Reflection Paper

I spent this summer as an investigator intern for the Brooklyn office of The Legal Aid Society. As per the landmark ruling in Gideon v. Wainwright (1963), which codified the right to an attorney in U.S. case law, an attorney must be provided to accused individuals who cannot pay for a private attorney. In many states these attorneys are provided by a government funded public defender’s office. In New York City this need is fulfilled by The Legal Aid Society, a non-profit corporation, and a slew of smaller but similar organizations. If you have been accused of a crime in one of the five boroughs and cannot afford your own attorney, then you will probably be assigned a Legal Aid attorney. In New York, like many other states, the only document a defense attorney receives from the court after taking on a client is a copy of the police report. Police reports are always sparse in detail and sometimes outright fabricated, so any well-informed criminal defense work must involve some degree of investigation on the part of the attorney. In larger organizations like The Legal Aid Society, investigation is conducted by investigators in order to free up staff attorneys’ time and optimize case flow. Attorneys approach staff investigators with investigative tasks that may yield evidence relevant to whatever legal strategy the attorney has adopted in that case.

As an intern investigator, I paired up with a fellow intern and worked on cases more or less as a staff investigator would. For some of the cases I never left the office—I sat in a cubicle and tracked witnesses down by following their electronic footprint, using everything from high-powered investigative/law enforcement software to World Star Hip Hop. For other cases I went and interviewed the
defendant or the complaining witness—the alleged victim of the crime—in person.

Oftentimes my partner and I had to canvass for photos, video surveillance or witnesses at the crime scene itself. We spent most of our afternoons on the job crawling through one of Brooklyn’s myriad neighborhoods. Most of these crimes didn’t happen in artsy Williamsburg or the thriving Brooklyn downtown; more often I was searching for security cameras inside public housing units in Brownsville, the so-called murder capital of New York, or chatting up passerby in East New York and the parts of Bedford-Stuyvesant still untouched by gentrification.

During my ten weeks at Legal Aid I worked on over fifty cases, including five attempted murders variously involving guns, knives and a brick, three sexual assaults, fraud, domestic violence, prostitution, drug offences involving heroin, crack, and methamphetamine, and burglary, among others. In some ways the investigative work has proved difficult. I’ve been screamed at, threatened with arrest by a witness, and cussed out by my own client. Indigent criminal defense can be thankless work. As an investigator I initially expected to work on cases from start to finish and get some sense of closure, or at least be aware of whether I made a difference in a case or not. I quickly learned that closure is a rare treat in this line of work. Talking to the professional investigators in my office, they agree; one rarely sees the impact his or her investigation makes. Oftentimes the small bits of evidence collected by the investigator don’t make a difference whatsoever. For summer interns, this is an especially relevant drawback—it can take a year for a criminal case to be decided, or even for trial to begin. That’s not to say I didn’t accomplish anything this summer. In addition to the unknown implications of the stories and
evidence I uncovered and communicated to staff attorneys at Legal Aid, I had the opportunity to witness in court two cases in which investigative work I conducted played a role. I also helped save a cat’s life—police arrested a man, who was denied bail, and failed to take care of his cat, which had been trapped in his locked apartment without food or water for three days. After several hours of phone calls and coordination with the client’s friends/family the apartment was opened and the cat cared for. I feel that I have become more perceptive this summer—spending time in dangerous neighborhoods and constantly being on the lookout for small but important details in my environment, as well as during interviews, forced me to pay attention in a way that doesn’t come naturally to me. Interviews often demanded a great deal of tact on my part—I have become more comfortable and adept in tricky interpersonal situations. Finally, I learned a lot about the vast structural obstacles many in our country face. The etiology of crime in America lies in the overcrowding of jails, poor mental health infrastructure, lack of familial support, deficiencies in education and institutionalized racism. The vast majority of crime is a socioeconomic, rather than a moral, problem.

I found the work of an investigator to be exciting and rewarding. Over the course of the summer I played a small part in some incredible narratives of violence, desperation and redemption. My favorite part, however, was the field component. I loved going out and listening to stories first hand, evaluating those stories, occasionally glimpsing a piece of the events as they actually happened—the truth—in the course of my investigations. The prospect of becoming an attorney and spending 95% of my time in a cubicle or the courtroom is markedly less appealing
after experiencing the adventure of being an investigator. For the time being, I am open to working as an investigator following graduation, but I will also look into other careers that involve narrative, adventure and moral purpose. I’d like to close with a special thanks to Sewanee and the donors that made this summer possible—without university funding, I would not have had the amazing opportunity to engage in such interesting and rewarding work.