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	City of Charleston Police Department Policy and Procedure Manual		EFFECTIVE DATE: 02/01/08
			ORIGINATOR: Strategic Analysis & Innovations
	DISTRIBUTION: ALL	CALEA: 1.2.3; 12.1.4; 42.1.1; 42.1.2; 42.1.3; 42.1.4; 42.2.1; 42.2.4; 42.2.5; 42.2.6; 42.2.7; 42.2.8; 42.2.9; 44.1.1; 44.1.2; 44.1.3; 44.2.1; 44.2.2; 44.2.3; 44.2.4; 44.2.5; 45.2.2; 82.3.5	
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38.1 CENTRAL INVESTIGATION DIVISION

The investigations of major crimes and other serious incidents are a concern to the public and members of the police department. The complexity of certain crimes, as well as the man-hours required to successfully investigate these offenses, make it impractical for the Patrol Division to conduct all follow-up investigations. For this reason, the Central Investigations Division (CID) has been established to conduct the follow-up investigations of selected criminal offenses.

38.2 CITIZEN'S CONSTITUTIONAL RIGHTS (CALEA 1.2.3)

All department members are charged with the responsibility of scrupulously observing the constitutional rights guaranteed to criminal suspects by the United States Constitution, South Carolina Constitution, and applicable case law.

It is the policy of the Charleston Police Department that those constitutional rights guaranteed to all citizens by the United States Constitution, the Constitution of the State of South Carolina and applicable case law are scrupulously observed when dealing with any person considered a criminal suspect or subject to any criminal investigation.

Specifically, all personnel are prohibited from:

1. Obtaining an involuntary confession, or a confession by means of any form of coercion;
2. Allow any unreasonable delay in the suspect's arraignment;
3. Fail to inform a defendant of their rights in accordance with legal requirements;
4. Deprive the suspect of counsel;
5. Cause or be a party to pretrial publicity tending to prejudice a fair trial.

Officers will ensure, when required by law, that a suspect executes a "Waiver of Rights" form acknowledging that he/she has been advised of and understands their rights and that the acknowledgement is video\audio recorded and\or a second party is present to witness any statements, admission, or confession. If a suspect indicates that they do not wish to make a statement or desires to speak to an attorney, these desires will be respected. Officers will avoid comments on the status of a specific case or suspect and refer all inquiries to the Chief of Police, or in Chief's absence, the senior officer present.

38.3 ORGANIZATION AND ADMINISTRATION

The CID is a Division within the Department that reports to the Investigations Bureau Commander. The Commander of the CID will be a Captain. CID is comprised of four (4) operational units: Crimes Against Persons Unit, Crimes Against Property Unit, Crime Intelligence Unit (CIU), & the Special Investigations Unit.

The following criminal offenses will be investigated by CID: Murder, sexual assault, armed and strong-armed robberies, felonious assault, child abuse, burglary, forgery, felonious embezzlement or fraud, auto theft, Domestic Violence, Elder Abuse, sexual exploitation crimes via the internet, missing persons, large-scale threats to schools and faith institutions, human trafficking, and such other investigations as may be directed by competent authority. Investigative resources will be allocated on the basis of need. The offense categories specified are not all-inclusive and may be expanded or altered based on operational circumstances. Team investigators will be responsible for initiating all follow-up investigations for cases that are not assigned to CID.

38.4 OFFICER ASSIGNMENT TO CENTRAL INVESTIGATION DIVISION

The assignment of officers to the CID will be made by the Chief of Police with input from the Unit and Division Commanders. Assignment to the CID will be made on the basis of merit and after all openings have been posted in the Orders of the Day for a minimum period of fourteen (14) days. Officers will not be assigned to the CID based on routine rotation. Officers desirous of assignment will possess the following qualities: a demonstrated record of performance; a thorough knowledge of criminal law and procedure; attention to detail; initiative; and ingenuity.

Assignment to investigative positions within the teams will be at the discretion of the patrol commanders. The assignment period should be for a period of at least (1) year during which time the officer will be enrolled in the Basic Detective Course provided by the South Carolina Criminal Justice Academy.

Assignment to CID is not a promotion. Officers transferred to the Division retain the same rank and pay grade as they previously held.

38.5 ON-CALL ASSIGNMENTS (CALEA 42.1.1)

The Division Commander will ensure that investigators are available on a continuous basis for response to major crimes. During time periods when investigators are not scheduled for duty, provisions will be made for an investigator to be in an "on-call" status. Memorandums detailing the guidelines for "calling-out" an investigator will be provided to the appropriate operational units.

38.6 CENTRAL INVESTIGATION DIVISION INCIDENT REPORT MASTER LOG (CALEA 42.1.3 a, b)

CID will maintain a master log through RMS, categorized by offense, of all cases assigned to the Division for follow-up investigation. The master log will contain, at a minimum, the following information: Complaint number; name of victim/complainant; date of offense; type of offense; and investigator assigned to the case.

Daily case assignment is tracked within RMS utilizing the Case Management Dashboard. Each work day, Detective Sergeants (or designee) from each CID Unit will review, classify as appropriate, and assign, applicable incidents within their specialty area. Team Administrative Sergeants will review, classify as appropriate, and dispose\assign all other incidents within their geographic patrol area. Requests for additional investigative resources will be made at the Command level. CID's Unit Commanders will monitor case assignments that will be continually revised to reflect the current status of each investigation (i.e., active, inactive, cleared, etc). The master log will be continuously revised to reflect the changes in status of each case.

An initial supplemental investigative report is due within five (5) working days of case assignment unless exigent operational circumstances cause a delay. Every open case will be reviewed six (6) months from date of receipt to assess the feasibility of continuing the investigation.

Team Investigations

1. All cases will be thoroughly reviewed and investigated, when applicable, in a timely manner with a sense of urgency, especially when there are further investigative leads.
2. All cases will be managed and documented in RMS utilizing the Case Management module and tracking feature.
3. Complainants/victims should be contacted within **24 hours** or the next business day of the case assignment. Contact efforts should be documented in the tracking module.
4. Initial Supplemental Reports will be completed within **5 business days** of a new case assignment.
5. RMS Case Management (tracking) does not negate the requirement for an initial supplemental report to be submitted

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within the prescribed timeframe. Tracking notes will be integrated into the initial supplemental report.

6. Administrative Sergeants will conduct weekly audits and reviews of their investigators' dashboards to ensure the cases are up-to-date and accurate.
7. Threat Assessments are to be completed and filed with ALL arrest & search warrants.

38.7 THREAT ASSESSMENTS FOR WARRANT SERVICE

The purpose of completing a Threat Assessment provides officers the opportunity to evaluate and reasonably predict the presence of potential hazards, propensity for violence, or danger posed to law enforcement personnel and the public that may occur during a warrant service. The completion of a Threat Assessment determines appropriate risk level and credibility of potential threat(s) associated with the pending warrant service. Based on the final threat assessment numeric value, Commanders can make informed decisions on how to assign the warrant service to appropriate department unit(s) for execution. Additionally, upon any outside agency request for CPD to assist with a search warrant or arrest warrant on their behalf, the supervisor of the executing department unit shall complete a Threat Assessment prior to the warrant service as soon as possible to allow for Command review. Assistance to outside agency requests in this regard shall coexist with CPD General Order 67 (Cooperation with Other Law Enforcement Agencies) and shall not refute mutual aid requests or agreements.

The completion of a Threat Assessment applies to all CPD personnel who draft a search warrant and/or arrest warrant within the scope of this policy. The Threat Assessment is not all-inclusive, and all factors cannot be reasonably known. Special circumstances can exist outside the scope of the Threat Assessment that are not discovered through logical investigative measures.

All completed Threat Assessment forms 17 points or greater SHALL have consultation with the SWAT Commander or their designee. The decision to activate SWAT for warrant service is determined post consultation. Upon request, all completed Threat Assessment forms 17 points or greater should also include copies of the arrest and/or search warrant, supporting documentation regarding the target(s), and any other pertinent information used in completing the Threat Assessment for that case. Upon request for additional trained personnel or a specific need to assist the investigating unit in serving warrants, an element of tactical support shall be available to assist the warrant service team and any investigating unit upon request. The SWAT Commander or their designee shall determine the appropriate number of SWAT officers provided as the tactical support.

Threat Assessment with numeric value 1-16 points:

- Requires supervisor and Commander of investigating unit signature. If tactical support is requested, the investigating unit Commander shall notify SWAT Commander for tactical support request.
- Selections for warrant service execution may include any unit that does not require Commander notification (excludes Tactical Support, SWAT, and Marshals).

Threat Assessment with numeric value 17-24 points:

- Investigating unit chain of command (supervisor & Commander) **shall** sign threat assessment.
- Investigating unit Commander shall consult with the SWAT Commander for warrant service. SWAT Commander will only sign threat assessment if SWAT or tactical support is used for warrant service.

Threat Assessment with numeric value 25+ points:

- Investigating unit chain of command (supervisor & Commander) **shall** sign threat assessment.

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- Investigating unit Commander **shall** notify SWAT Commander and provide completed threat assessment, copies of arrest and/or search warrant(s), supporting documentation regarding the target(s), and any other pertinent information used to complete threat assessment. SWAT Commander will sign threat assessment and note recommendations.

Upon full completion of **all** Threat Assessment forms, the supervisor of the investigating unit **shall** attach the form to the incident case in CPD Records Management System (RMS). Upon full completion of Threat Assessment forms 17 points or greater, and situations in which tactical support is provided, the supervisor of the investigating unit **shall** submit a “Threat Assessment” BlueTeam. The signed threat assessment should be attached in the BlueTeam submission.

The Special Operations Division Commander or their designee **shall** complete a bi-annual review of completed Threat Assessment forms submitted in BlueTeam. This review will ensure proper form documentation and appropriate assignment of warrant service based on information within the Threat Assessment and any after action reviews.

SEARCH WARRANT REQUIREMENT

The Threat Assessment form is only required when the place to be searched has potential risk to the officers executing the search warrant or the public within. This does not include items already in possession of the Charleston Police Department (cell phones, vehicles, etc.), locations such as private businesses that are not affiliated with the suspect(s), or situations where a suspect or individual is already in law enforcement control (buccal swab, clothing, etc.). In accordance with this policy and when feasible, all search warrants **shall** have a Threat Assessment completed prior to service of the warrant unless exigent circumstances exist for immediate service.

ARREST WARRANT REQUIREMENT

In accordance with this policy and when feasible, all arrest warrants **shall** have a Threat Assessment completed prior to service of the warrant unless exigent circumstances exist for immediate service. Other exceptions that do not require a threat assessment for arrest warrant include individuals already in law enforcement custody and individuals under law enforcement control (i.e., contained within an interview room, investigative detention, etc.). Any planned operation involving a felony arrest warrant **shall** have a Threat Assessment completed prior to warrant service.

38.8 CASE ADOPTION & ASSIGNMENT

The criteria used by CID's Unit Commanders and Team Commanders for assignment of follow-up investigations by Team Investigators or Central Investigations will be based on experiences (documented or otherwise) of this agency and other agencies, as well as research within and outside the agency. The Team Commanders, or designee, are required to make a daily case-by-case assessment of all offense reports and make a determination as to which cases justify further investigation by patrol or investigative officers assigned to the Division.

The adoption of a case by the CID will include consideration of the solvability factor, severity of the crime, suspect data available, seriousness of injury to victim, value of theft, availability of police resources, the likelihood of similar offenses occurring in the future, developing patterns or trends, similarities with other crimes in this or other jurisdictions, or other criteria determined by the Chief of Police, the Central Investigation Division Commander, or designee.

Once a report is assigned to CID, the case will not be assigned to the detective for investigation on the basis of a rotation. The Team Commander, or designee, will evaluate the nature and complexity of each case and then assign the case to the investigator whose background and status (i.e.: training, experience, similar active cases) indicate the highest probability of satisfactorily concluding the investigation.

The follow-up investigation of all other non-specified offenses will be the responsibility of the respective team in which the

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offense occurred.

38.9 INVESTIGATIVE RESPONSIBILITIES & OPERATIONS (CALEA 42.1.4)

Follow-up investigations will be conducted on all cases assigned to CID. Immediate supervisors of each unit will assess the solvability of each case in order to more effectively distribute caseload. The existence of CID does not absolve patrol officers from performing their traditional investigative duties. Additionally, Patrol Commanders retain the prerogative of assigning patrol officers to investigative positions within the Team (District) to conduct follow-up investigations of select crimes.

It will be the policy of CID to assign one (1) lead investigator to a case (referred to as the case agent). This practice ensures strict accountability for the conduct of investigations. Additional officers may be assigned to a case for the purpose of assisting the lead case investigator; however, the case agent retains full responsibility for the conduct of the investigation.

38.10 ASSISTING PATROL DIVISION INVESTIGATIONS (CALEA 12.1.4; 42.2.4)

Officers assigned to CID are charged with assisting their counterparts in the Patrol Divisions whenever possible. All detectives will periodically attend patrol roll calls to exchange information and update patrol officers on investigative matters. Communication between investigators and patrol officers is critical in accomplishing the organization's mission. Investigators will make every attempt to distribute timely "Request for Information," "Officer Awareness," "BOLO," and "Wanted" flyers to patrol officers. CIU will also disseminate timely intelligence bulletins and other information to assist with communication efforts. CID detectives will attend roll calls on a regular basis to further encourage the communication of timely information.

38.11 INVESTIGATOR CASE FILE (CALEA 42.1.3 c, d, e)

Investigators are required to maintain a separate case file on each offense they are assigned for investigation. The case file will contain all preliminary field reports, medical reports, notes, etc.

Access to case files will be on a need-to-know basis and may be open by the Bureau/Unit Commander and/or the Investigating Officer. All case documentation will be physically stored in evidence or electronically stored in RMS or departmental cloud based storage systems (i.e. Getac, Veripic, etc). Digital case files will be created and managed by cases agents of Murder incidents and other significant incidents as designated by the CID Unit Commander.

38.12 CRIMINAL INVESTIGATION PROCEDURES

Procedures used in conducting criminal investigations include, but is not necessarily limited to:

1. Development of information through witnesses, victims, informants and other credible sources;
2. Interview and interrogation of witnesses and suspects including information such as name, address, date of birth, sex, race, telephone number and response to interrogatories relative to who, what, when, where, why and how;
3. Criminal investigators, though not directly responsible for collection and preservation of evidence must have knowledge of procedures, application, relevancy and use of said evidence and therefore will not assume crime scene officers have been thorough in seeking such evidence at scene. Additional evidence may be obtained throughout the course of the investigation;
4. The use of surveillance of suspects and, in some cases, witnesses may result in useful information. Assistance in this regard may be obtained from other agency components if needed.

38.13 INVESTIGATIVE CHECKLISTS (CALEA 42.2.3)

Investigators with less than six months' experience are required to utilize the checklists provided by the Department to ensure that thorough preliminary and follow-up investigations are conducted. Investigators will ensure that an orderly, thorough processing of the crime scene is accomplished. Responsibility for the actual collection and preservation of physical evidence

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rests with the technicians of the Crime Scene Unit. Investigators are to prepare cases for court presentation and are also directed to assist in their prosecution.

38.14 EVENT DECONFLICTION (CALEA 46.2.8)

Event deconfliction is the process of determining when law enforcement personnel are conducting events in close proximity to one another at the same time. By notifying a central location of a planned event prior to its execution, officers will not unknowingly target or conflict with another law enforcement officer or compromise another investigation. This is particularly important for agencies in concurrent or contiguous jurisdictions that are involved in high risk activities such as undercover operations, surveillances, execution of search warrants, or fugitive apprehensions.

When certain elements (e.g. location, date and time) are matched between two or more events/operations, a conflict (or hit) results and immediate notification is then made by the deconfliction system to the involved agency personnel. The event deconfliction process is a pointer system, alerting officers that they may be operating near one another. When a conflict exists, both agencies are notified in order for them to determine the nature of the conflict and individually decide the extent to which they wish to share case details.

It is the policy of the Charleston Police Department to engage in event deconfliction in an attempt to avoid dangerous confrontations and/or unintentional consequences for law enforcement personnel and our citizens by entering qualifying events into the RISSafe system. All information entered is considered confidential and law enforcement sensitive.

The following activities/events shall be entered into the event deconfliction system:

1. Search warrants;
2. Arrest warrants;
3. Undercover operations;
4. Predetermined surveillances, whether stationary or mobile, including those occurring in our agency's jurisdiction or the jurisdiction of a non-participating law enforcement agency;
5. Fugitive operations (roundups);
6. Long term covert operations (storefronts);
7. Any other high-risk or specialized law enforcement activities that would benefit from event deconfliction (to include special events similar to the Cooper River Bridge Run, Charleston Marathon, etc.).

All operations requiring entry into the event deconfliction system shall be made as soon as information is available, but at least two hours prior to the event taking place, if possible. Information entered into the deconfliction system shall include:

1. Date and time of planned operation;
2. Type of operation;
3. Location of the operation, including any staging areas;
4. Information about the suspect(s);
5. Lead and participating agency names;
6. Name and agency of the person entering the operation, including cellular telephone number, along with a secondary point of contact for the operation.
7. Specify the radius of deconfliction (if not preset by the deconfliction system).

If a conflict with external or internal law enforcement activity is identified, both of the contact personnel will be notified by the event deconfliction system personnel. Each affected law enforcement entity is responsible for contacting one another and

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resolving the conflict before taking further action. Investigating personnel must refrain from executing any operations until identified conflicts have been resolved. Unresolved operational conflicts will be immediately referred to command/supervisory level personnel. Any exemption or deviation from this procedure shall be considered on a case-by-case basis and approved only by a command/supervisory level officer.

Documentation that the event deconfliction protocols have been followed will also be notated on the Threat Assessment Worksheet, as required by Section 38.6.

The Data Analysis & Integration Manager will be the Department administrator for system access coordination and act as a liaison with RISSafe personnel about technical aspects. Authorized users to the system will be identified by the Chief of Police, or his designee, and given access appropriate to their duties and responsibilities. All personnel with assignments that may require them to perform event deconfliction shall receive training enabling them to obtain appropriate security access and to navigate through the event deconfliction system. Documented quarterly audits will be conducted by the Lieutenant of the Special Investigations Unit to ensure that the system is being utilized as described within this policy.

38.15 ASSISTING VICTIMS OF IDENTITY CRIME (CALEA 42.2.8)

With the growing concern over increasing numbers of identity theft crimes being reported to the Charleston Police Department, it is necessary to have a written directive concerning guidelines for identity crimes:

1. The taking of a crime report;
2. Completing Identity Theft File report;
3. Providing information and assistance to identity crime victims;
4. Coordination of investigations with other agencies; and
5. Provide public information on prevention of identity crimes.

Once an identity theft complaint is made, the police officer responding to the call will complete an incident report which will include all pertinent information and the written consent of the victim to enter his/her information into NCIC. The information from the incident report along with the written consent form will be used by the agency to create a victim's profile that is entered into the NCIC Identity Theft File.

The officer will provide the victim with the necessary information so they may inform any of the consumer credit reporting companies and the Federal Trade Commission so that a fraud alert can be placed on their credit report.

The Department will actively coordinate and share information with federal, state, and local agencies so that they may ensure the victim is protected. Additionally, the White Collar Crime Unit will speak to community organization groups and the media so that the department may raise awareness to help fight identity crime.

38.16 BACKGROUND INVESTIGATIONS

Background investigations frequently produce information that is beneficial to the successful resolution of criminal investigations. The express purpose of conducting background investigations is to generate information that will assist the investigator in accomplishing the primary objective of solving crimes. Background information may be utilized to establish patterns of crime, motive, credibility, etc. The investigator will be cognizant of the numerous sources available to obtain background information (i.e., police records, suspects' criminal histories, public records, employers past/present, neighbors past/present, associates, etc).

Background information is often raw data, unsupported by fact or independent corroboration; therefore, the investigator will be discreet in all inquiries and extremely cautious in the dissemination of this information.

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This policy does not apply to pre-employment or Internal Affairs investigations.

38.17 WEEKLY INVESTIGATOR REPORTS

At the completion of workweek, investigators will file a written report with their immediate supervisors summarizing their work activities during the week. During periods of extended work hours, a verbal report may be substituted for the written report.

38.18 SUSPENSION OR TERMINATION OF INVESTIGATION

Prior to the suspension or termination of any investigation, the case investigator will review the entire case file with the officer's immediate supervisor, who, after consultation with the Unit Commander, will have the final authority to suspend or terminate an investigation. Factors to be considered in a decision to suspend or terminate an investigation include: suspect data; physical evidence; considerations; viable active leads and availability of investigative resources.

38.19 BI-ANNUAL INVESTIGATIVE COORDINATION MEETING (CALEA 12.1.4; 42.1.2)

To ensure that investigations are being conducted in the manner desired by the Charleston County Solicitors Office and within the abilities of the concerned Forensic Laboratory, a semi-annual meeting will be held with the solicitor, or designee, a command officer of the Crime Scene Investigations Unit, Central Investigations Division, and head of the Forensic Laboratory. Participation from the Circuit Court Judge will also be encouraged and solicited. Additionally, the agencies legal representative will be brief on any case requiring interpretation of legal issues.

This meeting is designed to enable all concerned to coordinate their efforts for the successful prosecution of cases that are being investigated by the Charleston Police Department.

38.20 DISTRIBUTION OF CENTRAL INVESTIGATION DIVISION MONETARY FUNDS

The Persons Unit and Special Investigations Unit Commanders will maintain separate funds and are responsible for the distribution and safekeeping of the funds appropriated to CID for the purchase of information or other investigative resources. The Division Commander will have the final authority to approve/disapprove requests for these funds. Given the nature of law enforcement, establishing rigid criteria for obtaining funds is deemed unrealistic. The primary consideration when assessing a request to expend funds for information will be value received.

The Persons Unit and Special Investigations Unit Commanders will maintain an informant's payment log consistent with the Department's informant policy as listed in the Core Law Enforcement Operations policy.

38.21 TASK FORCE CREATION & ORGANIZATION (CALEA 42.2.5)

Circumstances may arise that necessitate the organization of a task force to address a specific problem. Significant increases in the occurrence of violent crime, burglary, suspected serial crimes, or organized crime activities are examples of potential problems that may require the formation of a task force. The authority to organize a task force rests with the Chief of Police. When the Chief of Police orders the organization of a task force, the following steps will be taken during the implementation:

1. The task force will be given a specific objective;
2. A staff officer will be appointed Task Force Commander and be delegated authority commensurate with responsibility;
3. The Task Force Commander will be directly responsible for the operation of the Unit. Unless otherwise directed, the Task Force Commander will report directly to the Chief of Police;
4. The Task Force will be provided with the human and material resources necessary to accomplish its mission;
5. The Chief of Police and Task Force Commander will continuously assess the Unit's performance;

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6. The Task Force will be dissolved upon obtaining its objective or at the direction of the Chief of Police.

38.22 INTERNET CRIMES AGAINST CHILDREN (ICAC)

The Charleston Police Department will adhere to strict guidelines with respect to investigations of computer related child exploitation. The standards adopted pursuant to this policy mirror those of the ICAC Task Forces and ensure compliance with those protocols accepted by the Federal Bureau of Investigations (FBI), U.S. Customs (ICE), and the U.S. Postal Inspectors' Office (USPIO). The CPD ICAC Task Force shall be operated under, and managed by the Crimes Against Persons Unit Commander. The ICAC Task Force Detective will report to the supervisor of the Special Victims Unit (SVU).

Workspace and Equipment

1. Workspace and Equipment- ICAC computers and software shall be reserved for the exclusive use of agency designated ICAC personnel. When possible, undercover computers, software, and online accounts shall be purchased covertly. No personally owned computers shall be used in ICAC investigations, and all software shall be properly acquired and licensed.
2. The undercover Internet connection(s) utilized by the ICAC Task Force shall have no association to the Charleston Police Department and shall be billed to covert names and addresses.
3. The undercover internet connection(s) and computers shall not be accessible to anyone other than ICAC Task Force Detectives without the express written approval of the Chief of Police or Deputy Chief of Investigations.
4. Absent exigent or unforeseen circumstances, all ICAC online investigations shall be conducted in workspace designated by the Charleston Police Department.

Case Predication and Prioritization

1. Cases may be initiated by referrals from the Cyber-Tipline, Internet service providers, or other law enforcement agencies, and by information gathered through subject interviews, documented public sources, direct observations of suspicious behavior, public complaints, or by any other source acceptable under department policies.
2. The Special Victims Unit supervisor shall be responsible for determining investigative priorities and selecting cases for investigations. Assuming the information is deemed credible, the determination should begin with an assessment of victim risk followed by consideration of other factors such as jurisdiction and known offender behavioral characteristics. The following prioritization scale was established by the ICAC Task Force and will apply to the assignment of cases within the Charleston Police Department.
 - a. A child is at immediate risk of victimization;
 - b. A child is vulnerable to victimization by a known offender;
 - c. Known suspect is aggressively soliciting a child(ren);
 - d. Traders of images that appear to be home photography with domiciled children;
 - e. Aggressive, high volume child pornography traders who either are commercial distributors, repeat offenders, or specialized in sadistic images;
 - f. Traders and solicitors involved in high-volume trafficking or who belong to an organized child pornography ring that operates as a criminal conspiracy;
 - g. Traders in previously known images;
 - h. Traders in digitally altered images.

Recordkeeping

The ICAC unit shall be subject to CPD department incident reporting procedures. Investigators will obtain a case number at the outset of each case and fully document their activities through the completion of initial and supplemental report. Reports will be completed and reviewed by a supervisor in a timely fashion. Closed reports will indicate the manner in which a case has been resolved and case file completed and submitted. No images of child pornography or child erotica are to be uploaded to RMS.

Undercover Investigations

1. Carefully managed undercover operations conducted by well-trained officers are among the most effective techniques available to law enforcement for addressing ICAC offenses. Undercover operations, when executed and documented properly, collect virtually unassailable evidence regarding a suspect's predilection to sexually exploit children. However, these investigations can trigger serious legal and ethical considerations due to concern that inappropriate government conduct may induce an otherwise innocent citizen into committing a crime.
2. All undercover investigations shall be conducted in a manner consistent with the principles of due process. ICAC Detectives shall avoid unlawful inducement of any individual not otherwise disposed to committing the offenses being investigated, and will not engage in conduct that is shocking or offensive to notions of fundamental fairness as described in applicable case-law. See, for example, *Jacobson v U.S.*, 503 U.S. 540 (1992); *U.S. v. Archer*, 486 F.2nd (2nd Cir. 1973).
3. ICAC Detectives should always be aware that their actions, in addition to those of the offender, may be at issue in deciding if charges are brought, whether referrals to other law enforcement agencies are acted upon, and as a factor in determining the guilt or innocence of the offender at trial. Therefore, it is critical that the ICAC Detectives work closely with state or federal prosecutors when investigation ICAC offenses.
4. The following standards apply to all undercover investigations:
 - a. Only sworn, on-duty investigative personnel shall conduct ICAC investigations in an undercover capacity. Private citizens shall not be asked to seek out investigative targets nor shall they be authorized to act as police agents in an online undercover capacity.
 - b. Any personnel conducting ICAC investigations will receive formalized and documented training prior to participating in any investigation. The training documents will be reviewed and approved by the Crimes Against Persons Commander prior to any officer working an undercover ICAC case.
 - c. Personnel conducting ICAC investigations who are not assigned to Special Victims Unit will have to obtain permission from their Division commander via the Crimes Against Persons commander.
 - d. Prior to using non-investigative personnel in ICAC cases, the detective making the request will prepare a written request for review by the Crimes Against Persons Commander. This memorandum will include: the need for the non-investigative personnel, the name and duty assignment of the officer being requested, length of assignment, and the parameters of the assignment. The Crimes Against Persons Commander will review the request before any non-investigative personnel is utilized and forward the request to the appropriate Division commander for approval.
 - e. Employees shall not, under any circumstances, upload, transmit, or forward pornographic or sexually explicit images.

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- f. Other than photographs of law enforcement officers who have provided their informed written consent, no human images shall be uploaded, transmitted, or forwarded by ICAC Task Force personnel.
- g. During online dialogue, undercover officers shall allow the investigative target to set the tone, pace, and subject matter of the initial online conversation. Image uploading shall be initiated by the target.

38.23 MISSING PERSONS INVESTIGATOR & FOLLOW-UP (CALEA 41.2.6)

While it is understood that most missing persons return home within a short period, many do not, and an aggressive follow-up of these reports must be made.

The Charleston Police Department procedure for handling missing persons will include obtaining initial description and other relevant information and dissemination of that information to other officers, and jurisdictions, as necessary, including entering information into SLED and NCIC criminal justice information systems and subsequent removal of said information upon locating the missing person. Officers will ensure that follow-up contact is initiated by Central Investigations Division and any search deemed necessary is immediately coordinated, especially with regard to minor children and juveniles.

The following procedures will be used in all missing person cases:

1. Follow-up will be made on all missing person reports by a CID detective or Team Investigator within twenty-four hours, and if necessary because of continued absence, seven (7) days and thirty (30) days after the initial report. Supplemental reports will be filed for each follow-up;
2. If the person has returned home or the case is to be cleared for any other reason, the final supplemental report will be submitted on CPD Form #1-694, MISSING PERSON REPORT FOR NCIC RECORD ENTRY. Section (a) of this form will be completed by the officer investigating/clearing the case and the form will then be delivered to the ID Officer;
3. Upon receipt, the ID Officer WILL MAKE AN NCIC CHECK, and, if appropriate, delete the missing person entry from NCIC. He/she will then ensure that Records personnel delete the CALES entry and file the form with the appropriate original report.

38.24 EMPLOYEE'S RESPONSIBILITIES DURING A MISSING PERSON INCIDENT (CALEA 41.2.6)

Dispatchers

Dispatchers receiving a report of a missing person will assign the call as priority 1. In the event the missing person is a young child or an adult who is mentally or physically disabled, the report will immediately be assigned to an officer and the on-duty supervisor advised. Upon receiving additional information from the reporting officer, a statewide broadcast will be made.

NCIC Operators

Upon receiving information from the reporting officer, NCIC entry will be made, in accordance with NCIC regulations for Missing Persons File. If there is any question as to meeting the appropriate criteria, the Supervisor will be notified and will make the appropriate decision.

Upon being notified to cancel a missing person report, the statewide broadcast will be canceled and the entry removed from NCIC.

Responding Officers

Officers arriving on the scene will obtain all necessary information, to include:

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1. Physical description;
2. Age;
3. Clothing;
4. Vehicular information;
5. Destination;
6. Circumstances of disappearance; and/or
7. Detailed information as to the specific disability and/or medical concern.

In the event the missing person is a young child or an adult who is mentally or physically disabled, the on-duty supervisor will be summoned to the scene.

Responding officer will provide the NCIC Operators and Dispatchers with necessary information to allow immediate NCIC entry and statewide broadcast of the missing person prior to leaving the scene.

Responding officer should remind the reporting person that if the missing person is located, the Police Department should be notified immediately.

Upon receiving information that a missing person has been located, notify NCIC Operations requesting the person be removed from NCIC.

Include the NIC number for entry or removal in the report filed for the incident.

Supervisor Responsibilities

In the event the missing person is a young child or an adult who is mentally or physically disabled, the on-duty supervisor will respond to the scene and make a determination of the value of an immediate search of the area.

The Supervisor will then direct additional units, as needed, in searching the area, make notifications, and ensure that a BOLO is broadcast immediately and provided to adjacent agencies, detailing all available information.

Upon approval of the Chief of Police, the Supervisor will coordinate the use of desirable agencies such as the news media for assistance.

Additionally, the Supervisor will coordinate the primary search. Determine the length of time needed for the preliminary search and decide when a call-out of additional personnel will be warranted. He/She will consider the following facts in making such determinations:

1. Age and condition of the missing person;
2. Conditions which will affect visibility, such as darkness;
3. Weather conditions; and/or
4. Such other factors as may have bearing at the time.

38.25 AMBER ALERT (CALEA 41.2.6)

The South Carolina Amber Alert system is an effort to enhance law enforcement's ability to respond to child abductions, to quickly enlist assistance from communities, and to hopefully result in the safe and quick recovery of abducted children. The Alert mechanism is cooperative effort between South Carolina Law Enforcement personnel and South Carolina broadcasters, and allows for the quick dissemination of an urgent bulletin in child abduction cases. Radio and television stations, under the South Carolina Amber Alert system will immediately interrupt their regular programming to broadcast information about a child's abduction. The quick dissemination of this information is critical in the effort to save lives of abducted children. Criteria for activations include the following:

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1. The Charleston Police Department can articulate that the child has been abducted (taken from their environment unlawfully, without authority of law, and without permission from the child's parent or legal guardian;
2. The child is sixteen (16) years old or younger, and the Charleston Police Department can articulate the child is in immediate danger of serious bodily harm or death; or if the individual is seventeen (17) years old or older, and the law enforcement agency believes the individual is at greater risk for immediate danger of serious bodily harm or death because the individual possesses a proven physical or mental disability;
3. All other possibilities for the victim's disappearance have been reasonably excluded;
4. There is sufficient information available to disseminate to the public that could assist in locating the victim, suspect, or vehicle used in the abduction;
5. The duty supervisor will have the sole authority to evaluate the investigating officer's report regarding the abduction;
6. When the chief or designee determines that the case meets the criteria for activation of the South Carolina AMBER Alert plan, they then call SLED Headquarters at the South Carolina Clearinghouse at (800) 322-4453 and report the abduction (only AMBER Alert designated officers may activate the plan); and
7. The Chief of Police, or designee, then must fax the completed South Carolina AMBER Alert Notification Form and a photograph of the victim to (803) 896-7041.

Investigative follow-up responsibilities include:

1. All instances of a reported missing person will be assigned to an investigator;
2. The investigator assigned to the case will verify the victim's missing status;
3. The complainant will be kept updated on the status of the investigation;
4. Coordinate any search that may be conducted beyond the exigent searches that may be done at the time the person is reported missing;
5. Upon receiving information that a missing person has been located, notify NCIC Operations requesting the person be removed from NCIC;
6. Include the NIC number for entry or removal in the report filed for the incident;
7. A South Carolina Law Enforcement Division Missing Child/Juvenile Data Collection Form will be completed on a weekly basis and forwarded to the South Carolina Law Enforcement Division's Missing Persons Information Center at the conclusion of each month; and
8. The Investigative Sergeant will maintain a log on all missing persons to ensure that these cases remain active until the person is located.

38.26 POLYGRAPH EXAMINER (CALEA 42.2.6)

The polygraph examination and similar testing are recognized aids to the criminal investigator. Only certified practitioners in the subject area of the testing will administer examinations. The polygraph is a supplement to the traditional criminal investigation and is to be utilized only after all other avenues of inquiry have been exhausted.

38.27 CENTRAL INVESTIGATION DIVISION VICTIM-WITNESS ADVOCATE (CALEA 45.3.1; 45.3.2)

Either a sworn officer or civilian employee will be designated as the Victim-Witness Advocate and be assigned to the Crimes Against Persons Unit. Victim/witness advocates are full time employees of the Department. These individuals will be mediators and ambassadors of the police department, who will be trained to assist victims of domestic violence by

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answering questions regarding the judicial system, court system and the police department. The advocates will also be responsible for communicating court and bond hearing dates, explaining the state compensation fund program, assisting with relocation or alternative housing for the victims, and providing transportation to and from court or bond hearings as well as coordinating police escorts when necessary.

The Victim-Witness Advocate will assist the victims of crime and be responsible for informing the victims of their case's status. Crime victims will be contacted by the Victim/Witness Advocate by telephone or in writing within three (3) business days of the receipt of an incident report.

Thereafter, the victim will be notified by telephone at least three (3) business days prior to each step of the legal process (i.e. preliminary hearing, grand jury, and trial by jury and/or sentencing, regarding the status of their case). The Victim-Witness Advocate will also ensure that the rights and entitlements provided for victims by state law are honored.

The Solicitors Office employs a Victim Assistance Coordinator whose duties include contacting the victims of crimes to see what assistance can be provided to them both physically and psychologically. In order to function, this office must receive adequate data regarding the victims in cases referred to the Court of General Sessions. To assist in this important program, the Department will institute procedures as indicated below.

The Charleston Police Department has a Victims List (Form # 165) that will be provided to the Victim/Witness Assistance Coordinator. The following specific responsibilities are assigned:

1. The arresting officer will complete a legible form at the time the officer completes the field report on the case if an arrest has been made. If the arrest is made on the basis of a warrant, the arresting officer will consult the field report and complete the form. It is vital that all listed victims be included. Officers must remember that the victim and complainant may not be the same person in some cases. The report must be reviewed to ensure that correct names are reflected. All requested data must be supplied. If the answer to any block is "None", that will be reflected. No block will be left empty. The arresting officer will turn these forms over to the appropriate personnel.
2. The Shift (Team) Supervisor will ensure that the original victim data sheet (Form #165) and two (2) copies will be attached to each General Sessions package on cases with victim and or witness involvement. The Supervisor will also ensure that the form is correctly filled out.
3. The Victim Assistance Officer of the Charleston Police Department will collect these Victim Lists from the General Sessions package each working day, and forward these reports to the Solicitors Victim Witness Assistance Coordinator weekly. In this regard, he/she will have the assistance of such secretarial assistance as available within the Detective Division in preparation of the smooth forms for submission. Copies will be kept of each form submitted.