Trends in the number of cases implementing DNA profiling (2009–2013)**



## (3) Utilizing Various Investigative Methods

### I. Wiretapping

From 2000 when the act went into effect, until the end of 2013, wiretapping was executed for 88 cases, with a total of 412 people arrested in those cases.

### II. Controlled Delivery

Controlled delivery is an investigative method for arresting suspects and is used in instances where, even when investigators discover contraband such as regulated drugs, rather than the police immediately making an arrest or seizure on the spot, the contraband is continued to be transported under careful observation until it is transported to relevant suspects. Utilizing this method allows law enforcement agencies to reach the core members of an organization keeping the contraband under surveillance.

The police actively utilize controlled delivery to make arrests in drug smuggling/illicit sales, and annihilate organizations committing drug offenses.



### III. Investigative Method by Purchase

An investigative method by purchase is a method where the police make contact with illicit dealers and receive regulated drugs in criminal investigations related to contraband, such as regulated drugs.

When it is difficult to crack down on a case within a normal investigative method, the police utilize this investigation technique to make arrests in cases such as drug smuggling that are organized and carried out secretly.

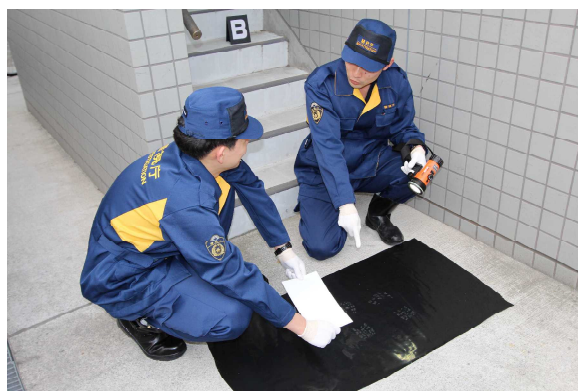
### 3 Systematic Handing Down of Investigative Techniques

#### (1) Cultivating Criminal Investigators in Response to a New Age

To further boost the investigative skills of every investigator, the police gain experience through a variety of education and training in various investigative methods, including ways to collect objective evidence such as security camera images and DNA profiling materials, through investigative exercises in imaginary cases.

Education and training is conducted for investigation leaders at locations including the National Police Academy, Regional Police Bureaus, and Regional Police Schools. Through seminars using small-group discussion and lectures by retired police officers, improvement of knowledge and skills required for work as an investigation leader is being implemented, including establishing suitable investigative policies based on an understanding of the overall aspect of the case, developing a systematic investigation according to the nature of the case, proper interrogation methods according to a suspect's characteristics, and proper administration of the investigation

that includes comprehensive supportive investigation.



**An experienced investigator gives instruction (collecting fingerprints)**

#### (2) Passing Down Interrogation Techniques and Sophistication of Interrogation

Based on the Program to Advance Investigation Methods and Interrogations that was drawn up in March 2012, in regard to the approach to techniques for appropriately and effectively obtaining truthful statements during interrogations and relevant methods for passing on the techniques, the National Police Agency is developing sophisticated interrogation by developing texts and educational methods that systematically organize interrogation techniques that incorporate psychological knowledge in order to make improvements that meet the times.

### Section 4: Investigative Methods in Other Countries

The police are developing initiatives to handle transformations in the investigative environment brought about by changes in the social climate and system reforms. The

**A comparison of investigative methods in Japan and Europe/the United States (United Kingdom, United States, Germany, France, Italy, Australia)**

		Japan	United Kingdom	United States	Germany	France	Italy	Australia
Wiretapping	Restrictions	○	○	○	○	○	○	○
	No. of warrants issued annually (per 100,000 population)	64 (approx.0.05)	Approx. 3,400 (approx. 6)	Approx. 3,400 (approx. 1)	Approx. 24,000 (approx. 29)	Undisclosed	Approx. 127,000 (approx. 222)	Approx. 4,200 (approx. 21)
Conversation monitoring		×	○	○	○	○	○	○
Undercover operations		×	○	○	○	○	○	○

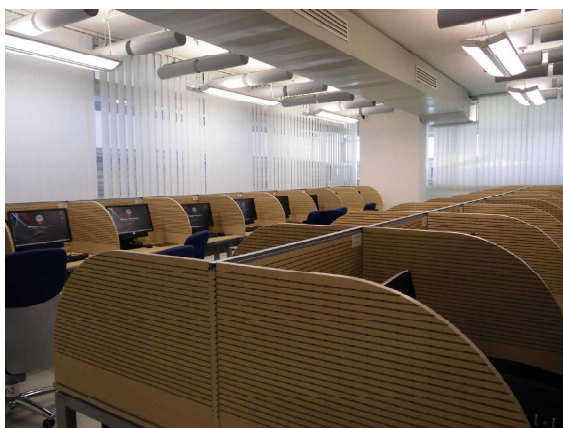
following are investigative methods in other countries that are helpful in viewing police investigations going forward.

## **1 Wiretapping/Conversation Monitoring**

### **(1) Wiretapping**

The annual number of warrants issued in Europe and the United States for wiretapping runs over a hundred thousand in Italy, and anywhere from tens of thousands to thousands in all other countries. By comparison, the number issued in Japan is 64, which is less than one-fiftieth of the number issued in the United Kingdom and the United States. There is a wide variety of offenses for which wiretapping can be used in Europe and the United States, including murder, robbery, rape, arson, fraud, and bribery. In other countries wiretapping is an investigative method that is widely utilized in investigations into serious crimes, but in Japan its use is restricted to four types of offenses.

In addition, compared to Europe and the United States, the systems and requirements in Japan that allow wiretapping are rigorous, and impose heavy constraints, such as having to conduct tapping under the continuous presence of a telecommunications carrier in the facilities of a telecommunications carrier.



**Wiretapping facility in Italy**

### **(2) Conversation Monitoring**

Conversation monitoring is an investigative method where, after obtaining a warrant, monitoring equipment is placed in the home or other location managed by a person targeted by investigation to monitor and record the words and actions of the person under investigation to acquire evidence. It is not instituted in Japan, but is established in the United States and European countries. Of these countries, in the

United States and Italy it is possible to carry out conversation monitoring for the same offenses and implementation procedures for which wiretapping is applicable.

If conversation monitoring is instituted in Japan, it would conceivably contribute to the arrest of leaders of organized crime and other individuals involved in special fraud and offenses committed by organized crime groups.

## **2 Undercover Operations**

An undercover operation is an investigative method where an investigator uses a fake identity to come into contact with persons under investigation to collect information and evidence. Though it is not instituted in Japan, it is implemented in the United States and European countries.

If undercover operation is instituted in Japan, it would conceivably be useful in contributing to the acquisition of physical evidence and criminal information that gets to the heart of organized crime, and the ability to avert the risk of an organized crime group member causing injury to an investigator or his/her family.

## **3 Witness Protection**

Europe and the United States have established a variety of systems to ensure the safety of witnesses and their families.

These systems not only secure the testimony and appearance of a witness at trial, but also likely reduce the emotional and economic burdens on a witness, thus contributing to the assurance of cooperation in an investigation from the investigative stage.

## **Section 5: Looking Ahead**

After WWII, the police became the primary investigating authority that takes on the responsibility of executing investigations for citizens. Since then, police investigations have not only fulfilled a role in criminal justice proceedings, but have also protected the life, physical body and property of an individual, and have come to fulfill an important role in executing the police responsibilities and duties of maintaining public safety and order. This will remain unchanged, no matter how the investigative environment changes.

## 1 Looking Ahead

### (1) Response to Changes in Social Situation

Recently, the acquisition of information from private businesses that are necessary to an investigation, such as transmission history and security camera images, and sophisticated analysis of crime environments and methodology, are becoming more and more important to conducting quick and accurate investigations.

Therefore, the National Police Agency established the Director for Criminal Intelligence Support in the Criminal Affairs Bureau in April 2014 to further reinforce such initiatives.

The Director for Criminal Intelligence Support will collaborate with relevant businesses and ministries and agencies to carry out initiatives that enable the opportune and smooth acquisition of information necessary to a criminal investigation. It will also promote efforts to prevent and eliminate the criminal abuse of new systems and services, such as mobile phones and savings accounts, that accompany advancements in technology. In addition, gathering and analyzing information related to crimes across division barriers will achieve further optimization of information analysis and destroy criminal networks.

### (2) Response to Changes in the Method of Investigations

#### I. Examining the Approach to Audiovisual Recordings in Interrogations in Anticipation of Trial

Based on the fact that audiovisual recordings in interrogations are useful as proof of the reliability and voluntary nature of statements in trial, the police will examine the further active implementation of audiovisual recordings in interrogations for cases subject to trial by lay judges where there is risk of a dispute arising over the reliability and voluntary nature of a defendant's statements in the investigative stage.

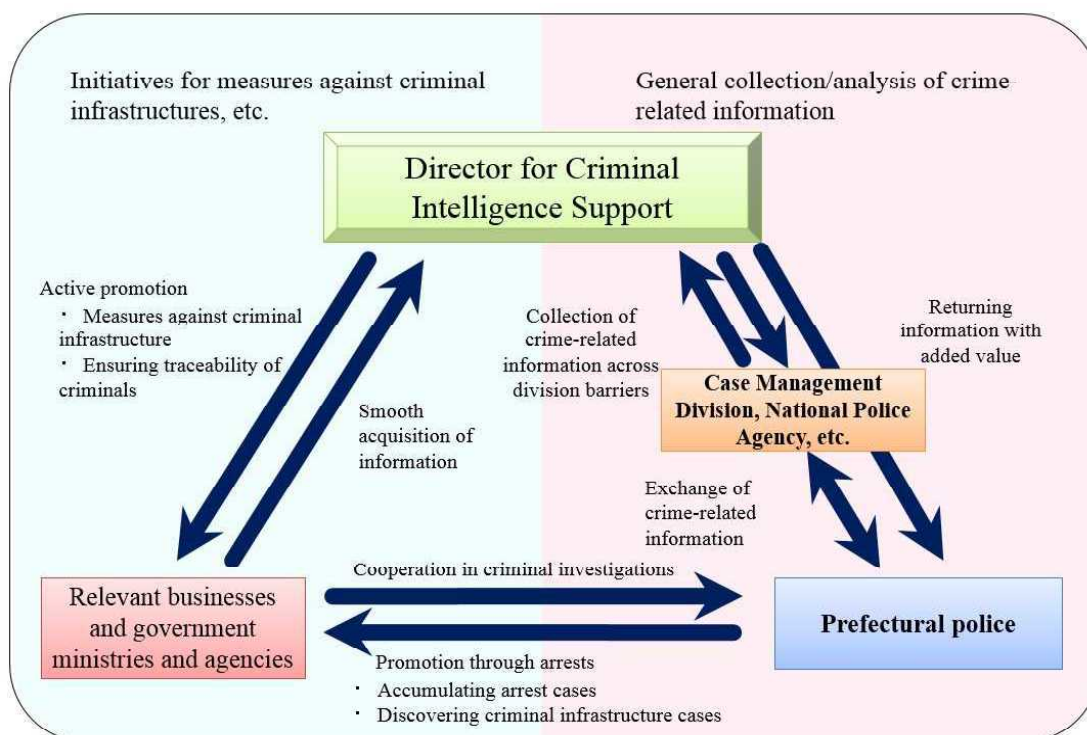
However, when audiovisual recordings of interrogations are made, the suspect may not give a statement due to fear of reprisal, a sense of shame, or hatred. Thus, these possible adverse effects must be heeded in consideration of the trial-based audiovisual recordings.

#### II. Research and Development on New Methods for Collecting Objective Evidence

##### a. Test Methods for DNA Profiling of Degraded Materials

Because DNA is likely to be degraded and fragmented as time passes, the currently used DNA profiling method of STR typing is

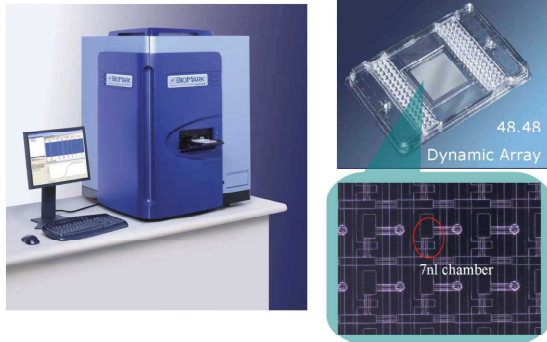
### The duties of the Director for Criminal Intelligence Support





sometimes unable to provide DNA profile from aged samples.

Therefore, a new test method has been developed to enable the identification even from fragmented DNA, and at present its verification and research are being performed to introduce this method toward an actual casework testing.



**DNA test equipment**

#### b. Discrimination Method for Biologically Derived Evidence Utilizing DNA

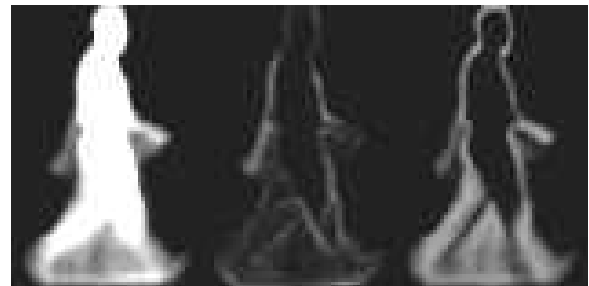
With the aim of identifying evidence using DNA analysis, examination methods are being developed for discrimination of minute evidence derived from organisms other than humans, such as pollen and wood that are collected at a crime scene.

#### c. New Identification Methods Based on Security Camera Images

When a face captured in a security camera image is not clear or hidden by sunglasses or a mask, it can be difficult to make an identification.

Therefore, technologies are being developed that enable identification by combining features such as height, body type, and gait (physical movements when walking, such as stride, posture, arm swing, etc.).

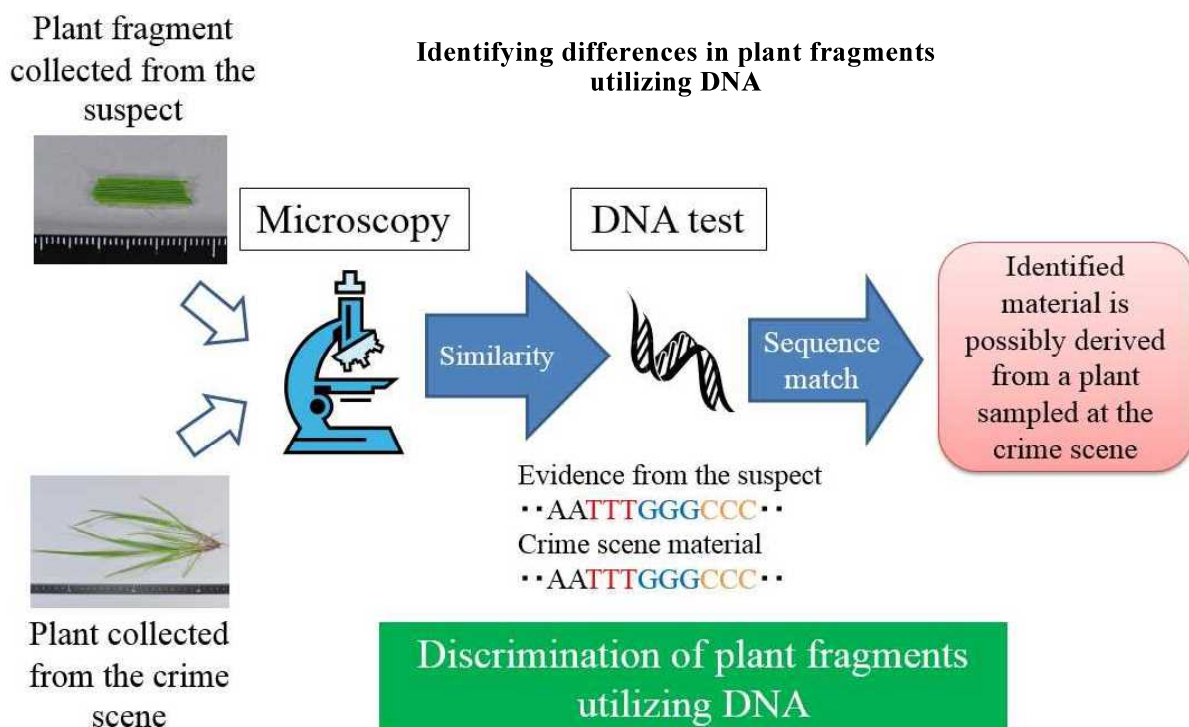
##### **An example of gait analysis**



**On the left are the characteristics of body shape and posture gained from footage of an individual walking. The images in the middle and on the right indicate characteristic movements when walking.**

#### d. Advancements in the Polygraph Test

The polygraph test is an investigative technique that utilizes changes in the





physical response (physiological responses such as heart rate, blood vessel constriction, etc.) of the person taking the test to determine whether he/she recognizes criminal facts.

Today, an individual with expert knowledge visually observes the test records and judges whether the person subjected to the polygraph test recognizes facts, but efforts are being made to establish methods for quantitatively evaluating physiological responses based on statistics and improvements to the polygraph equipment.

### (3) Reviewing the Adoption of New Investigative Methods

Given the changes in the investigative environment, the National Police Agency is collaborating with agencies, such as the Ministry of Justice, and considering broadening the range of permissible wiretapping. It is also moving ahead with research on conversation monitoring and undercover operations, which are two kinds of investigative methods already being utilized in other countries whose adoption could be effective in police investigations in Japan.

individual, and maintain public safety and order, the police will strive to develop an environment that enables the smooth acquisition of information necessary to investigations, and constantly examine approaches to police investigations in response to changing times, including new measures for gathering objective evidence and the adoption of investigative methods.

## 2 Conclusion

The regional community in Japan was once vital to solving cases as a foundation for understanding and cooperating within police investigations. However, human relations have weakened recently, making it difficult to conduct people-based investigations, such as the acquisition of eyewitness reports through canvassing. In addition, although various systems and services have made the lives of citizens more convenient, they are constantly being abused as a means to commit offenses without leaving behind traces of the crimes. Furthermore, amid a trend of focusing on objective evidence in a series of judicial system reforms, the work of gathering and assessing objective evidence is growing.

In this way, the approach to police investigations is being forced to adjust due to changes in the investigative environment. To fulfill responsibilities and duties of protecting the life, physical body, and property of an