



Kiamalu Consulting & Investigations LLC

Serving All The Islands Of Hawaii And Worldwide

THE KIAMALU REPORT

VOLUME 2, ISSUE 2 FEBRUARY 2015

Welcome to this month's issue of the Kiamalu Report.

In this issue we will discuss how a private investigator can serve an important role in a criminal defense investigation.



Criminal Defense Investigation

The police can be of great service to prosecutors when it comes to finding witnesses to a crime and to following the evidence to a suspect. However, sometimes the defense is going to realize that there seems to be key evidence missing or witnesses that have not come forward: the defense attorneys are going to find a basis for reasonable doubt.

However, in order to know that their assumptions about their client's innocence are correct, they will need to conduct a criminal defense investigation.

A private investigator serves an important role in a criminal defense investigation. In

this case, that role is to find witnesses and evidence that will establish reasonable doubt – that will show the jury that there is reason to believe that the defendant is not actually responsible for committing the crime.

When an attorney uses a private investigator in a criminal defense investigation, that investigator will take the time to understand the charges and the laws that relate to the crime. Once there's an understanding of the case in question, the private investigator will go over all of the materials that the defense team has received from the prosecutor.

During the course of the criminal defense investigation, the private investigator will go through routine

Continued Next Page



**KCI IS A U.S VETERAN OWNED & RUN COMPANY
SPECIALIZING IN THE UNIFORM CODE OF MILITARY JUSTICE (UCMJ)**

SEMPER FI !

INSIDE THIS ISSUE:

CRIMINAL DEFENSE	1
CRIMINAL DEFENSE	2
"FROM OUR FILES"	2
DEFINITION	3



Nathan Moores
Director of Operations
CEO

Don't Forget!

Presidents Day
Monday, February 16, 2015



IF YOU HAVE A DIGITAL DEVICE THAT YOU HAVE CRUCIAL INFORMATION ON WHETHER IT IS DELETED OR NOT OR IF YOU BELIEVE YOUR DEVICE HAS BEEN COMPROMISED CALL US NOW, WE CAN HELP.



How a private investigator can serve an important role in a criminal defense investigation. (cont.)

...reports from the police, everyday paperwork as well as copies of evidence, photographs, phone messages and witness statements related to the case. The goal of this is to determine whether or not there are any inconsistencies from one witness to the next or between the conclusions drawn and the evidence.

In addition, during a criminal defense investigation, a private investigator may re-visit the crime scene to see if there was anything that had been overlooked. He or she may also interview witnesses to see if their stories have changed or to verify that they do not have anything else that motivated their statements against the defendant.

Inconsistencies and ulterior motives that a private investigator discovers during the course of a criminal defense investigation may be able to be used as a part of the client's defense. Similarly, if during the course of the criminal defense investigation a private investigator discovers that there are other witnesses who had not come forward or evidence that was not considered previously, he or she can then look into these developments further.

In some cases, that may mean that a search is conducted to find these other witnesses. In other cases, it may mean conducting interviews or doing background searches. In others, there may be other parts of the criminal defense investigation that are assigned to a private investigator – tasks that he or she is uniquely qualified for and that will keep the defense team free to focus on the legal proceedings and other cases that they have.

During the course of a criminal defense investigation, a private investigator can help to ensure that an innocent client will not be found guilty – all without taking away from a defense attorney's busy schedule. In other words, bringing a private investigator into a criminal defense investigation, defense attorneys are able to focus on the court system while a private investigator conducts the investigation.



From Our Case Files:

March 2013

Hickam AFB, HI
Air Force E-3

Charges: Conspiracy and Larceny of over \$10,000 of Government Property

In this case, the government believed an Airman to be the mastermind behind a large-scale larceny ring responsible for the theft of over \$10,000 worth of items from the NEX.

Unfortunately for the client, a CCTV showed him switching price tags on items, and he and his fellow Airman were stopped and questioned by NEX security. The Airman wisely invoked his rights, but his buddy was not as street smart and provided statements incriminating the Airmen.

Those statements led investigators to an extensive investigation into a large-scale conspiracy and larceny operation amounting to over \$10,000 of stolen property.

Law enforcement pressured numerous other involved Airmen involved, who eventually snitched on the defendant. Despite what appeared to be damning video evidence, and extensive snitch testimony, the client refused to be an informant and snitch, turned down all deals to plead guilty and the case went to trial.

Prior to trial, Mr. Bilecki of the Bilecki Law Group and Kiamalu Consulting & Investigations investigators conducted extensive background investigations into the snitches, and learned that several of them had criminal records, and also that they sold narcotics and were involved in other criminal conspiracies.

At trial, the powerhouse team of Mr Bilecki supported by Kiamalu Consulting & Investigations essentially put on a clinic on how to cross-examine snitches and exposed the government informants as liars whose testimony was bought through immunity and promises of leniency.

At the end of the trial, the Airman was found not guilty of all of the felony charges against him, and only found guilty of stealing, and conspiracy to steal, a Polo shirt. He received a one-grade reduction and a reprimand and no punitive discharge.

Result: Not Guilty of All Serious Charges, Guilty of Shoplifting one Polo Shirt. Sentenced to a Reprimand, One Grade Reduction and a \$119 fine. No Punitive Discharge.

What is a criminal defense investigator?

Investigators are independent professionals who gather information and evidence about cases. The prosecution is stacked with “investigators,” from police officers to investigators specifically employed by the prosecution. Most defendants, on the other hand, are lucky if they can afford even one investigator.

Investigators are sometimes former members of law enforcement and sometimes people with legal training. Or they may come from an entirely different background. They’re charged with many tasks, including public (and sometimes private) record searches, locating and interviewing witnesses, and preparing reports. While defense attorneys can and sometimes do handle some of these tasks, they often have neither the time nor expertise of investigators. A good investigator isn’t simply a good locator of information, but also someone who excels at creating a rapport with others and getting them to open up.

by: Micah Schwartzbach

<http://www.nolo.com/legal-encyclopedia/what-criminal-defense-investigator.html>

***Kiamalu Consulting & Investigations LLC is Hawaii's
Finest Private Investigations Agency Serving Worldwide.***

Specializing in the UCMJ and Criminal Defense Investigations.

We are an established and experienced firm of full-service private investigators and information specialists providing professional, confidential investigations and consulting throughout Hawaii and World Wide

Our Management staff consists of former members of Law Enforcement with over 135 years of combined experience to ensure your case is handled by competent, well-trained professionals who are dedicated to achieving the results you need.

Our expert Investigation Services are available to attorneys, law firms, corporations, small businesses, organizations, and private individuals.

We are proud to offer an extensive range of general and specialized private investigations, including: criminal investigations, civil litigation support, insurance fraud investigations, missing persons locates, skip-tracing, covert surveillance operations, background screening, executive protection, computer forensics and Technical Surveillance Countermeasures. (TSCM Bug Sweeping)

KCI Attorney Support services are unmatched in today's world of fast moving, high stakes litigation. Our investigative firm can offer the resources and specialized expertise to discover what you need to know, quickly and efficiently.



In today's economic climate Kiamalu Consulting & Investigations realizes how important it is to get the most from your budget, without sacrificing on the quality of the services you need. With Kiamalu you can rest assured that we take pride in our work and because of our high skill level and extensive experience, we are able to offer services that are customized to your budget and your needs, resulting in a successful relationship.

Contact Kiamalu Consulting & Investigations to discuss the facts and circumstances of your particular case with an experienced investigator.

Kiamalu Consulting & Investigations LLC offers free initial 30-minute consultations. However, no advice beyond that initial consultation can be provided without a signed engagement letter and payment of KCI fees. Please call our offices or visit us online at: Kiamalu-ci.us



(808) 664-3260