

	POLICY & PROCEDURE	SERIES # 1131	PAGE 1 OF 4
	SUBJECT		EFFECTIVE DATE
	CRIMINAL INVESTIGATIONS		01/17/07
OVERSIGHT Operations			
DISTRIBUTION ALL MANUALS	AMENDS/SUPERSEDES/CANCELS P&P #1131 dated 07/20/01		

I. PURPOSE:

This policy establishes guidelines for effective and efficient criminal investigations. An investigation is the search for those facts (solvability factors) which will eventually lead to a suspect. To conduct an investigation, the investigator collects and where appropriate, submits evidence to be analyzed, which shows a crime has been committed. The investigator uses facts and physical evidence obtained in an attempt to identify the suspect(s). The investigator then arrests the suspect and presents the case in court to obtain a conviction.

II. POLICY:

It is the policy of the Hampton Police Division to investigate criminal conduct. An investigation is the Division's response to being made aware that a crime has occurred.

III. PROCEDURES:

A. Initial responding officers generate an IBR Report. The initial report is an essential document to a successful investigation. Therefore, the officer must pay special attention to capturing all pertinent information.

B. These above objectives are very simple and at the same time very vital. All too often the initial responding officer views their role only as that of being just a report writer. The fact remains, the report is the essential vehicle by which evidence is documented and the results of the initial on-scene and/or follow-up investigation are recorded.

C. Generally, uniform officers conduct preliminary investigations. However, Investigative personnel perform the preliminary investigation when it is advantageous to initially respond and do so.

D. PRELIMINARY INVESTIGATION:

1. The framework of a preliminary investigation is based on the following acronym:

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- P- proceed to the crime scene promptly and safely;
- R- render assistance to the injured;
- E- effect an arrest of the criminal;
- L- locate and identify witnesses;
- I- interview witnesses and suspects;
- M- maintain and protect the crime scene;
- I- interrogate the suspect;
- N- note condition, events, statements;
- A- arrange for evidence collection;
- R- report accurately and fully;
- Y- yield investigative follow-up responsibilities.

E. CRITERIA FOR PERSONNEL CONDUCTING AN INVESTIGATION:

1. A follow-up investigation is the responsibility of uniform officers when:
 - a. An apprehension is made at the scene of an offense or within a reasonable time and distance after the offense has occurred.
 - b. The uniform patrol officer accepts responsibility to complete an investigation with the concurrence of an on-scene supervisor.
 - c. Certain designated offenses are considered the investigative responsibility of Uniform Patrol, unless assistance is requested by the Uniform Patrol Supervisor at the scene of the offense, (i.e., overdoses, attempted suicides, shoplifting, bomb threats, attempted burglaries, larcenies, etc.).
2. A follow-up investigation is the responsibility of Investigative Services personnel when:
 - a. The nature and extent of an offense requires specialized expertise not found in Uniform Patrol.
 - b. The magnitude of an offense and follow-up investigation requirements predictably are such that a more effective on-scene investigation should be initially undertaken by Investigative Services personnel, (i.e., murder, rape, robbery, sex crimes, child abuse or neglect, etc.).

F. The investigating officer who receives an open assigned case or reactivated case reviews the case and identifies all solvability factors present. Based upon the solvability factors present and a determination of necessary or beneficial investigative steps, the officer:

1. Reviews and analyzes all previous reports compiled in the preliminary phase.
2. Conducts additional interviews and interrogations, as needed.

3. Reviews Divisional records.
4. Reviews field interview contacts through the Crime Analysis function.
5. Seeks additional information (other officers, informants, etc.).
6. Reviews results of laboratory examinations.
7. Arranges for the dissemination of information as appropriate.
8. Plans, organizes and conducts necessary searches.
9. Identifies and apprehends suspects.
10. Collects physical evidence.
11. Determines the involvement of suspects in other crimes.
12. Checks suspect's criminal history.
13. Prepares cases for court presentation to include the proper and accurate completion of the case file.
14. Assists in the prosecution of the case, as needed.

G. CRITERIA, GENERALLY:

1. When a uniform officer or investigator conducts a follow-up investigation, they are responsible for the entire case, from the preliminary investigation stage to the fulfillment of the Commonwealth's Attorney and court's requirements.
2. All investigative reports, regardless of their origin, are processed through the Case Quality Control Unit following that unit's criteria.
3. When conducting follow-up investigations:
 - a. Initial contact with the principals involved in the case (victims, complainants, witnesses, etc.) is made within three (3) working days after case assignment.
 - b. Second contacts with these principals is made within five (5) working days after initial contact. This second contact in addition to possibly providing valuable information serves to demonstrate an interest and concern about the welfare of the victim and other citizens associated with the case.
 - c. All contacts and attempts to contact are documented as part of the case file by use of an addendum/supplemental report.

4. A standardized case file checklist is used by all officers conducting investigations. It is the responsibility of the investigating officer's supervisor to ensure that the checklist is properly completed and made a part of the case file.
5. Once a case that has been investigated by a uniform officer or investigator has proceeded through the judicial process, the investigating officer is responsible for making the proper annotation on the case file cover sheet showing final court disposition. The case will be removed from the file by Investigative Services to be forwarded to Records.
6. It is the responsibility of the Investigative Service to ensure that all procedural, administrative and legal changes involving the investigation and/or preparation of cases for prosecution, which come into their attention, are also made known to uniform services personnel.

H. COLD CASE INVESTIGATIONS

1. Cold case refers to a criminal investigation (or "case") that remains unsolved and "on the books". Typically, cold cases are violent or other major felony crimes, such as murder or rape, which unlike unsolved minor crimes, are generally not subject to a statute of limitations.
2. A case is considered unsolved until a suspect has been identified, and the case is closed in accordance with Division Policy and IBR guidelines. A case that goes to trial and does not result in a conviction can also be kept on the books pending new evidence. Many times, those investigating the case have a suspect in mind but have not been able to find evidence sufficient to charge the suspect with the crime.
3. With advances in forensic technology, new opportunities may present themselves for the case to be solved, therefore these unsolved cases will remain "on the books". As these advances occur, cases will be re-examined to determine if new leads can be established.
4. All investigative steps taken on "cold cases" will be documented on the appropriate supplemental report forms so they can be added to the original case file. (i.e.; cases prior to PISTOL will be done on hard-copy addendum forms, and PISTOL cases will be done in the PISTOL Records Management System.)

