

## Blue Knight Technology In The News:



### Cutting The Paper Chase in Court Cases

#### Electronic System Indexes Reports, Notes, Photos For Investigations

**By Dave Maass** - June 1, 2001

Timothy McVeigh's execution may not have been postponed if the FBI had access to an electronic investigation management system marketed by a Scottsdale company, according to one attorney.

The EL CID! Database system, designed by a longtime attorney with the U.S. Attorney's office, serves as an electronic index to all reports, notes, photographs, tapes and related evidence collected in either a criminal or civil investigation.

Software creator and president of Blue Knight Technology Inc. John Stevens described the product as an application designed to use a common platform with investigators and litigators. The software provides a seamless transfer of information all the way up the investigative chain, he said.

Attorney General Janet Napolitano's office is currently taking the database out for a test drive in a criminal case involving 20 defendants.

Mr. Stevens began designing the software while assigned to the special prosecutions unit in the U.S. Attorney's Office in the 1980s. An investigator can enter information – from jotted notes on memo pads to the videotapes of agents grilling subjects – straight into the database system as he collects it. The program assigns every piece of evidence a unique serial number, to which an investigator or attorney can add a short text summary for easy retrieval.

Data entry is designed to take no more than 60 seconds for each item, Mr. Stevens said.

"When you have captured the information, the next step is to retrieve and view it," he said. "To do that, we have an very easy filter system. You don't have to learn Boolean logic. When you've filtered it down, you can select a specific file. The system automatically opens what you want to work on."

#### **Ending Paper Chases**

Users conserve between 30 per cent and 50 per cent of their time by skipping the inefficient paper chases that sometimes involve digging through truckloads of documents, he said.

"The software eliminated having 60 boxes of paper to search through repeatedly to find one document," Birmingham U.S. Attorney's Office litigation support specialist Bill Smith said.

On May 8 Blue Knight Technologies announced its product was used by the Birmingham office to manage the case against an ex-member of the Ku Klux Klan convicted of killing four black girls in the 1963 bombing of a Baptist church. The highly publicized case against Thomas Blanton Jr. involved more than 11,000 documents, most of which were 30 years old.

Mr. Smith said the product is especially handy in cases such as these, in which possible accomplices may be tried in conjunction years later.

"Bobby Frank Cherry has been ruled incompetent to stand trial, but it's still out there and it might come up," he said. "We don't have to reinvent the wheel, we already have the documents set up."

FBI Director Louis Freeh, who will step down this month, told the U.S. House Appropriations Committee that during the investigation of the Oklahoma City bombing the bureau reviewed "literally billions of pieces of information."

FBI agents conducted more than 28,000 interviews, followed more than 43,000 investigate leads, and reviewed more than 13.2 million hotel registration records, 3.1 million Ryder truck rental records and 682,000 airline reservation records.

Dealing strictly with hard copies and a limited electronic system, it was no surprise to some that the FBI misplaced more than 3,000 documents out of the 3.5 tons of evidence they gathered.

Because these documents were not provided to the McVeigh's defense attorney during the discovery phase of his case, U.S. Attorney General John Ashcroft decided to postpone the execution date for one month. McVeigh's attorneys currently are reviewing the files for facts that could lessen his sentence.

In a typical criminal case, the prosecution has to decide on the documents it needs to turn over in discovery. That done, Mr. Stevens said, the next step usually involves a marathon of photocopying. Some documents may be misplaced, some thrown away, some forgotten.

Using the EL CID! system, a prosecutor can select the items that need to be turned over and use a common CD-writer to save it to disk.

"You store it all in a file, generate an index, date it and then use any CD-writer software to distribute it," Mr. Stevens said. "You can use a lot of money to do it conventionally, or use EL CID! to make a 39-cent CD."

#### **'18th Century Tools'**

FBI spokesman Paul Bresson said the bureau has been after Congress for some time to upgrade its computer systems, and now more than ever they are exploring management issues. Often, he said management systems upgrades have taken a back seat to high-tech investigation equipment.

"Sometimes we have a tendency to pay more attention to doing the spectacular than the mundane," he said.

By using the software, the FBI would have had a better handle on the McVeigh investigation, said Mike Rogers with the Illinois State Attorney's Office in Cook County.

"If the FBI was using EL CID! to track McVeigh, this wouldn't have happened; it's the truth," Mr. Rogers said.

Mr. Rogers licensed the software to manage cases for the Chicago auto theft unit and special prosecution bureau, both of which he supervises.

"With the software, we can make sure that information gets turned over so both sides can make informed decisions," he said. "I sound like an EL CID! cheerleader, but its good stuff and it works."

Mr. Rogers suggested that Attorney General Ashcroft seriously should consider making the leap into the 21st century with this technology.

"I think we have to digitize because we live in a world with tons of information, more and more complex crimes and more evidence than before because we have better forensics," Mr. Rogers said.

In essence, these problems drove Mr. Stevens to teach himself database design and create the system.

After a tedious year sifting through 6 million fingerprints in connection with a racketeering investigation, he told himself "there's got to be a better way to do this."

"You have to remember, we're using 18th century tools to deal with 21st century problems," Mr. Stevens said.

Recently, the U.S. Attorney's office received the go-ahead to present a demonstration of the product before an organizational board of the United Nations War Crime Tribunal in The Hague.

The only drawback of the system is the data entry process, Mr. Rogers said. His office must employ two law clerks to punch in the data.

In an ideal world, he said, the program would be a national standard. Police officers would file reports directly on the server. This would succeed in streamlining the process and laying the foundations for the electronic exchange of criminal data over state lines.

"If I had my way, every state prosecutor, every district attorney would have the same thing, and we could share information about a lot of bad people, and we could do it with out asking people to go look through paper," he said.

#### **EL CID! On Their Side**

The name EL CID! is not, as one would think, derived from the 11th century Spanish warrior, Rodrigo Diaz de Vivar, who was played by Charlton Heston in a movie of the same title. The name is an abbreviation for Electronic Case Information Database, although Mr. Stevens said the historical aspect is a nice advantage.

"Some people feel they're fighting overwhelming odds and its nice to have EL CID sitting on their side," he said.