

GENERAL ORDER

PORT WASHINGTON POLICE DEPARTMENT

SUBJECT: CRIMINAL INVESTIGATIONS		NUMBER:	6.3.1
		ISSUED:	11/16/2009
SCOPE:	All Sworn Personnel	EFFECTIVE:	11/16/2009
DISTRIBUTION:	General Orders Manual	<input type="checkbox"/> RESCINDS	
		<input type="checkbox"/> AMENDS	
REFERENCE:		WILEAG 3 RD EDITION STANDARDS: 6.3.1, 6.3.2, 6.3.3, 6.3.4, 10.1.1, 11.1.1, 11.1.2	

INDEX AS: Case File Management
Criminal Investigations
Maintenance of Investigative Coverage
Preliminary Investigations

PURPOSE: The purpose of this Order is to establish procedures for police personnel in the managing and handling of criminal investigations.

This Order consists of the following numbered sections:

- I. MAINTENANCE OF INVESTIGATIVE COVERAGE
 - II. CASE FILE MANAGEMENT
 - III. PRELIMINARY INVESTIGATIONS
 - IV. CONDUCTING CRIMINAL INVESTIGATIONS
- I. MAINTENANCE OF INVESTIGATIVE COVERAGE
- A. Officers trained in special methods and investigations should be called in as soon as possible to assist with the investigation of a major criminal incident (e.g. homicide, suspicious deaths, major arsons, or other cases where specialized personnel may be needed.) The following protocol shall be utilized:

1. The shift Lieutenant or OIC shall decide, based upon the circumstances, whether the need exists to call-in specialized personnel. If the determination is made that the use of specialized personnel is necessary, the Lieutenant or OIC shall initiate the call-in of those specialized personnel. **The exception is when there has been a homicide or sudden death and the circumstances are deemed suspicious.**
 - a) In the case of a homicide or sudden death, where circumstances are deemed suspicious, the shift Lieutenant or OIC will notify the department's designated Death Investigator and the supervisor of the Evidence Tech Team. Notification shall be made immediately.
 2. In those cases when Evidence Tech Team personnel are needed, the shift Lieutenant or OIC may assign Evidence Tech Team members already working, to the scene. Those Evidence Techs should begin gathering the necessary equipment and deploy to the scene immediately.
 3. If there is need for an Evidence Tech(s) under these circumstances and none is available on shift, the Evidence Tech Team supervisor and/or his/her designee shall be contacted by the shift Lieutenant or OIC and requested to make the necessary assignments and deploy to the scene.
 4. The chain of command within the Evidence Tech Team is as follows: Team Supervisor, Team Leader, most senior Evidence Tech. (see addendum)
 5. Once the required specialized personnel have been notified/activated, the Chief of Police and Captain shall be notified and made aware of the incident or situation.
- B. Should there be a major incident where the Evidence Tech Team is needed to process the scene, the Evidence Tech Team officer/s shall be called in. Following notification of the Evidence Tech Team, the Chief of Police and Captain shall also be notified.
- C. Should there be a major incident where additional resources from other agencies are required under existing mutual aid agreements, the Chief of Police and Captain shall first be notified.
- D. Crime Scene Security/Responsibility
1. The scene is the responsibility of the shift Lieutenant and /or OIC until the first Evidence Tech arrives at the scene. The Evidence Tech assumes responsibility for the scene until the team supervisor or team leader arrives. During their investigation, the Evidence Tech Team will have control of the scene while working. Officers and supervisors not working the scene shall liaison through the Evidence Tech team leader and team supervisor. Upon completion of the Evidence Tech team's work, the Evidence Tech team leader or team supervisor will return control of the scene to the shift Lieutenant or OIC or secure the scene, if appropriate.

II. CASE FILE MANAGEMENT

A. Case Status System

1. It is the policy of the Port Washington Police Department that the records division has the responsibility for ensuring the integrity and security of the records system. General Order 10.1.1; Records, details the department's record keeping functions and responsibilities.
2. All incident reports typed into the department's records management system shall be reviewed by the shift supervisor/OIC for completeness and appropriate follow-up. Every 24 hours a shift incident summary report will be run by the Records Clerk and placed in the appropriate shift Lieutenant's inbox for review.
3. A determination shall be made in each instance as to the status of the reported incident. The reports will be cleared from the computer system by either closing them or by assigning them for additional follow-up to patrol Officer or a detective if the department has one.
4. Matters needing brief investigation may be assigned back to the initial investigating patrol officer for follow-up. In addition, cases may be assigned to individual officers or patrol areas. In either event, these cases will be logged and tracked by use of department's Records Management System (RMS).
5. Matters requiring a lengthy investigation or requiring additional follow-up by more than one Officer will be coordinated by the Shift Lieutenant of the shift on which the incident was originally reported. The Lieutenant of that shift will make a decision as to the assignment of the incident and will assign a status. The status will be closed or Open (assigned for follow-up).

B. Administrative Designator for Case Disposition

1. At the conclusion of investigations, specific designators for each case will be entered as follows;
 - a) Unfounded
 - b) Cleared by Arrest
 - c) Cleared by Exception
 - d) Closed (No further investigation)
 - e) Warrant Requested
 - f) Referred for charges
2. Incidents/investigations may be re-opened by a department supervisor if additional follow-up is deemed necessary.

C. Maintenance of Records

1. The Records Division will maintain all incident and supplemental incident reports as detailed in General Order 10.1.1; Records.
2. Officers actively investigating incidents will maintain a working copy of the incidents currently being investigated. As the investigation progresses, supplemental incident reports will be dictated and transcribed on a daily basis. These reports shall be reviewed by officer's shift Lieutenant, Should the incident require further follow-up, the supplemental report may be reassigned to the appropriate Officer or another Officer, as may be deemed necessary by the shift Lieutenant.
3. When the incident reaches a satisfactory conclusion or reaches a point where no further investigation is warranted or possible at the time, the matter will be closed by supervision and assigned one of the specific designators listed in the Administrative Designator for Case Disposition section above.
4. All information shall be included in the appropriate supplemental incident report and will be maintained by the records division in accordance with General Order 10.1.1; Records. No personnel will maintain or keep copies of reports once the incident is concluded and the reports are stored in the records division. (This does not cover criminal intelligence reports covered in General Order 6.4.1; Criminal Intelligence).

D. Accessibility to Files.

1. Any member of the Department may access the Record Bureau files for "view only" purposes. Data entry will be completed only by department staff trained in the entry of information into this specific records management system.

III. PRELIMINARY INVESTIGATIONS

- A. The preliminary investigation begins when the primary assigned police officer arrives at the scene and continues until either the investigation is concluded or a transfer of case responsibility takes place.
- B. The following steps shall serve as a general guide for completing a preliminary investigation. The officer shall:
 1. Make observations and document all pertinent conditions, events, and remarks.
 2. Locate, identify and interview all complainant(s), victim(s), and witnesses relevant to the investigation. Obtain written statements where/when appropriate.

3. Maintain the integrity of the crime scene and protect potential evidence until it can be properly handled and collected.
4. Identify, attempt to locate, question or interrogate any suspect(s). Affect the arrest of the criminal suspect when probable cause exists for the arrest.
5. If a custodial arrest is made, prepare an accurate and complete report of all circumstances, findings, evidence and other data as may be related to the criminal investigation. The officer shall complete this report and all accompanying reports prior to ending their tour of duty.
6. Complete all reports in compliance with the department's Report Writing manual.

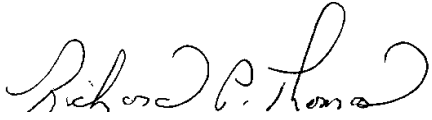
IV. CONDUCTING CRIMINAL INVESTIGATIONS

- A. In any investigation, including investigations into vice, drugs, and organized crime, officers should utilize all available resources to develop information. The following is a partial list of sources from which information may be obtained:
 1. The victim/complainant, witnesses, suspects, and informants
 2. Public and private agencies, i.e. corrections, utility companies, and educational facilities
 3. Automated data systems, i.e. NCIC, CIB, DOT, and in-house reports and Special Units records
 4. Other law enforcement agencies
- B. Much of the information needed to complete a thorough investigation will result from the completion of interviews and interrogations. Interviews and interrogations are conducted in order to:
 1. Collect any facts relating to an incident,
 2. To substantiate information obtained from other sources, to challenge information presented as truthful by suspects or hostile witnesses, or
 3. To provide additional information pertaining to the incident under investigation.
- C. Officers will gather information from witnesses, suspects, or arrestees, which may help in the solution of a crime. However, it is necessary to be equally alert to ensure that interviews and interrogations conform to legal standards. All officers shall interview, interrogate or otherwise question persons in accordance with the law and constitutional requirements, and with General Order 2.6; Constitutional Requirements for Interviews and Interrogations.

1. Witnesses shall be located and interviewed as quickly as possible to enhance the reliability of their information and reduce the inconvenience often associated with volunteering witness information. Officers will make reasonable attempts to interview witnesses in person. Each case on its own facts and merit may preclude this standard from being followed at all times.
 2. Whenever possible, officers should attempt to reinforce the interview/interrogation with a statement by the person providing the information. The primary format will be an electronic recording that can be later reduced to writing. In some cases an alternate method such as a hand written statement by the suspect/witness can be used.
- D. Officers conducting investigations shall be diligent in identifying, collecting, and preserving items of physical evidence and shall be guided in this endeavor by General Order 11.1.1 and 11.2.1.
- E. Background investigations may be conducted on individuals suspected of criminal activity, certain business license applicants, and pre-employment candidates.
1. Any lawful information source may be explored during a background investigation. Such sources may include other law enforcement agencies and information systems, credit bureaus, informants, business and personal contacts, and various official records repositories.
 2. Information obtained in a background investigation for criminal investigation purposes will be controlled and maintained with arrest paperwork.
- F. Surveillance, undercover operations, and decoy operations must first be approved by the Chief of Police or the Chief's designee.
- G. The application of surveillance techniques to an investigation will generally be accomplished by the patrol officer/s; however if it is in need of specialized equipment or training then a request to the appropriate outside agency will be made.
- H. When applying surveillance techniques officers shall address the following:
1. An analysis of victims, crimes, and crime locations.
 2. Identification and analysis of probable offenders and their habits, associates, vehicles, methods of operation, and other pertinent information.
 3. Familiarization with the neighborhood and/or target area.
 4. Assigning responsibilities and determining operational procedures for observation, arrests, and mobile surveillance.
 5. Determining proper surveillance equipment requirements.
 6. Establishing means of communication and coordinated radio frequencies.

7. Notification to the communication (E911) center concerning surveillance, as appropriate.

APPROVED:



Chief Richard Thomas

Revised 5/6/10
Revised 4/20/10

DATE:

5/6/10

Addendum to GO 6.3.1

SPECIAL UNIT: EVIDENCE TECH TEAM

MEMBERS: Lt. T. Barbuch
Officer E. Schmeling
Officer C. Czarnecki
Officer S. Footit
Officer M. Keller
Officer D. Wolff
Officer C. Erickson
Officer J. Bergin
Officer J. Nye

Addendum to GO 6.3.1

Evidence Tech Team Leaders

Day Shift: Craig Czarnecki

Second Shift: Steve Footit

Third Shift: Jason Bergin