



Hermeneutics of Criminal Suspicion

- A Work in Progress on Danish Police Intelligence Epistemology

Purpose

"Without real analysis work [analysearbejde] an analysis- and intelligence unit is nothing more than a card index system or a transmitter of non-processed [ubearbejdede] missives." –Intelligence and Analysis Handbook for the Police

- Why do police need to take epistemological positions? What do such positions entail for the police as an organization, for policing as practice and for policing as a state function?



What is True Knowledge?

Police intelligence work is materialized (Althusser, 2020) in specific practices. The "4x4"-model, imported from Europol, actualizes the age-old epistemological question: what is true knowledge?

		EVALUATION OF THE SOURCE				
		A	B	C	X	
		where there is no doubt of the authenticity, trustworthiness and competence of the source, or if the information is supplied by a source who, in the past, has proved to be reliable in all instances	source from whom information received has in most instances proved to be reliable	source from whom information received has in most instances proved to be unreliable	the reliability of the source cannot be assessed	
EVALUATION OF THE INFORMATION	1	information whose accuracy is not in doubt	A1	B1	C1	X1
			confirmed information			
	2	information known personally to the source but not known personally to the official passing it on	A2	B2	C2	X2
	3	information not known personally to the source but corroborated by other information already recorded	A3	B3	C3	X3
		unconfirmed information				
4	information which is not known personally to the source and cannot be corroborated	A4	B4	C4	X4	

Figure 3: Evaluation codes used in the information exchange via Europol.

Prediction and Verstehen

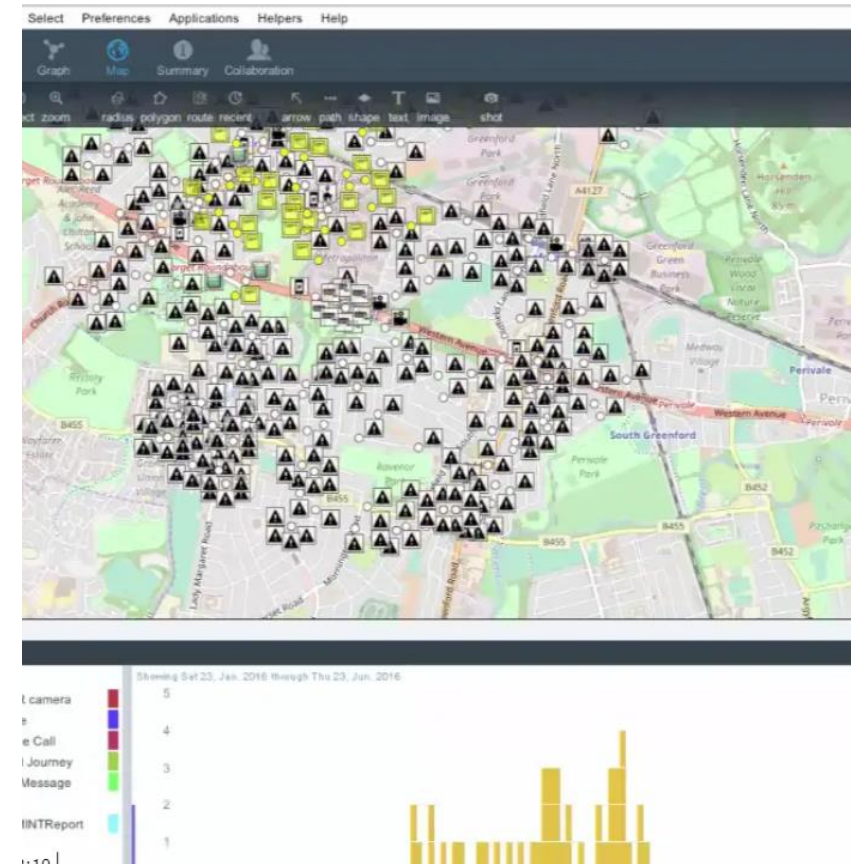
- *“Understanding (forståelse) is the sum of the overview and insight into a problem which can answer the question, on why something happens, while the leap to prediction occurs, when this understanding is sufficiently deep to support (understøtte) the question “what will happen now?”. Understanding is the sum of all the processes which gives insights into a problem and which puts the analyst in the position to come with well-argued suggestions on what will perhaps happen now, and what the organization can do with it.” – Intelligence and Analysis Handbook for the Police*



Kilde: Lovering, 2014 og MOD, 2011

Coding Verstehen

*“So, you know with this idea of hotspots, they are like really any patterns. [...] so its like if, you know to take the extreme simple examples, if there are always crimes on this particular corners, and so then we always put all of our police forces on those particular corners and tell them to stay there the entire night, it’s like all of the crimes they observe are going to be there, obviously we are going to end up skewing the data, of course how much depends on how many crimes are being reported to the police without the police present, but I think we can assume there is going to be significant skewing of the data as a result of that. **So, we probably need more context to understand** like, these hotspots, we want to know where are police on average during these times, actually dig in to the details, what are people saying around these crimes, do they differ in significant ways, are for our purpose, is it fine to say a burglary is a burglary is a burglary, this is why you have analysts employed, right and this is why, **our perspective as a software company is like our job is to provide a platform that allows humans to navigate data** and apply their intuition in a very efficient and fluent way, it does not to try and give people an easy automated way out, and say like this is the computer is showing you therefore this is the next recommended action, this is very counter to **the design principles of our software at every stage.**” – Palantir Scandinavia Head*



Transformation

“[...] it’s like big data it isn’t interesting just to look at it “oh yeah there is a lot of data”. You need to pile it up, look at it, put it into different perspective and then we have this combine it with hypothesis, so we have different kind of saying “ok, is there any indications on this?”, like drug smuggling? Yes or no, yes there is this indication, so that’s how we structure the... it becomes into intelligence when you enrich the information. And the enrichment is the analysis work [...]” – Head of Intelligence and Analysis Unit in the National Special Crimes Unit



Kilde: Ratcliffe, 2008:95

Interpretation and Organization

- *Vasilis: Take one more question... How do you look into POL-INTEL? Do you need to make a specific search or is it a function that shows that, you know, as you said, if there is something in this area which is concerning how is this produced? How is this visualized?*
- *Jesper: **Well, it doesn't really work without the background information that you have from being a part of our unit**, right? Ehm... so.. that's one thing, the other thing is, every week uhh... the... I am going to call them intelligence of.. intelligence officers, we call them liaison officers...*
- *Vasilis: Mmhm*
- *Jesper: ...and the reason they're called liaison officers instead of intelligence officers is that they liase to the part of the investigatory units where they investigate this type of crime, so that is the whole idea. So... they will monitor a certain area, uh, like the narcotics ehm... crimes... and collect that knowledge and then every week we do a brief where we tell a bit about the situation in the district in the forward monitoring fields. So... that also gives like... the background information for the [liaison] function. [...] **So to do the right search you also have to have the right background information, right?***



Demarcation

"The basic difference in intelligence work and investigations is connected with the purpose of the two disciplines. The purpose with an investigation is to create a basis for criminal suspicion (mistankegrundlag) and the evidence and the legal (indiciemessige) basis to initiate a criminal case. The purpose of intelligence work is to reduce uncertainties on a subject and make it possible to make qualified decisions. Even if there are legal frameworks for intelligence work, the two disciplines are separated by their object and the possibilities for a court case (retslig prövning)." – – Intelligence and Analysis Handbook for the Police

Questions

How shall we characterize police epistemologies? As hermeneutical or is this just a form of "smart" positivism?

Why do they take epistemological positions? Shall this be understood as an argument against someone in the police organization? Is it simply because it is a good view on how knowledge works?

What are the implications for these positions organizationally, socially and in police practice?

Which thinkers and concepts can we use to grapple with these issues?