

# 146. CRIMINAL INVESTIGATIONS: ORGANIZATION AND ADMINISTRATION



## RICHFIELD POLICE DEPARTMENT POLICY

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Authority: Chief Jay Henthorne

*NOTE: This policy is for internal use only and does not enlarge an employee's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.*

### I. PURPOSE

The purpose of this Policy is to establish guidelines for the administration and organization of the criminal investigation function.

### II. POLICY

It is the policy of this Department to conduct each criminal investigation in a thorough and efficient manner. To accomplish this, the Department has established an Investigative Unit, comprised of a Lieutenant and officers assigned to the Investigative Unit.

### III. PROCEDURE

#### **SUPERVISORY RESPONSIBILITIES**

The Sergeant(s) on duty should ensure that an adequate and complete preliminary investigation has been made. The Sergeant(s), when appropriate, authorize overtime to officers still working a crime scene or preparing the uniform crime report at the normal end of their tour of duty.

#### **Crime Scene Control**

Officers should limit access to crime scenes to those persons immediately and directly connected with the investigation. Investigating officers should apply this rule to other officers of the department, other agencies, or the community regardless of rank or position.

#### **FOLLOW-UP INVESTIGATIONS**

The Investigative Section Lieutenant or designee should review all uniform crime reports and act as case coordinator, providing for a case screening system based upon solvability factors. This system will apply available investigative personnel to the active investigation of those offenses that have the best chance of being solved. The Investigative Section Lieutenant should screen all cases prior to making case assignments.

For general investigations, the screening should be based primarily on the severity of the offense and the following solvability factors:

- Availability of witnesses;
- Naming of a suspect or suspects;
- Information about suspect's location;
- Information about suspect's description;
- Information about suspect's identification;
- Information about suspect vehicle;
- Information about traceable property;

- Information about significant modus operandi;
- Information about significant physical evidence;
- Information from an evidence technician indicating that good physical evidence has been obtained.
- A judgment by the initiating officer, the officer's supervisor, and/or the case screener that, with a reasonable investment of investigative effort, the probability of case solution is high.
- A judgment that there is sufficient information available to conclude that no one other than an identifiable suspect could have committed the crime.

Due to the volume and complexity of fraud, forgery, and other financial or white-collar investigations, the case screening process for these types of incidents should place considerable emphasis on the following solvability factors:

- Availability of witnesses;
- Ability to identify suspect(s);
- Ability to determine the true victim(s);
- Victim's willingness to assist with the prosecution;
- Victim's past history of non-cooperation in investigation or prosecution efforts;
- Availability of high quality video or photographic evidence;
- Related investigative activity by other agencies;
- Overall assessment of the probability of prosecution following a reasonable investment of investigative resources.

The decision concerning the extent of follow-up conducted on each case should be made by the Investigative Section Lieutenant, who can continually apply solvability and degree of seriousness factors to the investigative work-load to determine whether a case is to be followed up and the resources to be used in that effort.

### 1) **Case Status**

Case status is an internal administrative procedure which assists the Investigative Unit in case management and control. An administrative status of "open," "suspended" or "closed" is assigned to each case, as appropriate.

- a) **OPEN:** indicates the case is assigned to an officer and the officer's efforts are active.
- b) **SUSPENDED:** indicates all available leads have been exhausted, but the case has not been brought to a satisfactory conclusion. Investigative efforts may be resumed if new information becomes available.
- c) **CLOSED:** indicates the case has been brought to a satisfactory conclusion and requires the assignment of one of the following **Clearance Codes**:
  - **Unfounded:** indicates the investigation has shown no criminal activity;
  - **Cleared By Adult Arrest:** indicates the case has been satisfactorily investigated, a criminal arrest has been made and/or the case has been submitted to the prosecuting attorney and accepted for criminal charges;
  - **Cleared By Juvenile Arrest:** indicates the case has been satisfactorily investigated, a juvenile arrest has been made, and/or the case has been submitted to the prosecuting attorney and accepted for criminal charges;
  - **Exceptionally Cleared:** The location of the offenders is known so that they could be taken into custody; but there is some reason outside police control, which stops the police from arresting, charging, and prosecuting the offender.

## **2) Inactive Investigations**

The Investigative Section Lieutenant should ultimately decide when investigative efforts on a particular case will be considered inactive. This decision should be based primarily on input from the officer assigned and other criteria including: the absence of further leads or solvability factors; the unavailability of investigative resources, and; the degree of seriousness. This system is intended to provide administrators with improved managerial control over the conduct of follow-up investigations.

## **3) Case File Maintenance**

To provide officers with an immediate information resource, it is imperative that case files be maintained on all cases involving ongoing investigative activity.

## **4) Records Maintained by Assigned Officers**

Each officer assigned to the Investigative Unit should monitor daily and make appropriate and timely entries into the Case Management System of investigative activities performed on each assigned case. CMS entries made by officers serve five primary purposes:

- a) To insure that all cases assigned to an officer are reviewed by the officer on a regular basis.
- b) To determine the appropriate case status.
- c) To assist the Investigative Section Lieutenant in monitoring the case load of each officer.
- d) To document significant investigative activities such as, but not limited to, the taking of statements, drafting of search warrants, preparation of follow-up reports, referral to prosecutor, issuance of a complaint or arrest warrant, or the termination of the investigation.
- e) To track the estimated time spent on the investigation.

All entries into the CMS system should be consistent with the following procedures:

- The Case Management System is an official Department record of investigative activity.
- At the time of receipt of a case assigned for investigation, the assigned officer should make the first entry into the CMS system acknowledging receipt and initial review of the assigned case.
- All open cases assigned to an officer should be reviewed by the officer at least every 30 days and a determination made whether that investigation should remain open or be inactivated. Delays or inactivity for more than 30 days should generally result in the case being inactivated. The case may be reactivated when or if additional investigative activity is generated.
- All open cases should have a valid CMS activity entry made at least every 30 days or the case should be inactivated unless the Investigative Supervisor authorizes the continued "open" status. In that event, the Investigative Section Lieutenant should make a CMS activity entry of "SU" (Supervisor).
- A valid CMS entry made by an officer, requires some form of supporting tangible documentation added to the case file at the time the entry is made, such as the items listed in bullet number "4" above. Generally, however, the documentation should be a follow-up report.
- A follow-up report should indicate when a case is submitted to a prosecutor and a CMS entry should be made. Until a complaint or denial has been received from the prosecutor, the final entry in CMS should indicate the referral to the prosecutor (PR). Upon receipt of a complaint or denial, a new entry should be made (PR) and the case should be closed or inactivated (see "Case Status" section above).
- If related, contemporaneous activities could generate multiple CMS entries or multiple follow-up reports under this procedure, it is only necessary to generate one follow-up report and make only one entry into CMS. If one of the possible entries is "PR", that is the entry, with comment, that should be made.

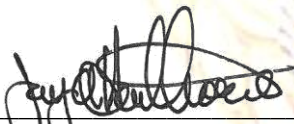
For example, a prosecution complaint or denial would normally generate a follow-up report which requires an "FU" CMS entry. Under the procedures outlined above, it would also require a "PR" entry into CMS with a comment. It would also cause a change in case status to "Closed" or "Suspended" which requires a follow-up report, and thus another "FU" entry into CMS.

In this scenario, one follow-up report could document both the prosecutor's actions and the change in case status. One CMS activity entry of "PR" with a comment is all that is necessary for CMS to document the follow-up report, the change in case status, and the prosecutor's action. Roll all the time together in the one entry. Remember, however, to make the appropriate change to the case status in the CMS system.

- Investigative activity on a case which is not in itself supported by the necessary documentation required for a valid CMS activity entry (such as phone calls, interviews, or other general investigative activity) should be referenced in summary fashion in periodic follow-up reports prepared by the assigned officer.
- The CMS activity entry should reflect the accumulated investigative time spent by the officer on the activities supported by the documentation; i.e., an entry supported by a short summary follow-up report may justify a time entry of many hours of investigative activity.
- CMS data should be reviewed weekly by the Investigative Supervisor.
- Appropriate CMS activity codes for officers are as follows (some require a brief entry in the "Comments" field:
  - (1) IR - Initial Case Review
  - (2) FU - Follow-up Report
  - (3) T – Statement (with comment)
  - (4) W – Search Warrant (with comment)
  - (5) R – Prosecutor (with comment)
  - (6) OA – Other Activity (with comment)
    - (a) The "OA" code should be used only rarely for unusual circumstances when no other code is appropriate. It should not be used to enter activities that should be referenced in a follow-up report. A comment is required.

All changes in case status require a follow-up report and an entry in CMS.

By Order Of:

  
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Chief of Police

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