



CRIMINAL INVESTIGATIONS

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I. PURPOSE

This directive establishes accountability for the conduct of preliminary and follow-up criminal investigations by agency personnel, and establishes guidelines for accomplishment of these tasks.

II. CONSTITUTIONAL REQUIREMENTS

Agency personnel who conduct criminal investigations will do so in full respect for the spirit and the letter of the United States Constitution, and the various rulings and interpretations thereof that have been established from time to time. Personnel will devote special attention to constitutional requirements in the areas of (1) coercion or involuntary nature of confessions and admissions; (2) delay in arraignment; (3) failure to inform defendants of their rights; (4) deprivation of counsel; and (5) pretrial publicity tending to prejudice a fair trial. These areas are more fully developed in Index Code 105.1.

III. PRELIMINARY INVESTIGATIONS

Many times the most important factor in solving a crime is the information supplied by a victim or witness to the first responding officer.

A. Uniformed Patrol Officers

It is the policy of this department that all crimes and incidents reported to the department will receive preliminary investigation by uniformed patrol officers. In the case of homicide, rape and felony sexual assault, preliminary investigation will be limited to gaining sufficient information to broadcast a lookout, immediate apprehension of suspects, and crime scene preservation. In all other cases, a uniformed patrol officer will conduct the preliminary investigation and is responsible for calling an evidence technician when needed. In the case of other serious, unusual or complex crimes, the uniformed patrol officer will notify their immediate supervisor concerning the incident. The patrol supervisor shall contact the criminal investigation supervisor to discuss the incident. The criminal investigation supervisor will decide if an on-call criminal investigator will respond.

B. Preliminary Investigation Steps

Preliminary investigations begin when the officer arrives at the scene of an incident, first makes contact with the complainant, or becomes aware that a crime has been or is being committed. The preliminary investigation includes the following:

1. Observing all conditions, events, and remarks;
2. Locating and identifying witnesses;
3. Maintaining the crime scene and protecting evidence;
4. Interviewing the complainant and the witnesses;

5. Interrogating the suspect;
6. Arranging for the collection of evidence;
7. Effecting the arrest of the criminal;
8. Reporting the incident fully and accurately;
9. Any other action which may aid in resolving the situation, solving the crime, or is directed by a supervisor.

C. Victim/Witness Assistance

During the course of the preliminary investigation, officers will provide victim/witness assistance services to include:

1. Giving information to the victim/witness about applicable services (i.e., counseling, medical attention, compensation programs or emergency financial assistance, and victim advocacy).
2. Advising the victim/witness about what to do if the suspect or the suspect's companions or family threatens or otherwise intimidates him or her.
3. Informing victims/witnesses about the case number and subsequent steps in the processing of the case.
4. Providing a telephone number that the victim/witness may call to report additional information about the case or to receive information about the status of the case.

This information can best be provided by giving the victim/witness a "Victim of Crime" brochure, coupled with dialogue between the officer and the victim/witness to assure that all needs are satisfied.

IV. FOLLOW-UP INVESTIGATIONS

A. Uniformed Patrol Officers

The department's policy is to encourage uniformed patrol officers to conduct follow-up investigations in all cases not requiring specialized skills, knowledge and abilities, in order to increase the effectiveness of patrol officers, to enhance their role, and to provide specialized investigators more time to concentrate on complex investigations.

All incident reports that have been forwarded to the Criminal Investigations Division will be screened by Major Crimes Section supervisors. Some may be returned to Patrol for follow-up investigation based upon criteria listed in this directive. Patrol and the District Detective Units are responsible for follow-up investigation of incidents not investigated by the Major Crimes Section. The following kinds of cases may receive follow-up investigation by patrol officers:

1. Investigations requested by patrol supervisors to be returned;
2. Investigations requested by the officer to be returned;
3. Any other investigation at the discretion and approval of the Major Crimes Section supervisors.

B. Specialized Investigations

The following kinds of cases will be referred to specialized investigative components for follow-up investigation; patrol officers may assist the specialists in the investigation at the discretion of the appropriate Major Crimes Section, Special Enforcement Section, District Detective Unit and Patrol Services Bureau supervisors:

1. Homicides
2. Kidnappings
3. Rape & felony sex offenses
4. Crimes related to registered sexual offenders
5. Child & vulnerable adult abuse
6. Critical missing persons
7. Commercial robberies
8. Bank robberies
9. Carjackings
10. Major financial crimes, including forgery & uttering bad checks
11. Organized crime and vice activities, as listed in Index Code 1620
12. Crimes motivated by race, religion, ethnicity, sexual orientation, or disability
13. Serious crimes which appear to be of a similar pattern or which require investigation outside of the geographical boundaries of the patrol district or post of occurrence.

C. Steps to be Followed

Follow-up investigations will include some or all of the following steps. These procedures should be used only in the event they are found to be necessary. For example, every follow-up investigation may not include a search:

1. Reviewing and analyzing all previous reports prepared in the preliminary phase;
2. Conducting additional interviews and interrogations;
3. Reviewing departmental records;
4. Seeking additional information (from uniformed officers, informants);
5. Reviewing results from laboratory examinations;
6. Arranging for dissemination of information as appropriate;
7. Planning, organizing, and conducting searches;
8. Preparing cases for court presentation;
9. Assisting in prosecution;
10. Identifying and apprehending suspects;
11. Collecting physical evidence;
12. Determining involvement of suspects in other crimes; and
13. Checking suspects' criminal histories.

D. Investigative Subpoenas

The use of an investigative subpoena is often essential during follow-up investigations. Subpoenas are issued for various reasons and most commonly include, but are not limited to, phone records, financial documents, and social media websites. However, subpoenas may incur a processing fee from the business.

All requests for subpoenas must have prior approval from the officer's immediate supervisor prior to the request. In addition, the officer must provide the supervisor the estimated processing fee for documents. When the compliance billing statement is received, the supervisor will forward the original to the Management and Planning Section with an inter-office memorandum approving the expenditure.

V. CRIMINAL INVESTIGATION PROCEDURES

A. Standard Operating Procedures

The commanders of the Criminal Investigations Division and the Special Enforcement Division are responsible for ensuring that standard operating procedures are established and disseminated or made available to all officers who conduct criminal investigations. At a minimum, criminal investigation SOPs will address:

1. Information development;
2. Interviews & interrogation;
3. Collection, preservation, and use of physical evidence; and
4. Surveillance.

The standard operating procedures will specify acceptable practices and methods of developing information through witnesses, victims, informants, and other sources available to officers. They should also provide guidance in conducting an investigation by utilizing information developed by the other methods listed above.

B. Investigative Checklists

The properly prepared investigative report serves as the checklist for most criminal investigations. However, for homicide investigations, the Crime Scene Check-Off List will be used to ensure that critical areas of investigation are not overlooked.

C. Second Contacts

Contacting a victim, complainant, or witness for a second time, after the lapse of several days, may result in the receipt of information leading to the clearance of a case. Maintaining a policy of "second contact" is valuable in building public confidence in the agency as well as indicating that the law enforcement officers are genuinely concerned about the welfare of the victim and other citizens associated with the case.

Once an investigator has been assigned a case, whether a patrol officer or detective, he/she will personally contact the complainant, either by phone, in writing, or preferably in person. Sufficient information will be given to the complainant so that he/she can make a knowledgeable inquiry back to the investigator at a later time, if necessary.

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VI. PROPONENT UNIT: Special Services Bureau.

VII. CANCELLATION: This directive cancels Index Code 1625, dated 10-20-11.