

Subject: **Investigation Procedures**

Policy#: **402.0**

Effective Since: 3-1-09

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FTO Training Task: NA

Reference Material:

ILEAP Standards Covered: OPR.02.01-02.06

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**PURPOSE:** The purpose of this policy is to outline the department's general guidelines and procedures on case investigation, including preliminary investigations, case screening, case assignment, follow-up investigations, case file management, intelligence information, and technical investigation aids.

**POLICY:** It is the policy of the department to investigate crimes in an organized, efficient, and complete manner.

All employees are expected to comply with the department's investigation procedures as described in this and other related policies.

**DEFINITIONS:** none

**PROCEDURE:**

- I. Preliminary Investigations :** A primary function of police officers is to conduct preliminary investigations of crimes and other offenses. A properly conducted and documented preliminary investigation may be sufficient to bring the case to a satisfactory conclusion, thus obviating the need for a follow-up investigation. The preliminary investigation usually includes the following tasks:
  - A. Providing aid to the injured.
  - B. Determining whether an offense has been committed and, if so, the exact nature of the offense.
  - C. Determining the identity of the suspect or suspects and effecting an arrest if it can be accomplished at the scene or through immediate investigation.
  - D. Furnishing other field units, through the communication system, descriptions, method, and direction of flight, and other relevant information concerning wanted persons or vehicles.
  - E. Obtaining complete identification of all persons involved.
  - F. Determining what information is known by the victims and witnesses.
  - G. Determining in detail the exact circumstances of the offense.
  - H. Obtaining written statements from victims, witnesses, and suspects.
    1. The State's Attorney's office prefers that written statements NOT be taken from cooperative victims and witnesses who are not likely to change their story or become hostile witnesses.
    2. Officers should write statements for individuals if they are unable to or cannot complete adequate written statements that document the elements of the offense.
    3. When an officer writes a statement for an individual, the individual should read and sign the completed statement, indicating that he has read the statement and it is accurate.
    4. A written question & answer statement, whether partially or entirely the written statement to be submitted, is permissible and is preferred when written statements may not or do not completely document the incident.
    5. The documentation of a written statement can be video recorded with consent from the person making the statement.
  - I. Accurately and completely recording all pertinent information on prescribed report forms.
  - J. Considering the investigative efforts listed above, officers conducting preliminary investigations of the commission of any offense shall make efforts to complete, at a minimum, the following:
    1. Observe and document all conditions, events, and remarks pertaining to the incident. [ILEAP OPR.02.01(a)]
    2. Locate and identify complainants, victims, witnesses, and suspects.

3. Maintain and protect the crime scene. [ILEAP OPR.02.01(b)]
4. Provide for the collection of evidence. [ILEAP OPR.02.01(c)]
5. Identify and interview persons involved in the incident, whether they be victims, witnesses, or suspects. [ILEAP OPR.02.01(d)-(f)]
6. Submit a complete case report on the incident.

## **II. Case Screening**

- A. The department uses a case screening system to assign available personnel to case investigations. [ILEAP OPR.02.02]
- B. The officer dispatched to an incident where an offense has occurred is responsible for conducting the preliminary investigation, unless otherwise assigned or directed by a supervisor. The officer may work in conjunction with other officers assigned to the call. Follow-up investigations will be the responsibility of the initial officer or another officer assigned or directed by a patrol supervisor.
- C. The reporting officer will indicate on the case report whether follow-up investigation is going to be conducted or is being requested. The reporting officer may recommend that the case be closed if no follow-up investigation is necessary or there are no leads to follow.
- D. The patrol shift supervisor will review the preliminary investigations as documented on submitted case reports.
- E. In cases where an arrest is not made or is not imminent, the shift supervisor shall review the reports of offenses and determine if follow-up investigation should be made.
- F. In most cases, the responding officer will remain the investigating officer for follow-up investigation unless the case is particularly significant, complex, or requires specialized skills, knowledge, or abilities. The patrol shift supervisor may forward these cases to the Investigations Division Commander for assignment to a detective. Cases commonly referred to the Investigations Division include:
  1. Major felonies.
  2. Significant forgeries.
  3. Missing persons under unusual circumstances.
  4. Cases involving a homicide, attempted homicide, or aggravated battery.
  5. Cases involving numerous persons needing interviewing.
  6. Cases involving investigation outside the city limits.
 [ILEAP OPR.02.02(a)]
- G. Cases referred to the Investigations Division Commander will be reviewed and assigned either directly to a detective, or may be returned to the patrol division for investigation if it is determined that the patrol officer(s) are capable of conducting the follow-up investigation.
- H. A case may have its investigation suspended (put on hold) in the following situations:
  1. A victim or complainant requesting such, in situations when it won't impede the investigation.
  2. The unavailability of investigative resources.
  3. The investigation of more serious cases taking precedence.
  4. The circumstances of the case requiring time for further information to develop.
 [ILEAP OPR.02.02(b)]

- I. A supervisor may indicate a case as closed if:
  - 1. An arrest of the offender(s) has been made which completes investigation of the case.
  - 2. The case is being referred to another police agency.
  - 3. The case has been investigated but the victim has refused to cooperate or the prosecution has been declined by the city or state's attorney.
  - 4. The case has been determined to be unfounded.
  - 5. A successful resolution other than arrest has been made.
  - 6. There are no further leads to investigate.
  - 7. Final decision to close a case due to lack of leads should be dependent on the application of solvability factors, availability of investigative resources, and degree of seriousness.
- J. Unsolved homicides and other serious crimes may be the subject of future cold case investigations, to be assigned by the Investigations Division Commander.

- III. **Follow-up Investigations**, whether conducted by a patrol officer or detective, generally involve the following activities:
  - A. Identifying and apprehending the offender.
  - B. Collecting, preserving, analyzing, and evaluating evidence.
  - C. Recovering stolen property.
  - D. Interviewing victims and witnesses.
  - E. Interrogating suspects.
  - F. Determining in detail the exact circumstances of the offense.
  - G. Determining if other crimes may have been committed by the suspect.
  - H. Preparing reports regarding the information obtained.
  - I. Preparing the case for court presentation.
  - J. Considering the investigative efforts listed above, officers conducting follow-up investigations of the commission of any offense shall make efforts to complete, at a minimum, the following:
    - 1. Review and analyze all previous reports prepared in the preliminary phase. [ILEAP OPR.02.03(a)]
    - 2. Conduct additional interviews and interrogations. [ILEAP OPR.02.03(b)]
    - 3. Seek additional information from others involved with the case.
    - 4. Plan, organize, and conduct necessary searches.
    - 5. Collect and preserve physical evidence. [ILEAP OPR.02.03(c)]
    - 6. Identify and apprehend suspects. [ILEAP OPR.02.03(d)]
    - 7. Determine involvement of suspects in the crime or other crimes.
    - 8. Conduct in-person lineups when appropriate. [ILEAP OPR.02.03(e)]
    - 9. Conduct photographic lineups when appropriate. [ILEAP OPR.02.03(f)]
    - 10. Check suspects' criminal histories and other pertinent records.
    - 11. Prepare case files for prosecution. [ILEAP OPR.02.03(g)]
  - K. Officers conducting follow-up investigations should try to keep victims informed of the status of the case whenever appropriate. Officers should be careful to be respectful of the safety, dignity, and wishes of victims.

#### IV. **Case File Management for the Investigations Division**

- A. When a case is opened or assigned to a detective, the Investigations Division Commander will record the following in the case status control system:

1. The detective assigned to the case;
2. The date the case was assigned;
3. The case number;
4. The report due date, if known.

[ILEAP OPR.02.04(a)]

- B. To assist in internal case management and control, cases will be assigned an administrative designation:
1. Active: a pending case with ongoing investigation
  2. Cleared: case closed for any of the following reasons:
    - Referred to other agency.
    - Adult arrest.
    - Juvenile arrest.
    - Death of offender.
    - Denied extradition of offender.
    - Refusal to cooperate.
    - Juvenile resolution.
    - Prosecution declined (by the State's Attorney, not the victim).
    - Unfounded.
  3. Inactive: Case closed due to lack of leads.
- C. Detectives are responsible to coordinate their own cases; in cases where multiple detectives may be assigned to various functions of the case, one detective will be specifically designated to coordinate the efforts of the case. [ILEAP OPR.02.04(b)]
- D. Detectives working on active cases will maintain their cases in case files, and will include the following in the case file whenever feasible:
1. A copy of preliminary investigative reports.
  2. A copy of written statements.
  3. Results of examinations of physical evidence.
  4. Follow-up investigative notes or reports.
  5. Other reports or records pertinent to the case.
- [ILEAP OPR.02.04(c)]
- E. Case files will be maintained individually at the detective's work station, with each detective having their own lockable file cabinet for case file storage. The Investigations Division Commander shall have the ability to access these files at any time. [ILEAP OPR.02.04(d)]
- F. Detectives should keep their case files up to date and shall purge their files periodically to clear out cases that are not active. Any files containing pertinent paperwork shall be consolidated into the central records system. The Investigations Division Commander may inspect case file storage to ensure files are being periodically purged.
- G. A documented on-call detective system is utilized to maintain availability of a detective 24 hours a day. [ILEAP OPR.02.05]

## **V. Cold Case Files**

- A. Significant cases involving serious crimes against persons that remain unsolved either due to a lack of leads or an exhaustion of leads for an extended period of time may become classified as a cold case, meaning investigation is complete with an unsuccessful resolution but will be reviewed at a later time to determine if additional investigative leads can be or have been developed.
- B. Criteria for cold case eligibility include any homicide or attempted homicide, criminal sexual assault, kidnapping, robbery, aggravated battery, or other felony

involving a crime against a person. These cases must first be completely investigated. If there is any evidence, particularly DNA or other forensic evidence, that may in the future develop further leads or point to a specific suspect, the case will meet cold case criteria and be reviewed at a later time, as determined by the Investigations Division Commander.

- C. Any further investigation into a cold case will be documented, to include:
  - 1. Investigator's name;
  - 2. Date(s) of additional investigation;
  - 3. Complete documentation of additional investigative efforts;
  - 4. Complete documentation of any further information gained;
  - 5. Names and identifiers of persons interviewed or re-interviewed;
  - 6. Re-contact with the victim if possible;
  - 7. Re-evaluation of the case for continued cold case status.

## **VI. Identifying Career Criminals**

- A. Officers investigating cases will likely encounter or become familiar with suspects who have been known to participate in certain crimes. When encountering a repeat offender who is involved in serious crimes, or has displayed the potential for serious violence, officers should:
  - 1. record this information on the pertinent case report;
  - 2. document the activity on a pass-on or tip sheet when appropriate;
  - 3. notify the prosecuting attorney in advance if the case is being prosecuted or is being considered for prosecution.
- B. Upon encountering an individual known or admitting to be a gang member, officers should have this information entered or updated in the LEADS message system. Officers should be sure the gang information is correct before making any LEADS entry.
- C. Whenever possible, photograph tattoos or other distinguishable marks of the individual.
- D. Document nicknames, street names, or other monikers of the individual.
- E. Upon arresting an individual with whom officers should take future caution, record the pertinent caution indicator in the computerized arrest file during booking.
- F. When investigating a case involving a serious repeat offender, attempt to identify all previous cases in which the repeat offender is known to have been involved in.
- G. Investigators should check the criminal history of an offender to assist in determining if the offender is a repeat offender, particularly in a serious incident.
- H. When arresting or seeking an arrest warrant for a repeat serious offender, notify the prosecuting attorney of previous similar incidents or arrests of the offender.
- I. The goal in identifying repeat or serious offenders is to reduce the potential for future incidents, increase officer awareness when encountering the individual, and enhance prosecution efforts to either incarcerate or rehabilitate the offender.

## **VII. Intelligence Information**

- A. During the course of investigations, officers frequently are provided with intelligence information relating to the commission of certain crimes. It is important to be aware of, and document, such information, though it may not be directly related to a current criminal investigation.
- B. The department uses information cards, commonly referred to as LTR's, to document persons and/or vehicles that are involved in a certain incident. This information is entered into the department's computerized records.

- C. The department also uses gang intelligence cards to document gang members, though such documentation may not relate specifically to a single case. This information is also entered into the department's computerized records.
- D. Intelligence information is gathered to assist officers in being aware of ongoing criminal enterprises, to assist in potential future investigations, and to help identify illegal activities that may pose current or future threats.
- E. Intelligence information should be independently verified if possible through other sources to determine its accuracy.
- F. Unverified intelligence information should not be documented as fact.
- G. Intelligence information must be safeguarded and secured; written documentation is subject to the department's policy on report security.
- H. Computerized intelligence information files are subject to the department's procedures in secure information storage and limited user access.
- I. Any intelligence information later determined to be out of date or incorrect shall be updated in any written or computerized file.
- J. Some intelligence files may be filed separately from other agency records to prevent compromise and protect the integrity of the system.
- K. Procedures for using confidential informants in intelligence gathering are documented in Policy 402.13.

#### **VIII. Surveillance and Undercover Equipment**

- A. The department may utilize surveillance and undercover equipment when appropriate.
- B. The Detective Division Commander or his designee will confer authorization for utilizing designated surveillance and undercover equipment after reviewing the circumstances of the case and determining that such use would be beneficial to gathering information or evidence and permissible by law. [ILEAP OPR.02.07(a)]
- C. When not in use, surveillance and undercover equipment will be securely stored in the Investigations Division.
- D. Distribution of surveillance and undercover equipment will be made upon authorization of the Detective Division Commander or his designee. [ILEAP OPR.02.07(b)]
- E. Surveillance and undercover equipment is only to be used when authorized and only in the commission of an official investigation. Equipment is to be used in a manner consistent with operating instructions, safety, and this policy. [ILEAP OPR.02.07(c)]

#### **IX. Technical Investigative Instruments**

- A. Technical investigative instruments such as a polygraph, voice stress analyzer, or other deception detection equipment may be used to aid in investigations. Examiners must be certified by institutions providing training for this purpose.
- B. No employee may operate a technical investigative instrument unless they have received the requisite training for the instrument being used.
- C. Officers wishing to use a technical investigative instrument to assist in a case investigation will review the case with the Investigations Division Commander to determine if the instrument should be used.
- D. Technical investigative instruments can generally be requested and used in cases where it is likely or suspected that the subject of interrogation has been or may be deceptive in his responses.
- E. The department does not use deception detection equipment on a routine basis, but rather in specific significant cases where determining the truthfulness of statements being made is of high importance.

DEKALB POLICE DEPARTMENT

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- F. Officers will adhere to any requirements or restrictions relating to technical investigative instruments as required for accurate operation and applicable law.
- G. Officers will respect the constitutional rights of any suspects who are subject to examination by a technical investigation instrument.

**Policy originally issued 8-21-03; this revision becomes effective on 1-1-19 by authority of the Chief of Police.**

NOTE: This policy and procedure summarizes the department's position on this specific matter. This policy is for general direction and guidance primarily designed for use by the department's members. This policy is for internal use only and does not create or enlarge an officer's liability in any way. This policy shall 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 an internal departmental complaint and then only in a non-judicial administrative setting.