

## Criminal Investigation Administration

### 603.1 PURPOSE AND SCOPE

The purpose of this procedure is to create a framework for efficient and effective criminal investigations. Criminal investigations can be performed by both uniformed officers; Community Policing Officers, Task Force Investigators, or detectives specialized in investigations.

### 603.2 24-HOUR CRIMINAL INVESTIGATION

The Criminal Investigations Section produces an on-call schedule for the purpose of having assigned investigators available at times other than normal business hours. The on-call schedule will be made available to the Communications Center, Watch Commanders, patrol supervisors, and administrative staff. The Criminal Investigations Section Sergeant is responsible for notifying the Watch Commander of any changes to the rosters or to change the roster itself. The on-duty patrol supervisor will determine need before calling the on-call Investigations Sergeant. In determining when to call out Investigative personnel, the patrol supervisor should consider the seriousness of the offense, complexity of the case or crime scene, staleness of the crime, available staffing, and their expertise. The on-duty Watch Commander has final authority as to whether or not Investigators are called out.

The on-call Criminal Investigations Section Sergeant will immediately notify the Investigators designated as on-call, as well as the Criminal Investigations Section Lieutenant.

#### 603.2.1 RESPONSIBILITY AT CRIME SCENES

When an Investigator is summoned to a crime scene, the Investigator will confer with the patrol officer and/or Sergeant in charge. The Investigator will assume responsibility as the case officer and have the authority to control the crime scene, direct the investigation and direct those police resources at the scene. Criminal Investigations Section and Patrol Section personnel shall endeavor to cooperate to the utmost level, having the solution of the crime and public safety foremost in mind.

#### 603.2.2 INVESTIGATORS ATTENDANCE AT PATROL LINE-UPS

The Criminal Investigations Section Lieutenant shall assure that investigations personnel periodically attend patrol briefings to share information and the status of cases.

### 603.3 CASE SCREENING AND INVESTIGATION

Case screening focuses the available workforce on the investigation of crimes that have the best chances for a successful conclusion. The Criminal Investigations Section Sergeant screen new cases to decide the course of the investigation, basing his/her decisions on:

- (a) The seriousness of the incident.
- (b) The solvability factors that are present, including:
  - (a) Suspect Leads
  - (b) Witnesses

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- (c) Identifiable Suspect Vehicles
  - (d) Distinctive Methods of Operation
  - (e) Available Physical Evidence and/or Lack of Traceable Property
- (c) The Investigative Workload.

Cases should be assigned to available investigators with the special skills, knowledge, or abilities necessary to complete the investigation. The Criminal Investigations Section Supervisors are responsible for recording and monitoring cases assigned to investigators.

#### 603.3.1 SUSPENDING CASES

The suspension of case investigations that are not major cases, e.g., property crimes not involving a criminal ring, may occur with corroboration between the investigator and the Criminal Investigations Section Sergeant. The suspension of major cases may occur only after review by and the approval of the Criminal Investigations Section Sergeant or Lieutenant. Cases may be suspended for reasons that include the following:

- Lack of Workable Leads
- Lack of Corroborative Witnesses
- Lack of Victim Cooperation
- Unavailability of Investigative Resources

#### 603.3.2 COLD CASES

A cold case is one that usually possesses the following criteria:

- At least a year old
- Original investigative leads have been exhausted
- Cannot be addressed by the original detective because of workload, time constraints or lack of viable leads at the time of original assignment

When staffing allows, Criminal Investigations Section personnel should review unsolved homicides, rapes and/or other serious crimes every other year for possible cold case efforts. A preliminary review of cold cases should be based upon the following:

- The probability of the case having a potential of solvability through the use of markedly evolved DNA (deoxyribonucleic acid) forensics
- The probability of the case having a potential of solvability through the use of investigative interviews and the development of informants

A review of all applicable reports including, but not limited to:

- Original, supplemental and/or investigative reports
- Autopsy protocol
- Coroner investigator reports

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- Laboratory requests and reports

A review of evidence to determine availability, condition, and usability, as well as any evidence that may potentially contain DNA material of evidentiary value.

Investigative actions:

- Investigators will arrange to send appropriate evidence for laboratory search, evaluation, and comparison as necessary
- Investigators will conduct search of the current locations, criminal activity, and availability of involved parties and/or potential suspects
- Informal interviews will be conducted with previous case investigators as needed
- Investigators will document actions through adding notations to current case files and/or investigative reports

#### **603.4 CASE STATUS CONTROL SYSTEM**

Upon screening a potential case, the Criminal Investigations Section Sergeants will decide which investigator will be assigned the case and enter or update the case information in the automated case management system. Minimally, the case management information should include:

- The Investigator's Name
- The Date Assigned
- The Case Number
- The Crime Offense
- Other Pertinent Information

##### **603.4.1 CASE STATUS DESIGNATORS**

All crimes investigated by the Union City Police Department shall have administrative clearance designations that meet the guidelines of the California Department of Justice. Authors of criminal investigation reports shall use the most appropriate designation as to the explanation of clearance. See UCPD ARS Report Writing Manual for Case Status definitions. The clearance designations are:

- Unfounded
- Active
- Inactive
- Cleared
- Closed
- Prosecution Not Desired
- Prosecution By Police
- Prosecution By Citizen

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#### 603.4.2 INVESTIGATIONS CASE FILES

When a case is assigned to an Investigator, a temporary case file may be created and stored within the Criminal Investigations Section. This file should only contain copies of the original case as all original case files are maintained within the Records Unit. Upon completion of the case or upon update of original record, the Investigator shall assure that all relevant and/or discoverable information is transferred from the investigations case file to permanent record and/or the Property/Evidence Unit.

When the Investigator assigned to a case no longer needs the case file and all pertinent information has been transferred to the permanent record, case notes and work product material may be purged and shredded.

#### 603.4.3 REPORT ACCESSIBILITY

The Records Management System (RMS) allows Department-wide viewing of most case files. Personnel assigned to the Criminal Investigations Section have immediate access to RMS via their desktop or laptop computers 24-hours a day. However, with the approval of a supervisor, general access to the report may be restricted, as in Juvenile reports. Restricted access may limit the number of personnel who can view the report, prohibit changes or modifications, or ban users from printing or forwarding sensitive or classified reports.

#### **603.5 PRELIMINARY AND FOLLOW UP INVESTIGATIONS**

Patrol officers are the first responders and responsible for the preliminary investigation of crimes. Patrol officers may conduct the follow-up investigation, if practicable, for cases they are assigned. Patrol officers responding to serious felonies should ask their supervisor if it is appropriate to request an Investigator be called out. If a patrol officer is unable to complete follow-up on a routine case, that case should be forwarded to the Criminal Investigations Section.

The Criminal Investigations Section conducts the follow-up investigation on serious and complex cases or those where follow-up by patrol is not practicable. Investigators generally will be requested to handle cases involving the following:

- Felony Child Abuse
- Sexual Assaults
- Suspicious Deaths
- Homicides

#### **603.6 REVISIONS**

Procedure Adopted: June 21, 2019