



Approved:
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Subject:

500. Preliminary Investigations

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42.2.7, 83.1.1

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500.1: PURPOSE AND SCOPE

This policy provides guidelines for the preliminary investigation of reported and suspected crimes.

500.2: POLICY

It is the policy of the Albany Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

500.3: INITIAL INVESTIGATION

500.3.1: OFFICER RESPONSIBILITIES

- a. Generally, the officer who conducts the initial investigation of a case will complete all follow-up investigation of the case, unless the case is assigned to a member of the Detective Unit by the Detective Unit Supervisor.
- b. An officer responsible for an initial investigation shall complete, at a minimum, the following:
 - 1) Make a preliminary determination of whether a crime has been committed by conducting an initial interview with any known witnesses or complainants and conducting a deliberate examination of all conditions, events and remarks of the scene.
- c. If information indicates that a crime has occurred, the officer shall:
 - 1) Preserve the scene and any evidence as required to complete the initial and follow-up investigation;
 - 2) Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required;
 - 3) If assistance is warranted, or if the incident is not routine, notify the Shift Supervisor;
 - 4) Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects;

- 5) Plan, organize and conduct searches and collect and preserve any evidence;
 - 6) Take any appropriate law enforcement action including apprehension of suspects when appropriate;
 - 7) Determine involvement of additional suspects;
 - 8) Determine involvement of suspects in other crimes;
 - 9) Check suspect criminal history;
 - 10) Complete and submit the appropriate reports and documentation in preparation for possible court presentation;
 - 11) Forward reports to any agencies who may be able to provide resources or follow-up information;
 - 12) Additionally, for follow up investigations; review and analyze all previous reports prepared, department records and results from laboratory examinations for the purpose of seeking additional information.
- d. If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

500.3.2: CSO/CCO RESPONSIBILITIES

- a. Generally, CSO's and CCO's responsibilities are the same as Officer Responsibilities with the following exceptions:
 - 1) CSO's and CCO's do not contact or interview suspect(s) when a custody arrest is anticipated.
 - 2) CSO's and CCO's have limited offenses that they have been trained to investigate solely through suspect contacts, including but not limited to:
 - A. Animal complaints
 - B. Junk and trash
 - C. Use of motor vehicles for sleeping purposes
 - D. Derelict structures

500.3.3: CIVILIAN MEMBER RESPONSIBILITIES

- a. A civilian member assigned to any preliminary investigation is responsible for the investigative steps as listed above, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action.
- b. Should an initial investigation indicate that those steps are required, civilian employees shall request the assistance of a sworn officer.

500.4: COLLECTION OR MAINTENANCE OF SPECIFIC INFORMATION

The collection or maintenance of information about the political, religious or social views, associations or activities of any individual, group, association, organization, corporation, business or partnership shall occur only when the information directly relates to a criminal investigation and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct ([ORS 181A.250](#)).

500.5: DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- a. All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- b. The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
 - 1) In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
 - 2) Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- c. The case has been submitted to the appropriate prosecutor, but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- d. The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.
- e. Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- f. Investigation has proven that a crime was not committed. (See Sexual Assault Policy for special considerations.)

- g. The Domestic Violence, Child Abuse, Sexual Assault Investigations, and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

500.5.1: COLD CASES

- a. A cold case investigation shall be defined as any major criminal investigation that has no statute of limitations and has not yet been solved, or any other similar case the Investigations Lieutenant or Detective Sergeant deem appropriate for these criteria.
- b. The Albany Police Department recognizes that cold cases may yield additional evidence as technology in forensics advance, additional witnesses or evidence become available, or the future cooperation of involved persons could present new venues of investigation, if the case and its evidence is reviewed on a regular basis.
- c. All cold cases as such shall remain assigned to the Detective Sergeant or a detective for yearly review and in accordance with our case management policy. All inquiries and reviews of the case, including additional findings or lack thereof, will be including in a supplemental report and added to the original case file.

500.6: MODIFICATION OF CHARGES FILED

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Lieutenant, Division Captain, or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.