



# Colorado Springs Police Department

## General Order

### 1110 Case Management & Discovery Procedures

#### Section 1100 – Investigative Functions

Effective Date: 5/6/2024

Supersedes Date: 7/13/2023

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#### **.01 Purpose**

The purpose of this directive is to outline case management and discovery procedures for department personnel and establish supervisory case management requirements.

#### **.02 Cross Reference**

[GO 122 Treatment of Victims/Witnesses & Victim Rights Notification](#)

[GO 1100 Investigations](#)

[GO 1903 Body Worn Camera](#)

[DL-1006-10 Pick-Up Procedures](#)

#### **.03 Discussion**

Case management and discovery are critical functions of the department and the overall criminal justice process. This directive is designed to ensure investigations are assigned, reviewed, and completed in a thorough, professional, and timely manner, in compliance with applicable victim rights laws and procedures, and compliance with laws and policies governing the criminal discovery process.

#### **.04 Policy**

Department personnel assigned to **investigative units responsible for investigating** and filing felony criminal incidents must adhere to this directive for case management and discovery practices.

**The department's Law Enforcement Records Management System (LERMS) is the official system used for case management and will be the only system personnel use for case management.**

**The State of Colorado's eDiscovery system is the official discovery method of the department and will be the only system used for this purpose unless otherwise noted in this directive.**

Discovery will be submitted to the appropriate prosecutorial office (e.g., District Attorney's Office, United States Attorney's Office, etc.) within the applicable timeframes outlined in this directive to ensure compliance with legal and statutory obligations.

Discovery is deemed to include all case reports, supplements, evidence, DIMS discovery logs, DIMS items, non-administrative LERMS documents (e.g., signed search/arrest warrants/probable cause affidavits, etc.), and all other information possessed by CSPD that is related to a specific criminal investigation.

Department personnel will notify the appropriate prosecutorial office of any exculpatory evidence discovered without undue delay. Notifications will be made on all cases, regardless of their activity, including all verified or potential exculpatory evidence discovered post-conviction.

At least once each quarter, all investigative unit sergeants/supervisors will meet with each team member to review each of the investigator's open cases, referred to as a 'case review.' Case review documents will be submitted to and reviewed by the chain of command, up to and including the unit's assigned Deputy Chief. In addition, the unit's assigned lieutenant is encouraged to randomly check several of the unit's recently inactivated cases to ensure compliance with this policy.

Personnel below the rank of sergeant/supervisor are prohibited from altering any LERMS case management data without sergeant/supervisor approval or as otherwise authorized by this directive or the attached procedure manuals.

Investigators, including detectives, civilian investigators, and department personnel assigned to multiagency task forces (e.g., FBI Safe Streets, JTTF, DEA Task Force, ATF Task Force, etc.), are subject to the requirements identified through this policy.

The requirements assigned to sergeants/supervisors via this directive may not be delegated to non-supervisory department members without the approval of the assigned Lieutenant (e.g., long-term acting).

## **.05 Definitions**

*Case Management:* The overall process for administratively tracking incoming investigations, criminal investigations, and caseloads assigned to department personnel. Case management includes but is not limited to reviewing and assigning all cases routed to a specific bureau, following established discovery processes, tracking case activities, and properly dispositioning the case in LERMS.

*Discovery:* The process of providing investigative information to the appropriate prosecutorial office, specifically: 1) cases where a suspect is in custody; 2) cases where an arrest warrant has been issued but the suspect is not in custody; or 3) cases submitted for a filing decision.

*eDiscovery:* An online system developed and maintained by the State of Colorado for filing discovery to the Office of the District Attorney.

*Exculpatory Evidence:* Information or evidence that could be favorable to the accused and/or that tends to negate the guilt of the accused as to the offense charged or would tend to reduce the punishment therefor (e.g., witness statements, information about the credibility of witnesses that the defense could use to impeach witnesses, etc.).

*Law Enforcement Records Management System (LERMS):* The department's official records management system, which is used for case management, case assignment, calculation of clearance rates, data entry, and other case and data tracking purposes.

*Victim Rights Act (VRA):* References C.R.S. §§ 24-4.1-301 through 24-4.1-305, and ensures that victims are treated with fairness, respect, and dignity and are informed of critical stages in the criminal justice process.

## **.06 Bureau Assignments**

LERMS routes investigative documentation to an 'Assigned Bureau' based on the 'Occurred Incident Type,' which is identified by the initial reporting officer.

Sergeant/supervisor(s) supervising a specialized unit associated with the appropriate 'Assigned Bureau' will be responsible for reviewing all investigations under their purview, pending assignment to an investigator, and routed to that bureau, as outlined in the attachment below (Case Assignment List).

Requests to alter, add, or remove Reporting Districts, Occurred Incident Types, and Reporting Bureaus will be submitted to the Investigations Division Commander or designee.

## **.07 Case Assignments**

### **Investigative Personnel**

Sergeants/supervisors are responsible for reviewing and assigning their assigned bureau's cases as necessary, but no less than once per week.

All cases involving a felony crime and those involving death will be reviewed by a sergeant/supervisor of the appropriate investigative unit and determine whether the investigation will be assigned to a lead investigator/filing investigator. In addition, sergeants/supervisors are responsible for ensuring all felony-level cases routed to their respective unit/assigned bureau are reviewed and assigned in accordance with unit procedures, considering topics that include but are not limited to:

- Whether a suspect has been arrested or identified
- Whether the suspect is a repeat or prolific offender
- Whether sufficient information exists to identify the suspect
- Severity of the reported offense
- Cumulative value of any reported missing or damaged property
- Whether the offense is linked to a pattern or a pattern offender
- Danger to community members if the offense is not investigated
- Other solvability factors as determined by the supervisor and in keeping with best investigative practices.

## **Patrol Division Assignments**

Cases with an 'Assigned Bureau' listed as one of the department's patrol divisions, typically misdemeanor or civil infractions, are not routinely reviewed by or assigned to investigative personnel. Unless otherwise required by this directive or arrangements being specifically made with an investigative unit, these cases will not be assigned and will remain the responsibility of the initiating officer.

## **.08 Administrative LERMS Account**

Sergeants/supervisors responsible for specialized units will ensure the unit is assigned a LERMS administrative account that provides case notification emails. This account will be used to assign any cases received in the unit that are not routed to another bureau or assigned to an investigator. The sergeant/supervisor is responsible for reviewing all case update emails received in the administrative account's inbox.

Sergeants/supervisors may contact Information Technology to set up the account or to have the account's e-mail inbox placed in their department e-mail folder.

## **.10 Case Assignments to Investigative Personnel**

The following procedure applies to all assigned investigations, including at least one criminal offense identified as a Victim Rights Act (VRA) crime in the State of Colorado.

Upon receiving a case for review and/or assignment to department personnel, the sergeant/supervisor receiving the case will:

- Ensure the case is routed to the correct bureau. If the case is not assigned to the correct bureau, that sergeant/supervisor will change the assigned bureau in LERMS to ensure the case is routed properly and will notify the sergeant/supervisor responsible for the new assigned bureau.
- Ensure the 'Status' and 'Disposition' fields are correctly listed, with the correct dates listed, in the 'Case Status' section of the main LERMS jacket for the associated case.
- If the case meets the criteria for assignment to an investigator, the sergeant/supervisor will open the 'Assignments' tab in the investigation and:
  - Assign the lead investigator in the 'Assigned Officer' field.
  - Set the 'Assignment Date' and 'Assignment Time' to reflect the date and time of the case assignment.
  - Set the 'Assignment Type' to 'Lead.'
  - Set the 'Assigned by Officer' field to the supervisor assigning the case.
  - **Ensure the 'Notify When Case Changes' checkbox is SELECTED.**
  - Open the LERMS activity tab and ensure the 'Case Assignment' activity for the assigned investigator is set to 'Active' (the activity must be opened to ensure this).
  - Provide a case assignment sheet to the assigned lead investigator.
    - Case assignment sheets may vary between units due to operational requirements so that each unit will create and maintain a case assignment sheet for its use (examples attached).
    - Cases assigned to a CCI solely for filing can be a supervisor-specific decision on whether to provide the form.
  - Assign each new case to the assigned lead detective.

*Note: If additional personnel need to be assigned to an investigation, the same steps will be followed when setting their assignment type (e.g., scene detective, sergeant responding, crime scene technician, etc.). Support personnel do not need the 'Notify When Case Changes' checkbox activated unless the assigning supervisor determines they need to be notified of changes to the investigation.*

- If the sergeant/supervisor determines the case does not qualify for assignment to an investigator, they will assign it as 'Case Notification' to their unit's LERMS administrative account.
- The sergeant/supervisor must ensure the proper case status, disposition, incident type, and assigned bureau are correct.

- The sergeant/supervisor must ensure the case activity for the administrative account is correctly coded as completed and that the 'Notify When Case Changes' checkbox is activated, as this allows the sergeant/supervisor to receive notifications of updates to unassigned investigations.

In certain situations, a case that does not otherwise meet the assignment criteria may be assigned to investigative personnel (e.g., an offense associated with a pattern/pattern offender). In such a circumstance, the sergeant/supervisor will be responsible for ensuring the proper assignment processes (as outlined above) are followed.

## **.12 Cases Assigned to Filing Personnel**

The appropriate unit sergeant/supervisor will review cases assigned to the filing personnel, including lead investigators and those assigned to the Filing Unit. In their review, the unit sergeant/supervisor will be responsible for determining the presence/viability of other investigative tasks that may need to be completed. If other investigative steps are necessary, the case will be assigned to an investigator to complete the identified tasks.

## **.13 Review of Unassigned Cases**

When a sergeant/supervisor does not assign a case to an investigator, that case will be assigned to the unit's administrative account via the abovementioned process. The administrative account will be given an assignment type of 'Case Notification.'

The sergeant/supervisor is responsible for ensuring their e-mail account is linked to this administrative account, as notifications of changes to a case will be sent via e-mail to this administrative account.

For investigations that include a VRA crime, the sergeant/supervisor will make reasonable attempts to notify the identified victim(s) of the change in the investigations' status.

## **.14 Case Inactivation**

### **Supervisory Approval Required**

Supervisory approval is required to inactivate all assigned investigations. An investigator will not inactivate a case or assign a final case disposition without a sergeant/supervisor's approval under any circumstance.

### **Supervisory Considerations**

Before inactivating an investigation, the assigned investigator will notify their sergeant/supervisor that a case is ready to be inactivated. Before authorizing the request, the sergeant/supervisor should consider:

- The necessity/reasonableness of any additional investigative leads that have yet to be completed (e.g., witness interviews, placing contact cards for individuals associated with the investigation, etc.).
- Ensure case discovery processes are followed.
- The presence of any evidence that could benefit the investigation that may need to be evaluated (e.g., DNA, surveillance, etc.).
- Any outstanding reports documenting investigative actions taken.

## **Investigator Responsibilities**

Upon approval to inactivate a case, the assigned investigator will return the completed case assignment sheet to the approving sergeant/supervisor. If the sergeant/supervisor requires additional follow-up, that work will be completed before the case is inactivated. For investigations that include a VRA crime, the assigned investigator will make reasonable attempts to notify the identified victim(s) of the change in the investigation's status.

## **Sergeant/Supervisor Responsibilities**

Upon receiving a case for inactivation from the assigned investigator (e.g., cleared by arrest, inactive/open, etc.), the sergeant/supervisor receiving the case will:

- Access the LERMS case jacket.
- Ensure the 'Status' and 'Disposition' fields are correctly listed, with the correct dates listed, in the 'Case Status' section of the details tab.
  - The listed Case Disposition must comply with FBI Uniform Crime Reporting (UCR) code definitions (see attachments).
- Ensure the details tab correctly labels 'Occurred Incident Type' and 'Assigned Bureau.'
- Open the 'Activity' tab in the associated case and ensure activities listed for all personnel assigned to the case show a status of 'Completed.'
- Review the provided case inactivation sheet to ensure the investigator has completed all investigative, discovery, and other requirements.
- Assign the unit's administrative account as 'Case Notification' with 'Notify when Case Changes' selected. This ensures the unit sergeant/supervisor is notified of changes to each investigation.

## **.16 Review of Administrative E-Mails**

On at least a weekly basis, unit sergeants/supervisors will be responsible for reviewing all administrative e-mails, LERMS notifications, and documents submitted to LERMS on all cases assigned to their units that are not assigned to active unit personnel. If, in this review, the sergeant/supervisor determines an investigation qualifies for assignment to an investigator based on new information, they will assign the case using the process outlined in this directive.

## **.20 Discovery Procedures**

Personnel assigned as ‘Lead Investigator’ or ‘Filing Investigator’ on any of the following cases will ensure all case discovery is provided to the appropriate prosecutorial office for:

- Cases where a suspect is in custody
- Cases where an arrest warrant or eWarrant has been obtained, but the suspect has not been arrested
- Cases sent to the prosecuting office for a filing decision

The lead investigator/filing investigator will ensure discovery is provided to the prosecutorial office in all circumstances, even if a case has been issued a court disposition. Appeals, remanded cases, and other situations necessitate continued discovery even after a case has received an initial court disposition.

Investigations where a warrant has been issued for the arrest of a suspect who has not been located must still be filed with the appropriate prosecutorial office. Court rulings and state law do not allow the statute of limitations on an offense to pause pending the suspect’s arrest until the prosecuting authority files charges.

## **.21 Information to be Provided in Discovery**

At a minimum, the lead investigator/filing investigator will ensure all of the following items are provided to the appropriate prosecutorial office as part of the discovery process:

- Case and supplemental reports of the crime being investigated, including the names and accurate identifying information of the witnesses who provided the information documented in the reports.
- Case and supplemental reports for crimes/incidents referenced in the case/supplemental reports of the case being investigated, including the names and accurate identifying information of the witnesses who provided the information documented in the reports. This includes reports from other jurisdictions that were relevant to the investigation or which guided the investigative steps taken.



- *NOTE: Investigative personnel should only file the outside agency reports they had access to and which guided their investigative processes. The outside agency will remain the custodian of said record, so investigative personnel will refrain from accessing another agency's reporting system for the purpose of obtaining reports they did not otherwise have access to.*
- CAD incident numbers associated with the investigation, including active and canceled.
- EvidenceOnQ discovery log (initial and updated when new evidence is obtained).
- DIMS discovery items.
  - *Note: This information may sometimes be shared via the department's established SharePoint site.*
- DIMS discovery log (initial and updated when new digital evidence is obtained).
- Prepared affidavits, including Probable Cause Affidavits, Search Warrants, Arrest Warrants, 41.1 orders, and all other court orders.
- Criminal History reports for all identified arrestees (or, in the case of a filing decision, all identified suspects).
- Notification whether Body Worn Camera (BWC) footage does or does not exist.
- Any other information in the possession of the department or its members associated with the criminal investigation, including but not limited to anything that could be considered exculpatory evidence.

## **.22 Discovery Deadlines**

Discovery processes and deadlines are established by court procedure and supported by case law, including *People v. Tippet* (Colorado Supreme Court Case No. 23SA111, 2023). Failure to adhere to the state's established discovery deadlines can significantly impact a criminal prosecution, including sanctions filed by the judiciary in which charges are lessened or outright dismissed. To avoid such circumstances, the lead investigator/filing investigator will provide all prepared/available discoverable information as soon as practicable, noting that the discovery deadlines include not only department personnel providing the information to the prosecuting office but also for that office to provide the information to the suspect's defense. While it is preferred that the information be provided as soon as practicable, the information will be turned in no later than the following timelines:

### **Adult Cases**

- An initial filing is required within ten (10) days of:
  - A case assignment when the adult is in custody
  - An adult's arrest
  - Obtaining an arrest warrant for an adult who is not in custody.

- Additional discovery must be provided within 14 days of the additional documents/information being authored/received.
- The final filing will be made no later than 38 days before the start of the arrestee's trial.
- Post-trial discovery will be provided within 14 days of the additional documents/information being authored/received.

## **Juvenile Cases**

- An initial filing is required within three (3) business days of:
  - o A case assignment when the juvenile is in custody
  - o A juvenile's arrest
  - o Obtaining an arrest warrant for a juvenile who is not in custody.
- Additional discovery must be provided within 14 days of the additional documents/information being authored/received.
- The final filing will be made no later than 38 days before the start of the arrestee's trial.
- Post-trial discovery will be provided within 14 days of the additional documents/information being authored/received.

## **.30 eDiscovery Online System**

For all cases filed with the District Attorney's Office, all discovery (excluding homicide cases and some sensitive cases, which are outlined below) will be provided to the office using the eDiscovery online system in accordance with the department's established processes.

While the eDiscovery system will automatically provide discovery after the lead investigator/filing investigator submits the information, the system's automated function cannot transmit attachments in anything other than PDF format. For this reason, all officers must save any attachments as PDFs.

## **.32 eDiscovery Exemptions**

In the following limited situations, discovery may take place outside of the eDiscovery online system:

### **Death Investigations**

Given the complexity of death investigations and the subsequent prosecution, all death cases conducted by Investigations Division personnel will be filed in accordance with the Investigations Division procedures and will not use the eDiscovery online system. All completed death investigations, regardless of unit assignment, will be:

- Paginated

- Indexed
- Filed using the approved SharePoint portal (preferred method) or hand delivered to the appropriate District Attorney's Office representative/investigator, both of which require the lead investigator/filing investigator to obtain a signed discovery log from the representative/investigator. The signed discovery log will be included in the investigative case file.

### **Sensitive, Complex, or Significant Investigations**

With sergeant/supervisor approval, cases determined to be sensitive, complex, or significant, including those that may be heavily documented, may be filed using the approved SharePoint portal (preferred method) or hand delivered to the appropriate District Attorney's Office representative/investigator. Such a filing method requires the lead investigator/filing investigator to obtain a signed discovery log from the representative/investigator. The signed discovery log will be included in the investigative case file.

### **.34 Electronic Filing Receipts**

The lead investigator/filing investigator, regardless of which method a case is discovered, is required to submit an electronic Filing Decision & Criminal History (FDCH) receipt form to the appropriate prosecutorial office for all in-custody, warrant or filing review cases, alongside the initial case filing. When filed with the District Attorney's Office, the receipt is the official method for the District Attorney to communicate the filing of criminal charges to the lead detective/filing investigator while also serving as a criminal history receipt the department is required to obtain for NCIC/CCIC records requirements.

Lead investigators/filing investigators will ensure the completed filing receipt is returned by the appropriate prosecutorial office for any investigation they are assigned. The lead detective/filing investigator or the designated support personnel will import these receipts into LERMS.

### **.36 Discovery to Other Prosecutorial Offices**

If an investigation is filed with another prosecutorial office (e.g., City Attorney's Office, United States Attorney's Office, etc.), the assigned lead investigator/filing investigator will be responsible for providing that office with the same discovery information using an agreed-upon method of transmission.

### **.40 Exculpatory Evidence**

Upon becoming aware of any verified or potentially exculpatory evidence related to any case, the following steps will be taken:

## **Discovering Member**

- Immediately notify their direct sergeant/supervisor (or their designee).
- Document the discovery of the verified or potentially exculpatory evidence in a case supplement, including the date, time, circumstances surrounding how the information was obtained, and what actions were taken after learning of the information.

## **Informed Supervisor**

- Without undue delay, notify the assigned bureau's Lieutenant (or their designee) **and** the investigation's lead investigator/filing investigator.

## **Assigned Bureau's Lieutenant (or designee)**

- Notify the appropriate prosecutorial office (e.g., District Attorney, City Attorney, Federal Prosecutors) of the exculpatory evidence.
- Notify the Investigations Division Commander.

## **Investigations Division Commander**

- In the event the verified or potentially exculpatory evidence is related to a post-conviction case, coordinate with the appropriate prosecutorial office to identify which agency will investigate the circumstances.
- Coordinate with the Professional Standards Division Commander to determine if an additional criminal and/or administrative investigation will be initiated. If initiated, the commanders will decide to whom the investigation will be assigned.

## **.50 Case Review with Investigative Personnel**

At least quarterly (1Q – January to March, 2Q – April to June, 3Q – July to September, 4Q – October to December), each investigative unit sergeant/supervisor will conduct a case review with their assigned detectives/investigators. The objectives of these case reviews include but are not limited to ensuring:

- Proper case management procedures are being followed.
- Proper investigative procedures are being followed.
- Investigations and the corresponding reports are being completed in a timely manner.
- Compliance with VRA (for eligible cases).
- Adherence to discovery processes.

In addition, sergeants/supervisors should use the quarterly case review process to assist the assigned investigator in identifying and managing their workload, including but not limited to determining the following:

- The scope of the work to be completed in an investigation.
- The viability of the outstanding investigative leads to be completed.
- The number of outstanding reports an investigator may still need to complete.

The individual investigator is responsible for ensuring all their active investigations are discussed in their case review.

## **.52 Chain of Command Reviews**

The assigned sergeant/supervisor will complete a *Quarterly Investigative Case Review Form* for each case review. The completed form will be sent to their assigned Lieutenant, who will randomly identify and review five of the unit's identified cases for adherence to this directive, including identifying any deficiencies noted. The form will then be provided to the Division Commander within 15 days of receipt, who will review it, provide any comments, and forward it to the Deputy Chief of the responsible bureau. These forms must be completed and sent to the assigned Deputy Chief within 30 days of the end of the quarter in which the review occurred. If the established timelines can't be adhered to, that information and a request for an extension will be communicated through the chain of command.

The department's case review process is outlined in the attached CSPD Supervisor Case Management Procedure Manual and will be followed by all personnel conducting case reviews. Supervisors requiring guidance with case review procedures should consult with the sergeants assigned to the Homicide Unit or Domestic Violence & Adult Sexual Assault (DVASA) Unit.

## **.54 Chain of Command Responsibilities and Support**

Proper case management and discovery practices require participation and oversight by the chain of command, up to and including the rank of Deputy Chief. Responsibilities for each rank are specific to each associated unit's chain of command, which are identified as follows:

### **Deputy Chief**

- Review quarterly case audits from division commanders.
- Ensure divisions in their bureau are engaging in appropriate case management & discovery practices.

## Commander

- Ensure all new sergeants/supervisors assigned under their command receive training on case management and discovery procedures
- Review the quarterly case management audits received from the Lieutenants and forward those to their assigned Deputy Chief.
- Address any case management or discovery concerns via the chain of command.

## Lieutenant

- Ensure all new sergeants/supervisors assigned under their command receive training on case management and discovery procedures within one month of beginning an investigative assignment.
- Review the quarterly case management audits received from the sergeant/supervisor and forward those to their assigned Commander.
- Ensure sergeants/supervisors hold case reviews with all assigned investigative personnel at least once a quarter.
- Conduct random case checks at least once per quarter to ensure that sergeants/supervisors and investigative personnel in their assigned units follow proper case management and discovery procedures. This will include ensuring proper case clearance codes, activity information, discovery, and other processes are being followed. Additionally, checks may include investigations completed since the previously completed case review.

## Sergeant/Supervisor

- Ensure all new personnel assigned under their command receive training on case management and discovery procedures within one month of beginning an investigative assignment.
- Hold case reviews at least once per quarter with all assigned investigative personnel.
- Ensure all cases received in their reporting bureaus are assigned to an investigator or the correct administrative account.
- Enter and ensure all LERMS data is correct on each investigation assigned to a detective/investigator.
- Enter and ensure all LERMS data is correct on each investigation received for inactivation.
- Conduct random checks at least once per quarter to ensure proper case management and discovery procedures are being followed by personnel in their assigned units. This will include checking random investigations completed by their personnel to ensure proper case clearance codes, activity information, discovery, and other processes are followed.
- Ensure discovery and case notification obligations are met when a lead investigator transfers from the unit, resigns/retires, or is otherwise no longer employed with the department.

## **Lead Investigator/Filing Investigator**

- Participate in case management and discovery procedure training within one month of beginning an investigative assignment.
- Adhere to all departmental case management and discovery procedures.
- Prepare and provide initial and ongoing discovery on assigned cases to the District Attorney's Office in accordance with this directive.
- Ensure all relevant Body Worn Camera (BWC) videos are identified, categorized (e.g., offense type, incident numbers, etc.), and classified in the department's approved BWC database.
- Actively prepare for and participate in quarterly case reviews with their assigned sergeant/supervisor to ensure case management and discovery adherence and identify any issues or failures.
- When necessary, address any deficiencies identified during the case review process.

## **Filing Unit Members**

- Participate in case management and discovery procedure training within one month of beginning the assignment.
- Adhere to all departmental case management and discovery procedures.
- Prepare and provide initial and ongoing discovery on assigned cases to the District Attorney's Office in accordance with this directive.
- Ensure all relevant Body Worn Camera (BWC) videos are identified, categorized (e.g., offense type, incident numbers, etc.), and classified in the department's approved BWC database.
- Actively prepare for and participate in the quarterly discovery audits, ensuring case management and discovery adherence and identifying any issues or failures.
- When necessary, address any deficiencies identified during the discovery audit process.

## **.60 Case Management & Discovery for Task Force Personnel**

Department personnel assigned to multiagency task forces (e.g., FBI Safe Streets, JTTF, DEA Task Force, ATF Task Force, etc.) will follow the parent task force agency's case management and discovery processes, including those procedures outlined in this directive. Each department employee assigned to a task force is responsible for ensuring they are properly trained on these procedures.

Task Force Officers (TFOs) are frequently assigned to off-site locations and may not see their assigned department sergeant/supervisor daily. While such contact may be infrequent, department sergeants/supervisors are expected to assign department cases. If their department

sergeants/supervisors are unavailable, an acting sergeant/supervisor will assign a case to the TFO and email the department sergeant/supervisor of the assignment. Acting sergeants/supervisors are expected to adhere to this policy and outlined practices. In such a situation, the assigned sergeant/supervisor will conduct periodic audits to ensure compliance on the part of an acting sergeant/supervisor.

## **.62 Case Management & Discovery Upon Transfer, Resignation, or Retirement**

When an investigator is transferred from an investigative unit due to reassignment, retirement, resignation, or is otherwise not employed with the department, the unit sergeant/supervisor will adhere to the following procedures:

- Ensure all cases assigned to the investigator with active discovery obligations are assigned to a new investigator to ensure continuity in the discovery process.
- Ensure all the employee's cases that do not have discovery requirements but require further investigation are reassigned to another unit investigator.
- Ensure all the employee's remaining cases that do not have discovery requirements or require further investigation are assigned to the unit's administrative account to ensure new information is handled in accordance with this directive.

## **.64 Request for a Filing Decision**

If an investigator submits a case for a 'filing decision' from the District Attorney's Office, the submitting member is responsible for ensuring they receive a filing decision and disposition the case accordingly.

Supplemental affidavits are prohibited for use on cases submitted for a filing decision, as the only method authorized for placing a 'want' for an out-of-custody person is an arrest warrant (standard or eWarrant).

## **.70 Case Management Committee**

The Investigations Division Commander is responsible for empaneling and overseeing a case management committee. The committee will include the following representatives:

- The Investigations Division Commander
- One Lieutenant from the Investigations Division
- One Sergeant from the Investigations Division
- Property Investigations Lieutenant from the Metro Division



- One Sergeant from the Metro Division
- The CSPD LERMS Administrator
- Additional members assigned as necessary by the Investigations Division Commander

The committee will meet **at least two times** a year, during which the committee will be responsible for:

- Reviewing the department's case management, discovery, and related processes.
- Reviewing and updating the department's eDiscovery and Supervisor Case Management procedure manuals.
- Recommending updates in the processes.
- Providing training or information on any updates to all department personnel, as necessary.

**The Investigations Division Commander will be responsible for communicating the results of the committee's work to the Investigation and Special Operations Deputy Chief.**

## **Attachments**

[Case Assignment Sheet Exemplar - Divisional Investigations](#)

[Case Assignment Sheet Exemplar - Homicide Unit](#)

[Case Assignment Sheet Exemplar - Metro Division](#)

[Case Assignment Sheet Exemplar - Major Crash Team](#)

[Case Management List](#)

[CSPD eDiscovery Procedure Manual](#)

[CSPD Supervisor Case Management Procedure Manual](#)

[Quarterly Case Review Form](#)

[FBI Uniform Crime Reporting Code Definitions](#)