



# SYKESVILLE POLICE DEPARTMENT

Criminal Investigations: Organization and Administration

General Order 6-17

Effective: 08/08/17

Authorized By: *Michael A. Spaulding* Chief of Police

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## I. PURPOSE

To provide the procedures for the organization and administration of criminal investigations.

## II. POLICY

It shall be the policy of the Sykesville Police Department to develop standards that will provide for organization and administrative programs that will result in efficient and effective criminal investigations.

## III. PROCEDURES

### A. Criminal Investigations Function

In any police organization, including the Sykesville Police Department, the criminal investigative function is a very significant and integral part of the investigation of crime. It is the function of the Sykesville Police Department to complete follow-up investigations of crimes that are committed within the Town of Sykesville. Patrol Personnel will investigate crimes as they are assigned.

### B. Case Investigation Based on Expertise

It is the policy of the Sykesville Police Department to encourage officers to investigate reported crime to the fullest extent possible and to allow those officers considerable discretion depending on their ability and expertise. Patrol Supervisors can reassign cases based on their knowledge, expertise, skills, and qualifications.

### C. Administrative Designation of Cases

1. Criminal cases being investigated by office personnel will be considered as "open cases".
2. Criminal cases that are not currently assigned or have been assigned and the investigation concluded will carry one of the following designations:
  - a. Suspended - Indicates all available leads have been exhausted, but the case has not been brought to a satisfactory conclusion and investigative efforts may be resumed.
  - b. Closed by one of the following conclusions:

- (1) Arrest - A person has been arrested and charged with this crime or a summons has been served. This includes juveniles who are released to their parents when a juvenile arrest form or referral is completed.
- (2) Unfounded - Incident is false or baseless. An offense did not occur or was not attempted.
- (3) Cleared - A warrant or summons is issued for this incident but not served.
- (4) Exceptionally cleared - An incident is exceptionally cleared if all enumerated questions can be answered affirmatively:
  - i. Has the investigation definitely established the identity of the offender?
  - ii. Is there some reason outside law enforcement control that precludes arresting, charging and prosecuting the offender? (No prosecution requested by complainant, death of suspect.)
  - iii. Is the exact location of the offender known?

#### D. Suspending Investigative Efforts

1. Whenever a case has been assigned for investigative follow up, procedures outlined in General Order 6-18 shall be followed. Suspension of investigative efforts by the assigned officer must be approved by the Group Supervisor.
2. Criteria to be considered when suspending investigative efforts will include:
  - a. Absence of further leads or solvability factors.
  - b. Unavailability of investigative resources.
  - c. Victim fails to cooperate after making the initial report.
  - d. The degree of seriousness of the offense(s).

#### E. Informing Crime Victims of Case Status

1. All persons who file a criminal complaint with the Sykesville Police Department will be notified of the status of their complaint.

2. Investigating officers (patrol personnel) will keep complainants apprised of the status of their case when a follow-up investigation is conducted. These contacts with the complainant will be documented in a supplemental report.
3. Officers assigned a follow-up investigation will make every effort to contact the complainant within 48 hours. Anytime there is a change in status of the case, the follow-up investigator will contact the complainant within 48 hours of the change.
4. Prior to a case being returned to file, the investigating officer shall make a final contact with the complainant and advise them of the final disposition of the case.

F. Case File Management

1. A case file is maintained on all cases in which investigative activities are on-going. The case files provide an immediate information resource to investigators. Case files shall contain a copy of the preliminary investigative reports (all originals will be maintained by the Administrative Assistant in the Records File), records of statements, results of examinations of physical evidence, case status reports, and other reports and records needed for investigative purposes.
2. The Group Supervisor shall maintain a case file (ledger) for each subordinate, listing the current cases assigned.
3. Case files, once reviewed, will be returned to the Records File.
4. Access to investigative case files will be on a need to know basis with permission of the assigned officer or Patrol Supervisor. No access will be allowed by visitors, guests, or other non-sworn members of the Department.

G. Preliminary and Follow-Up Investigations Accountability

1. Patrol Teams are responsible for the preliminary investigation of all criminal incidents, unless the presence of a uniformed officer would hinder the proper investigation of the incident or where special expertise is required.

This responsibility shall include the following:

- a. Providing first aid to the injured.

- b. Protecting the crime scene to ensure evidence is not lost or contaminated.
  - c. Observing and recording all conditions, events and remarks pertinent to the incident.
  - d. Determining if the offense has actually been committed and, if so, the exact nature of the offense.
  - e. Determining the identity of suspect(s) and making arrests as expeditiously as possible, or interrogating of the suspects, if appropriate.
  - f. Providing the Emergency Communications Center with suspect description and other pertinent information for broadcast purposes, if appropriate.
  - g. Locating and identifying witnesses. Determining all pertinent information from witnesses and victims at the scene and conducting a canvas of the neighborhood if appropriate.
  - h. Arranging for the preservation and collection of evidence at the scene, including the processing of evidence available for latent prints.
  - i. Obtaining written statements from persons involved in the incident, if possible.
  - j. Accurately and completely recording all pertinent information on prescribed reports, and turning in all reports prior to the end of the officer's tour of duty.
  - k. Initiating appropriate MILES/NCIC entries.
  - l. Notifying the on duty supervisor when the incident requires the assistance of other Office personnel.
- 2. Patrol Team Supervisors will maintain a case assignment log for officers and will be responsible for assuring proper follow up and report submissions.

#### H. Submission of Reports

- 1. Initial Report

- a. An officer who receives information that requires a written report will submit the report into the Interact RMS by the end of the shift.
- b. The preliminary investigation of a crime or complaint shall be documented on an Incident Report, as directed by departmental reporting system procedures. The reviewing Supervisor will make final determination of the case status.
- c. It is the responsibility of each officer to ensure that paperwork is complete and accurate when submitted.
- d. All reports shall be reviewed by the on duty supervisor for accuracy and completeness. The supervisor will sign all reports after review.
- e. All follow-up investigations shall be assigned or approved by the Group Supervisor.

I. Case Status Control System

- 1. When a case is assigned to an officer, it will be reviewed by the investigating officer's supervisor.
- 2. Supplemental Reports
  - a. Officers
    - (1) When cases are assigned to patrol officers, the initial supplemental report will be due no more than ten (10) calendar days from the original report date.
    - (2) If additional investigation is needed, the second and each subsequent report will be due no more than twenty (20) calendar days from the date the previous supplemental report was submitted.
    - (3) During investigations requiring the obtaining of information that normally takes several months to obtain, (i.e., Medical examiner's report, subpoenaed information, toxicology reports, States Attorney review, or Grand Jury scheduling), the twenty (20) day rule will be waived as long as the investigator indicates the delay in the prior supplement.

J. Original Case Report Submission System

1. Completed original reports generated by patrol officers will be submitted into Interact for supervisory review.
2. Reports are reviewed by a Group Supervisor. If a report is not approved, it will be returned to reporting officer for corrections via Interact with a note explaining the corrections/additions that are needed.
3. The Group Supervisor classifies the report and assigns follow-ups with appropriate follow-up due date included. All reports are then printed out and forwarded to the Administrative Assistant for filing.
4. Copies of completed reports will be stored in the Records File.

K. Supplemental Report Submission System

1. Officers assigned supplement reports as a result of assisting the assigned officer, will submit their supplements in Interact using the assigned case number for supervisory review.
2. The Group Supervisor will then review the supplement and return it for corrections or approve it within Interact.

L. Follow-Up Report Submission System

1. All follow-up reports submitted by the assigned officer will be submitted into Interact for review and disposition.
2. The Group Supervisor will review the follow-up reports for accuracy, spelling, and grammar.
3. If the report does not need to be returned for corrections, the Group Supervisor will sign the report and assign the proper disposition. If the case is not closed, the report will be returned to the officer for follow-up.
4. If the report is closed or suspended, the report will be printed out and forwarded to the Administrative Assistant for filing.
5. The Group Supervisor will have the discretion to change the disposition of the case as they see fit and also to send the case back for further investigation.

M. Solvability Factors

1. Management of Criminal Investigations

Management of Criminal Investigations (MCI) is a total system designed to control and manage criminal investigations through the use of report form structure, solvability factors, case screening, continuous monitoring and prosecutor feedback. The goal of MCI is to increase the number of arrests and convictions for serious crimes through increased resource efficiency. This is accomplished by increasing the effectiveness of available resources through:

- a. Upgrading the quality of the preliminary investigation.
- b. Case screening.
- c. Managing the continuing investigation.
- d. Improving police/prosecutor relations.

## 2. Quality of the Preliminary Investigation

The preliminary investigation is a critical stage of any investigation. Under the MCI concept, the search for facts and evidence is translated into certain solvability factors that are relevant to the investigation and could assist in the appropriate disposition of the investigation. The solvability factors are:

- a. Witnesses
- b. Suspect known
- c. Suspect named
- d. Suspect described
- e. Suspect identified
- f. Suspect previously seen
- g. Significant physical evidence
- h. Traceable property
- i. Vehicle information
- j. Significant M.O.
- k. Opportunity to commit crime

### 3. Case Screening

Case screening is intended to reduce caseloads, freeing resources to concentrate on more involved cases with high potential for solution. Effective case screening should:

- a. Identify cases that have a high potential for solution. Initial reports of investigation would be screened on the presence of solvability factors, the nature of the crime and the examiner's investigative experience.
- b. Identify serious crimes with potential for solution.
  - (1) Patrol officers should be permitted to follow up on crimes with a high or good potential for success.
  - (2) Predictably unsolvable cases should be considered for early suspension.
- c. Permit the victim to be notified of the status of the investigation.

The Group Supervisor is the deciding factor in case screening. Based on the information contained in the report the case may be assigned and properly handled as suggested above. Supervisors at all levels have a responsibility to assure that all elements are thoroughly investigated and appropriately documented to uphold the validity of the system.

Once active investigation of a case is terminated, either by suspension or closure, supervisors are to see that the victim/complainant is apprised of that status. This follow up contact is to be considered part of the investigation and documented as such. The victim/complainant should be contacted by the investigating officer, who shall explain the investigation and the basic reasoning for the action taken. The victim should be informed in an intelligent and compassionate manner that does not compromise public confidence.

### 4. Managing the Continuing Investigation

Decisions regarding case priority, continuations and investigative planning are usually left to the individual officer with very little supervisory input. Increased productivity can be achieved through periodic reviews and by monitoring performance indicators of caseloads, time spent per investigative activity, case dispositions, arrests, closure rates, personal ability and initiative.

The objective of this phase of MCI is to increase the efficiency of supervision and management and, therefore, increase the effectiveness of resources.

- a. Follow-up criminal investigations and officer ability will be continually monitored and evaluated.
- b. Work load will be organized through equitable skills distribution.
- c. A system of administrative review for cases not warranting follow-up investigation will be developed.

A Case Load Ledger provides a vehicle to the Group Supervisor to monitor the criminal investigation caseload of their personnel and their assignments. This should not be the extent of the supervisor's involvement with his personnel. All supervisors are encouraged to develop a review process to include such things as monthly staff meetings, training sessions, counseling sessions, case reviews, individual statistics, case load, etc. The intent of this supervisory involvement is to ensure the most efficient use of available manpower and resources consistent with existing demands. Supervisory involvement provides first hand observations of agency personnel, providing a valuable tool for evaluation and appraisals. Through MCI, the supervisor has the overall responsibility for such things as:

- a. Management of caseloads.
- b. Monitoring the investigative efforts.
- c. Deciding priorities.
- d. Investigative planning.
- e. Timely submission of reports.

Input and participation by the uniform supervisor will insure timely investigation, reporting and disposition, freeing his personnel for normal patrol functions.

MCI is a total concept, including personnel at all levels of the investigation in the responsibility of its management.

## 5. Police/Prosecutor Relations

Successful prosecution of criminal cases requires close cooperation between police and prosecutors. Cases are not accepted for prosecution

unless they meet standards set by the prosecutor's office; convictions are not easily obtained unless cases are sufficient to support the court's evidentiary and procedural requirements.

The Office has established a cooperative atmosphere with the prosecutor's office in an effort to improve this area accomplished by a constant exchange of information.

N. Repeat/Serious Offenders

Efforts will be made to identify and assist in prosecuting habitual/serious offenders. Information on repeat and serious offenders will be forwarded to the Repeat Offenders Working Group which is managed out of the Carroll County State's Attorney's Office. This information will be forwarded by and through the Patrol Supervisor.

O. Dismissed Cases

1. At the Police Departments request, the State Attorney's Office will forward with a letter of explanation all cases that they decline to prosecute or cause to be dismissed as a result of alleged police mishandling.
2. Upon receipt, the investigating officer's supervisor will be advised so that any shortcomings or errors will be avoided in the future.
3. No Sykesville Police Department personnel will seek the Nolle Prosequi or Stet of any criminal or traffic case by the State Attorney's Office, without submitting a detailed report outlining the reason for the request to the Chief of Police. If the Chief agrees with the stated reasons for the request, written correspondence will be forwarded to the State's Attorney requesting dismissal and possible filing of corrected or additional charges.

**IV. CANCELLATIONS**

This General Order cancels and replaces the following policies: General Order 42.1, entitled Criminal Investigations: Organization and Administration, dated December 17, 2001.