YACS Crime Groups
Caught on Tape
Using Criminals' Videos Against Them
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In Sparta, Michigan, a 16-year-old high school dropout with a criminal record bludgeons a man to death, then cuts off his head. At home, the youth repeatedly slashes the severed head with a butcher knife and removes the brain. Detectives recover the head wrapped in plastic, outside the youth’s home.1

In Fort Lauderdale, Florida, five teenagers vandalize and burglarize eight homes and a school. During their escapades, they blow up a live sea trout in a microwave and get a dog high on marijuana.2

In Los Angeles, a group of teens assaults people with “paint balls,” the projectiles from paint guns. According to news reports, they “whoop it up as each victim falls or writhes in pain.” They call their “game,” “bashing,” or “human head baseball.”3

In Washington, DC, five men rob, beat, and urinate on their victim. Following the incident, the men interview one another, pretending they are on the news documentary, “City Under Siege.” The men are found guilty of a variety of charges, including armed robbery, conspiracy, and weapons violations.4

In each of these incidents, the offenders were convicted by evidence they had created themselves. They had videotaped their exploits, providing incontrovertible evidence of their crimes. Whether they do so to immortalize their actions, to achieve “stardom,” or to gain favor with their cohorts, when perpetrators videotape their crimes, law enforcement officers can use those tapes against them.

Who Does It and Why
Photographing criminal activity is not a new phenomenon. Sex crime investigators have known for years that some individuals who engage in various sexual acts—both consensual and nonconsensual—chronicle their behavior through photography and video. Cases include one in the northeastern United States where an individual photographed and videotaped various “customers” using drugs and having sex in his home. He later used these records for his own sexual gratification and to blackmail his customers. Most of these sex-related videos come from the perpetrators’ desire to relive the experience at a later time through their photographic records. Much as some members of the general population use pornography to stimulate sexual fantasy, sexual deviates use

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their homemade pornography to satisfy their specialized deviance. This most often occurs in cases of more extreme forms of paraphilia. Because they find little excitement in general pornography, they develop their own to reflect their particular pathology. In addition, individuals involved in autoeroticism frequently videotape their activities.

In the past, most crimes occurred under cover of darkness, helping to maintain the anonymity of the perpetrators. Yet, recent cases indicate that criminals seem more interested in publicizing their crimes than remaining discreet. Several teenagers in Houston, Texas, videotaped themselves as they dug holes for people to fall into, blew up mailboxes in broad daylight, and plotted their activities on a blackboard as if they were military commanders. On their homemade video, they smiled and laughed, apparently proud of their actions. In Portland, Oregon, four teenagers videotaped themselves committing acts of vandalism. The video showed one of the teens turning over trash cans and breaking the wooden crossing arm at the exit to a parking garage.

An increasing number of cases involve videotaping drug parties. Various vice units have discovered videotapes that individuals have made of themselves and others using illegal drugs. Other perpetrators have videotaped in auto-related crimes. In Los Angeles, for example, a fire that gutted one store and damaged two others was captured on videotape by one of the perpetrators. The walls were spray-painted with swastikas, the initials “SS,” and the words “Die Jew.” A 20-year-old student was charged with arson.

Even murderers have memorialized some of their activities on video. The two teens convicted of murdering James Jordan, father of basketball star Michael Jordan, spent several days partying, showing off, and videotaping themselves with the property they had stolen from Mr. Jordan.

In addition to filming themselves during or after their crime sprees, some offenders record the news accounts of their crimes from television broadcasts.

In one case, two individuals responsible for several bank robberies videotaped the news broadcasts of each one. Upon their arrest, investigators found a number of tapes chronicling their bank robberies over the past several years.

Some of the rise of videotaping such acts as vandalism and destruction can be attributed to a quest for stardom. One amateur filmmaker in New York City offered money to individuals who could supply him with photographs and videos showing graffiti writers at work “hitting,” “tagging,” and “bombing” their targets. He took his production, titled “Out to Booth,” to a neighborhood in Queens, New York, where he videotaped as others defaced the side of a paint store. Police arrived and arrested him and five others, one as young as 15.

Other amateur filmmakers record their crimes to show off and brag to their friends about their accomplishments. The video serves as proof of what they did and how they accomplished it and becomes the ticket by which they move up to a higher level within their group or gang.

Finally, like sexual deviates, they can relive the excitement of the experience by reviewing the videotape.

Implications for Law Enforcement

Knowing that individuals have videotaped their criminal acts has important implications for the law enforcement community. Investigators in sex offense units have long recognized the need to include in the original arrest warrant for sexual offenses any photographic or recording devices, photograph albums, videotapes, and audio tapes, and magistrates routinely issue such warrants. However, when investigators apply for warrants to search the perpetrator’s residence in such offenses as burglary, robbery, or assault, they tend not to include requests to seize audio or video materials.

Without specific, specific justification, magistrates probably would not sign an original warrant to include the seizure of audio or videotapes. Thus, investigators must establish probable cause of the
existence of video evidence related to a particular crime, include these facts in the application for a search warrant, and specifically list such items to be seized during the execution of the warrant. To establish probable cause, preliminary investigators should routinely inquire if victims, complainants, and witnesses knew of the presence or use of a video recorder. Victims or witnesses may have observed the criminal with a video camera during the commission of a crime but might not think to volunteer this information to investigators, especially because video recorders have become so commonplace. Investigators also should bear in mind that some complainants of robberies and burglaries initially may not think to report the theft of a video recorder.

Informants, who may have been at the scene of the crime or received details from the perpetrators, can provide valuable information on the existence of video equipment, if investigators remember to ask. Investigators have used the information obtained from informants to help establish the probable cause necessary to support their requests for the issuance of warrants to recover video evidence.

Conclusion

Next being able to submit the defendants’ signed confessions, most law enforcement officers would like to be able to obtain a videotape of the defendants committing the crime or enjoying the fruits of their labor. And, increasingly, a variety of criminals, from sex offenders and vandals to burglars and smudgers have chosen to immortalize their exploits on video. Awareness of this growing trend remains the key to catching criminals on tape. Investigators must routinely ask offenders, victims, witnesses, and informants about the existence of video evidence in order to establish the probable cause required to seize this important evidence during the execution of a search warrant.

Offenders who film their criminal acts often let their egos override their common sense. Yet, investigators who remain clear-headed can make sure that the next film these budding stars appear in is the 11 o’clock news, as they are escorted to prison.

Endnotes

5. Autopsies have been variously described in the literature. However, tissue samples, in cases, generally have several characteristics in common. They include sexual activity engaged in private, with a constraint of sexual enjoyment, and the use of fantasy aids. In these positions, an apparatus is used to reduce normal levels of oxygen to the brain. This is thought to enhance the mental response. See R. B. HArdwood, E. H. Ditz, and A. H. Barmes, Anatomical Studies (Lehighsburg, NA: Lehighsburg Books, 1967).

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